



THE ACT GOVERNMENT **SECOND ANNUAL PROGRESS REPORT**

RESPONDING TO THE
RECOMMENDATIONS OF THE ROYAL
COMMISSION INTO INSTITUTIONAL
RESPONSES TO CHILD SEXUAL ABUSE

Final Report (December 2017)

Working with Children Checks (August 2015)

Redress and Civil Litigation (September 2015)

Criminal justice (August 2017)

CONTENTS

OVERVIEW.....	1
----------------------	----------

FINAL REPORT – PROGRESS.....	3
-------------------------------------	----------

THEME 1: MAKING INSTITUTIONS CHILD SAFE.....	3
---	----------

COAG endorsed the National Principles for Child Safe Organisations	3
Child Safe Standards	4
Priority Four Child Safety Working Group.....	5
Online Safety	6
Interjurisdictional Committees	6

THEME 2: AN OVERSIGHT SYSTEM THAT RESPONDS TO CHILD SAFETY....	7
---	----------

Independent oversight of child safety	7
Mandatory reporting.....	7
Reportable Conduct Scheme	8
Information sharing	9
Teacher registration	10
Health Child Protection Policy	10
Record keeping.....	11

THEME 3: SERVICES FOR CHILDREN AND YOUNG PEOPLE.....	12
---	-----------

Out-of-Home Care.....	12
Youth Roundtable	12
Carers.....	13
Complaints Handling and Management	14
Data	14
Youth justice	14
Early Support by Design.....	15

THEME 4: TAILORED SUPPORT THROUGH SPECIALIST SERVICES	17
Trauma informed therapeutic services	17
Therapeutic Assessment for Children in OOHC	17
Trauma Training and guides for child protection practitioners	17
Trauma informed practice in schools	17
Specialist therapeutic services	18
Aboriginal and Torres Strait Islander children and young people	18
Disability	20
REDRESS AND CIVIL LITIGATION REPORT – PROGRESS	22
Redress.....	22
Civil Litigation	22
TIMELINE CRIMINAL JUSTICE AND CIVIL LAW REFORMS.....	23
CRIMINAL JUSTICE REPORT – PROGRESS.....	24
NEXT STEPS.....	25

OVERVIEW

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in 2013, in response to allegations of sexual abuse of children in an institutional context that had been emerging in Australia for many years.

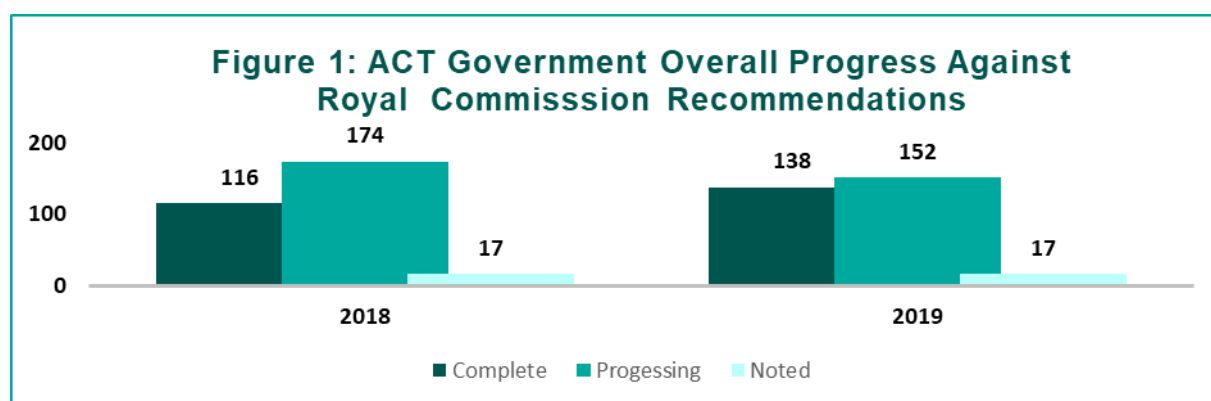
The Royal Commission handed down its Final Report on 15 December 2017. The Final Report contained 189 recommendations: 105 of these are pertinent to state and territory governments.

The Royal Commission has previously released:

- The Working with Children Checks Report in August 2015, containing 36 recommendations: 35 are relevant to the ACT.
- The Redress and Civil Litigation Report in September 2015, containing 99 recommendations: 84 are relevant to the ACT.
- The Criminal Justice Report in August 2017, containing 85 recommendations: 83 are relevant to the ACT

The ACT Government formally responded to the Royal Commission's Final Report on 15 June 2018. Of the 307 recommendations for the ACT Government, we accepted or accepted in principle 290 of these, and noted or took under further consideration the remaining 17.

Progress continues towards implementing the recommendations and currently of the 307 Recommendations, 138 are complete, 152 are in progress and 17 are noted.



As per recommendation 17.2, the ACT Government will continue to provide an Annual Progress Report for 5 years from 2018 to 2023. In December 2018, we publicly released our first annual Progress report responding to the recommendations of the Royal Commission.

This is the Act Governments second Annual Progress report.

Developing a culture of child safety in the ACT is one of our highest priorities, and the ACT Government has already addressed many of the Royal Commission's recommendations.

FINAL REPORT – PROGRESS

The ACT Government continues to make progress across the four themed domains.

1. Making Institutions Child Safe
2. An Oversight System that Responds to Child Safety
3. Services for Children and Young People
4. Tailored Support through Specialist Services.

THEME 1: MAKING INSTITUTIONS CHILD SAFE

Principles and standards to help organisations create a culture of child safety and empower children and young people

COAG endorsed the National Principles for Child Safe Organisations

The National Statement of Principles for Child Safe Organisations (the National Principles) were developed in response to early findings of the Royal Commission and aim to embed child safety as a key focus for organisations working with children and young people. The National Principles respond to recommendations 6.5 and 6.6 of the Royal Commission to establish national Child Safe Standards.

In February 2019, the Council of Australian Governments (COAG) endorsed the National Principles for Child Safe Organisations (Figure 2). The National Principles provide a nationally consistent approach to creating child safe cultures across organisations, and are broader than sexual abuse, covering other forms of harm.

The National Principles form a benchmark for developing and maintaining a child safe culture in organisations who work with children and young people.

The ACT Government will work closely with the Australian Government (through the National Office for Child Safety) and with other state and territory governments to support the promotion of the National Principles in all sectors working with children.

The Royal Commission expressed the expectation that the Standards not duplicate, but rather draw on, existing regulatory schemes. The standards are designed to be applied to, and implemented by, institutions in a flexible way, informed by each institution's nature and characteristics.

FIGURE 2: National Principles for Child Safe Organisations

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

Child Safe Standards

The Royal Commission recommended that States and Territories regulate Child Safe Standards by:

- requiring organisations engaging in child related work to meet the Child Safe Standards (recommendation 6.8); and
- establishing an independent oversight body to monitor and enforce compliance with Child Safe Standards, and provide information, advice and training.

The ACT Government will implement Royal Commission recommendations regulate Child Safe Standards with the ACT Human Rights Commission providing oversight functions.

Details about the ACT Child Safe Standards scheme are being decided in consultation with organisations that may come under the scheme, and the community. A period of community

consultation on Child Safe Standards is being conducted from November 2019 to February 2020 on the following topics:

- Which types of organisations should be included;
- What supports would best help organisations to comply with their obligations;
- What monitoring and enforcement powers should be given to the oversight body; and
- How can the scheme be introduced to support organisations to prepare?

The Standards will be implemented in the ACT in a way that emphasises capacity building and education for organisations. In line with the Royal Commission's recommendations, the Standards will also be implemented in a way that complements rather than duplicates existing child safety schemes and regulations.

Priority Four Child Safety Working Group

The National Office for Child Safety is working with state and territory governments to agree on a consistent national approach to child safety through the Priority Four Child Safety Working Group (the Working Group), established under the Fourth Action Plan for the National Framework for Protecting Australia's Children 2009-2020.

The Working Group is co-chaired by the Western Australia Department of Communities and the National Office for Child Safety. It includes people from all state and territory governments. The Working Group meets four times a year and talks to federal, state and territory government departments, including health, education and justice.

The Working Group is responsible for work that promotes consistent national approaches to keeping children and young people safe from harm. The Working Group is focused on four areas:

1. Supporting child safe institutions.
2. Improving information sharing, recordkeeping and data collection, including work on carer registers.
3. National Strategy to Prevent Child Sexual Abuse, including strategies to address the issue of children with harmful sexual behaviours.
4. Improving incident reporting.

The ACT Government will continue to participate in this group to progress this important work.

Online Safety

ACT public students develop capability in ICT as part of the Australian Curriculum, most recently specific curriculum connections have been developed for use by teachers from kindergarten to Year 10.

Students are taught to use ICT effectively and appropriately to access, create, and communicate information and ideas, solve problems, and work collaboratively. Students learn to use ICT with confidence, care and consideration, understanding the possibilities, limitations and impact these tools can have on individuals, teams, and communities. SchoolsNET, provides students with reliable access to the internet (including Google Classroom, part of the G Suite) and network drives that are safe and secure. This includes filtered internet on any device connected to the network, whether that is a school computer or a student's personal electronic device.

The Education Directorate partners with the Office of the eSafety Commissioner to provide teachers, students and families with a variety of information on how to use the internet in a respectful, responsible, reasonable and resilient manner. This includes online Virtual Classroom webinars, which are run by the Office of the eSafety Commissioner and have been facilitated by the ACT Education Directorate since October 2014. To date, over 13,500 students have participated in these webinars.

The Office of the eSafety Commissioner has produced new materials and resources for use in schools during 2019.

Interjurisdictional Committees

The ACT Government continues to work with all jurisdictions and the Commonwealth in implementing recommendations.

The ACT Government has representatives from all directorates contributing to the implementation of consistent approaches to addressing recommendations. Representatives participated in the:

- Consultations for the National Centre for the Prevention of Child Sexual Abuse;
- Child Abuse Royal Commission Implementation Taskforce;
- Interjurisdictional Working Group on Therapeutic Responses for Children with Problematic and Harmful Sexual Behaviours;
- Consultations for National Child Safe Standards and implementation of Child Safe Standards within the ACT with The National Office for Child Safety; and
- Interjurisdictional Working Group for national consistent approach to Working with Children Checks.

THEME 2: AN OVERSIGHT SYSTEM THAT RESPONDS TO CHILD SAFETY

Institutions organisations and employees who provide services to children to develop and maintain a high degree of transparency and accountability.

Independent oversight of child safety

A number of bodies currently provide child safety oversight functions in the ACT, including the Public Advocate, Children and Young People Commissioner, ACT Ombudsman, Human Services Registrar and the Teacher Quality Institute. The ACT Inspector of Correctional Services was established to provide independent oversight of ACT Correctional and Youth Justice facilities.

A strong independent and external oversight system provides scrutiny of the youth justice system in the ACT. This includes the ACT Human Rights Commission – specifically, the Public Advocate and Children and Young People Commissioner – as well as Official Visitors for Children and Young People; ACT Ombudsman; ACT Children and Young People Death Review Committee; Human Services Registrar; ACT Senior Practitioner and Inspectorate of Correctional Services (from Dec 2019).

The Royal Commission recommended that an independent oversight body monitor and enforce the Child Safe Standards. The ACT Government is working with stakeholders to identify options across government and non-government sectors, and to explore how the Child Safe Standards will interact with existing oversight functions.

Mandatory reporting

The ACT has a mandatory reporting scheme in place that requires certain people to report situations where they form a belief on reasonable grounds that a child or young person has experienced sexual or physical abuse or neglect.

Under the ACT's Children and Young People Act a mandated reporter is "a person who, in the course of the person's employment, has contact with or provides services to children, young people and their families and is prescribed by regulation." This covers all out of home care agency workers in the ACT, as all out of home care agencies are regulated by the ACT's Human Services Registrar and the terms of the agency's Service Funding Agreement.

From 1 September 2019 ministers of religion, religious leaders and members of the clergy of a church or religious denomination are mandated reporters. Information disclosed in a religious confession will need to be reported if it relates to sexual abuse against a child, or non-accidental physical injury to a child.

These changes were informed by work undertaken by the Honourable Justice Dodds-Streeton. Her Honour consulted with key stakeholders, including representatives of churches, agencies and organisations responsible for the reporting of child abuse and organisations representing survivors and victims.

In September 2019, updates were made to the Community Services Directorate's 'Keeping children and young people safe' guide to reporting child abuse and neglect in the ACT and the accompanying publicly available e-learning. These online materials support mandatory and voluntary reporters with understanding their obligations.

Changes to internal processes, procedures and practice guides were also updated to ensure staff were aware of the changes and impact on their role.

As outlined in *Keeping children and young people safe*, if any person is unsure if what they are seeing is abuse or neglect, they can phone Child and Youth Protection Services (CYPs) on the general public 24-hour line or the mandated reporters 24-hour line to discuss their concerns. CYPs staff will provide advice on whether a person's concerns are consistent with the legal definition of abuse and/or neglect.

Since its launch in January 2019, more than 1,400 people have accessed the Keeping children and young people safe e-learning course. The course provides a practical and interactive learning experience to help community members be informed about reporting child abuse and neglect to CYPs. While especially relevant for mandated reporters, it is a valuable resource for the entire community.

Further information about reporting child abuse and neglect and mandatory reporting is available at: <https://www.communityservices.act.gov.au>

Reportable Conduct Scheme

The Royal Commission stated during the course of its work that the Reportable Conduct Scheme operating in New South Wales was the most effective oversight mechanism it was aware of, to ensure allegations of child sexual abuse in organisations are reported, investigated and monitored.

The ACT Government implemented a Reportable Conduct Scheme, modelled closely on the NSW scheme, requiring organisations to report allegations or convictions of misconduct involving children to the ACT Ombudsman to ensure they are properly investigated and responded to.

From 1 July 2018, the ACT's Reportable Conduct Scheme was expanded to include religious institutions providing pastoral care and religious instruction. This included transitional arrangements that excluded reportable conduct disclosed in the course of religious confession from the Reportable Conduct Scheme.

In 2018, the ACT Government commissioned the Hon. Justice Julie Dodds-Streeton to provide advice on how to best implement the recommendations regarding the reporting of child sexual abuse which have implications for the confessional seal.

Further changes to the Reportable Conduct Scheme came into effect on 1 September 2019 including:

➤ **Nominating the head of the religious body**

A religious body must nominate an individual as the head of the body. If the religious body does not nominate an individual, the Ombudsman may nominate an individual.

➤ **Clarifying the definition of employee**

The definition of 'employee' for the purposes of the Reportable Conduct Scheme has been amended. The amended definition clarifies that a person is not an employee of a religious body merely because the person participates in worship.

This change is a technical one that reaffirms existing practice and provides clarity in the legal definition of employee.

➤ **Reporting information disclosed in a religious confession**

Certain information disclosed in a religious confession will be subject to the Reportable Conduct Scheme's reporting obligations.

Information disclosed in a religious confession will need to be reported to the ACT Ombudsman under this Scheme if it relates to a sexual abuse against a child, or non-accidental physical injury to a child. This is narrower in scope than the information that must generally be reported under the Reportable Conduct Scheme.

The recent reforms to reporting laws made following the Royal Commission's report and Justice Dodds-Streeton's analysis report are important for ensuring that we take proactive steps to protect children's safety and wellbeing.

Information sharing

In February 2019, legislative amendments to the Education Act 2004 passed to enable progress of recommendations particularly relating to child safety and information sharing. These amendments will ensure that non-government schools are required by law to take steps toward implementing the Royal Commission recommendations relating to the Child Safe Standards, while allowing adequate time in 2020 for development of the regulations and legislative changes in consultation with the education sector.

The ACT Government is progressing this work in partnership with other jurisdictions through the Priority Four Working Group (P4WG) under the Fourth Action Plan for the National Framework for Protecting Australia's Children 2009-2020.

One of the actions for this group is to improve protocols and procedures to share child protection related information between jurisdictions. Under this action work is being done to develop a nationally consistent approach to carer registers including initial mapping of existing jurisdictional approaches to carer registers. The P4WG has met twice, in June and September 2019, and will meet again in December 2019 to progress this project.

The ACT Government has also committed to expand the scope of the development of the Child and Youth Record Information System (known as CYRIS) to include the Child and Family Centres and the Child Development Service, and to build capability to integrate with key stakeholders. CYRIS will allow automated real time information exchange of risk, safety and wellbeing information about children and young people.

Teacher registration

The Teacher Quality Institute (TQI) has drafted an update to its Initial Teacher Education Program Accreditation Policy to require that accredited teacher education programs must include explicit instruction to raise awareness of safe learning environments for children using the education resources developed by the Office of the e-Safety Commissioner. The policy is scheduled to be considered by the end of 2019.

The TQI is contributing to the formation of advice to the Education Council through the Child Abuse Royal Commission Senior Officials Working group (CARC SOWG) and the Australian Institute of Teaching and School Leadership (AITSL). The TQI is also contributing through AITSL to responses to three recommendations relating to 'Strengthening Child Safety' from the National Review of Teacher Registration 2018 Report: *One Teaching Profession: Teacher Registration in Australia*.

Changes to the ACT Teacher Quality Institute Act 2010 made in 2019 require employers of teachers to provide to TQI information relating to current disciplinary actions, pending investigations and dismissal.

Health Child Protection Policy

The Health Directorate is reviewing its previous work on the draft framework Towards Child Safe Child Friendly and Child Aware Healthcare. The framework was developed in consultation with the Children and Young People's Commissioner and incorporates Child Safe Standards.

The 2019-20 Budget makes a dedicated investment of \$1,272,000 over four years to respond to the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse relating to the health sector.

This will support the implementation of the Child Safe, Child Friendly and Child Aware framework across all ACT hospitals and health services, in response to the Royal Commission's recommendations on keeping children safe in all institutional contexts.

Record keeping

Archival and records institutions represented by the Council of Australasian Archives and Records Authorities (CAARA) now require government agencies to keep records relating to child sexual abuse that has occurred, or is alleged to have occurred, for at least 45 years. The ACT Government retains most records relating to child sexual abuse that has occurred or is alleged to have occurred for a period of 99 years.

In September 2019 advice was approved by and published to the CAARA website. The advice outlines responsibilities for recordkeeping; describes the characteristics of a complete and accurate record; and provides guidance on records likely to be relevant if an institution is advised of an actual or alleged incident of child sexual abuse. It also provides advice on which records should be retained because it is reasonable to expect they may become relevant to an actual or alleged incident of child sexual abuse in the future. The advice directly addresses Australian government institutions but makes it clear that non-government institutions can voluntarily adopt the advice.

For non-government records, CAARA members have also engaged with representatives of the Australian Society of Archivists who are developing a toolkit of recordkeeping resources relating to out-of-home care, expected to be available in October 2019. The toolkit will include a link to the collaborative advice created by CAARA as a resource.

THEME 3: SERVICES FOR CHILDREN AND YOUNG PEOPLE

Safeguarding children in out-of-home care, residential care, the youth justice system, and providing safety education through the school curriculum.

Out-of-Home Care

The ACT Government is committed to maintaining a therapeutic, trauma-informed system for children and young people in out of home care.

To demonstrate the impact of the reforms implemented under A Step Up for Our Kids, KPMG was engaged to develop an outcome-based evaluation framework, conduct an initial baseline review and perform a Mid-Strategy Evaluation.

The Mid-Strategy Evaluation Report was tabled in the Legislative Assembly on 1 August 2019 and is now available on the Community Services Directorate website.

The Joint Governance Group for A Step Up for Our Kids will continue to review the findings for improvements that can be made to the implementation of the Strategy. All partner organisations are committed to its success.

Youth Roundtable

In November 2018, CSD organised a Youth Roundtable for young people currently or previously in care to provide their views about their experiences of case planning. Eleven young people attended.

The feedback has informed policy and practice discussions and a commitment has been made to facilitate ongoing participation and consultation with young people in care.

Several projects have already been influenced by feedback from the roundtable, including:

- the design of a new client management system for Children, Youth and Families (CYF)— this new system will deliver several benefits, including helping to prioritise the involvement of children and young people in decision making;
- embedding therapeutic trauma-informed practice—a practical tool for case managers was released and highlights the key feedback on trauma-informed practice from the roundtable;
- updating the Community Services Directorate website—work is progressing on the development of specific webpages for children and young people in care to help them understand the care system and how to participate in decisions that affect their lives; and
- reviewing the design of the ACT's Charter of Rights for kids in care – work is being finalised on the redesigned Charter and supporting resources to promote discussion of the rights of all children and young people in care.

The Youth Roundtable Final Report can be found on the Community Services Directorate website at: www.communityservices.act.gov.au/ocyfs/families-and-carers.

Carers

A Carer Handbook was finalised and distributed to all carers in June 2019.

The purpose of the handbook is to provide useful information, in one place, about the role of carers in supporting children and young people.

The handbook was developed in partnership between Child and Youth Protection Services and ACT Together. Content was informed by consultation with foster and kinship carers, as well as advocacy groups.

The handbook is available on the Community Services Directorate website and the Community Services Directorate has distributed hard copies to all carers.

The handbook will continue to be provided to new carers as they become approved.

A Step Up for Our Kids introduced a range of additional supports to carers to assist them in their caring role. These supports include:

- training for kinship and foster carers on how to provide trauma-informed care to vulnerable children and young people;
- providing children entering care with a therapeutic assessment, ensuring carers are provided with appropriate information and support right from the start of the placement;
- the provision of Health Passports, ensuring that carers have access to key health information about the child or young person in their care; and
- streamlining of the process to become an approved carer.

There are a variety of services available to support foster and kinship carers. These include:

- high level support and case management services, including dedicated carer support workers who are independent of a child or young person's caseworker, provided by ACT Together;
- an independent Kinship and Foster Carer Advocacy Service operated by Carers ACT, which provides information and advocacy support to foster and kinship carers, so they can be better supported in their caring role;
- a dedicated Carer Liaison Officer to assist foster and kinship carers case managed by Child and Youth Protection Services, provided by Children, Youth and Families;
- free family and individual counselling to kinship carers, provided by ACT Together; and
- family support and children's services available through the ACT Government's Child and Family Centres.

Complaints Handling and Management

The ACT Government has a Complaints Handling and Management Platform that sets out how the Community Services Directorate responds to Complaints, Feedback and Compliments. The Community Services Directorate has a 'no wrong door' approach to complaints received from children and young people who are in care and protection or youth justice. Complaints can be received via mail, email, phone or face to face.

Data

The ACT is working collaboratively with all jurisdictions to develop nationally consistent data definitions through the Children and Families Secretaries' Strategic Information Working Group, co-chaired by the Australian Institute of Health and Welfare and the New South Wales Government.

All Australian governments are working to improve the *Child Protection National Minimum Data Set* (the Data Set). The Data Set is an annual collection of information on child protection in Australia. The Australian Institute of Health and Welfare publishes the data each year. The data is also used by the Productivity Commission in its annual Report on Government Services.

In 2019, all levels of government agreed on:

- key terms and definitions relating to child sexual abuse and child sexual exploitation in out-of-home care;
- the scope for national reporting on child sexual abuse in out of home care; and
- new data items, so that the number of children who were sexually abused while in out-of-home care, and the demographics of these children, can be reported.

Youth justice

In May 2019, the final report from the Blueprint for Youth Justice Taskforce was tabled in the ACT Legislative Assembly. The Taskforce comprised key youth justice stakeholders and was responsible for monitoring progress of the ACT Government's 10-year strategy for youth justice reform – the Blueprint for Youth Justice in the ACT 2012–2022.

The Taskforce was also charged with identifying emerging issues and making recommendations to focus the work of the strategy as it progressed. In its final report, the Taskforce noted achievements made under the Blueprint demonstrate success in its focus on prevention, diversion and individualised support as sound policy and practice. Since the development of the Blueprint, there has been a significant reduction in the number of young people involved with the youth justice system and, for the most part, fewer young people held in detention.

The 2017–18 Budget provided \$1,189,000 to Bimberi to upgrade its information technology security infrastructure. This investment enabled the first major upgrade to Bimberi security systems since its

opening in 2008. The work continued in 2018–19 and laid the groundwork for future installations of additional CCTV cameras and increased storage capacity for visual recordings, allowing for greater CCTV coverage of the site to support the safety and security of young people, staff and visitors.

In 2018–19, Bimberi also transitioned to a digital standards-based radio network involving digital handsets, earpieces, base stations, repeaters and other related equipment. Radios are a critical operational business tool in ensuring safety and security for all persons at Bimberi. They are used for reporting, checks and safety procedures, and in the event of a critical incident or emergency. They are the primary communication device for calling for emergency assistance for a young person or staff member.

The Community Services Directorate continues to invest in training and ongoing professional development in trauma-informed care for youth justice staff to assist them to meet the needs of young people in detention.

The Workforce Development team provides the Responding to Child Abuse and Neglect (RCAN) full day face-to-face training offered monthly to government and non-government organisations. This training is for all staff who have contact with children and young people or families and carers and is compulsory for all Youth Workers at Bimberi Youth Justice Centre. In the 2018–19 financial year, 196 participants attended RCAN training.

The 14-hour Youth Mental Health First Aid course is delivered to all Bimberi trainees during their induction along with staff from across the directorate. Participants learn how to assist adolescents who are developing a mental health illness, experiencing exacerbation of an existing mental health problem or are in a mental health crisis until appropriate professional help is received or the crisis resolves. This course is delivered by one or two Workforce Development trainers who are also registered Youth Mental Health First Aid trainers. In the 2018–19 financial year, nine participants were trained in this program.

In 2019, the Community Services Directorate extended the role of Principal Practitioner to Bimberi Youth Justice Centre, providing expert clinical guidance on positive behaviour support.

Early Support by Design

The ACT Government has committed to an ambitious ten-year reform to shift the human services system from a crisis-focused one to a system that responds earlier and places the wellbeing of the young people, families and communities it serves at its centre.

The Early Support initiative brings together the Justice and Community Safety, Health, Education and Community Services Directorates, as well as the community sector, in recognition that no single organisation can do this work alone.

The focus of reforms is on enhancing early support capacity through a series of implementation initiatives. These initiatives are grounded in what people in the community have already told us will work for them – a focus on inter-generational well-being, a system that supports self-determination, and services that work with children and young people in the context of their families and communities.

These initiatives will establish what works in the ACT through a try, test and learn approach across:

- A Health-led sustained nurse home visiting program;
- A Justice and Community Safety Directorate-led data collection and infrastructure project to maximise opportunities for working in innovative ways with clients in the context of their families;
- An Education-led initiative for flexible learning options for students at risk of disengaging from school; and
- A Community Services Directorate -led Child Protection Diversion initiative for Aboriginal and Torres Strait Islander children and families.

Aboriginal and Torres Strait Islander community-led solutions are critical to improving services and life outcomes for Aboriginal and Torres Strait Islander people.

The ACT Government has commenced working with members of the Aboriginal and Torres Strait Islander community to identify and design opportunities for change. Community members have consistently identified the need for holistic, family and community centred responses, rather than services that respond to an individual young person in isolation from their community and family.

Maintaining Aboriginal and Torres Strait Islander community-led solutions will be critical to the success of Early Support over time.

Evidence suggests that if the Early Support reform is successful, crisis services will have capacity to shift their focus to increased diversionary and early assistance services which will gradually free up additional resources for further reinvestment in early support that responds to community needs

THEME 4: TAILORED SUPPORT THROUGH SPECIALIST SERVICES

Appropriate advocacy, counselling and support for victims and survivors of child sexual assault, children with problematic sexual behaviours, for Aboriginal and Torres Strait Islander People and for people with a disability.

Trauma informed therapeutic services

Therapeutic Assessment for Children in OOHC

The Community Services Directorate remains committed to ensuring all children and young people in out of home care have an initial therapeutic assessment completed and have engaged the Australian Childhood Trauma Group to facilitate the completion of approximately 270 therapeutic assessments by June 2020. There were 110 therapeutic assessments completed in 2017-18 and 229 in 2018-19.

Trauma Training and guides for child protection practitioners

The Community Services Directorate has developed a suite of documents to guide child protection practitioners on how to support children and young people, birth families and carers in a therapeutic, trauma-informed way. Child protection practitioners are also provided specialised training sessions for ongoing trauma-informed training.

Trauma informed practice in schools

Trauma informed practice is embedded and being strengthened in all ACT Public Schools through the Safe and Supportive Schools Policy, Positive Behaviours for Learning which is being incrementally established in all ACT Public Schools. Trauma Informed Schools as a professional learning package is also offered to schools to embed practices at a universal level in schools.

All ACT public schools, students, parents/carers and teachers have access to a school psychologist. School psychologists work across behavioural, social, emotional and learning domains to support a student's wellbeing and learning.

Psychologists in ACT public schools can provide schools with recommendations and strategies to support students in both mainstream and specialist school settings. Early identification of learning difficulties and timely intervention is the key to success in the classroom and improves future educational outcomes for students.

School psychologist's also support wellbeing through identification of personal difficulties early in the life of the problem, responding to immediate crisis, working with school staff to put in preventative

strategies at the whole school level and refer students to other specialist agencies when a more specialised and ongoing intervention is required

In 2019, 88 ACT public schools are supported by 73 FTE school psychologists and senior psychologists who provide direct, indirect and universal supports. Another 3.6 FTE are provided through the Child Development Service and Positive Behaviours for Learning team bringing the total funded FTE to 76.6.

During 2018, the Directorate reviewed the psychology service with the aim to strengthen service delivery to continue to meet student needs into the future. The review's key recommendations were:

- continuity of psychologists within a school;
- establishment of an assessment and intervention team; and
- an increased focus on early intervention and prevention of learning and mental health needs.

In 2019, there has been an incremental establishment of an assessment and intervention team. This team will provide additional learning and cognitive assessments and provide specialised small group interventions across all schools.

Specialist therapeutic services

Canberra Health Services continue to provide secondary prevention and tertiary intervention strategies for children under 10 years old who display harmful sexual behaviours through the Child at Risk Health Unit.

Specific Canberra Health Services (Child Health Targeted Services and Child and Adolescent Mental Health) that provide care to victims and survivors utilise a trauma informed approach for treatment and care.

Current services provided by Canberra Health Services align with the Royal Commission's principles for therapeutic intervention for children with harmful sexual behaviours, noting that therapeutic interventions are only provided to children under 10 years old. Further scoping is required to understand the implications in order to provide services to all children.

Aboriginal and Torres Strait Islander children and young people

Throughout 2018-19, the *Our Booris, Our Way* Steering Committee released 18 recommendations to the Minister for Children, Youth and Families which focus on systemic improvements to reduce the number of Aboriginal and Torres Strait Islander children and young people entering care, improve their experience and outcomes while in care and where appropriate, exit children from care. The final report for the *Our Booris, Our Way* Review, is in development and due for completion in December 2019.

Child and Youth Protection Services (CYPS) has already commenced work on many of the interim recommendations received from the *Our Booris, Our Way* Steering Committee, with the ACT

Government committing \$1.74 million over four years in the 2018-19 budget. This investment will support training and workforce development to increase staff cultural proficiency, and implementation of the Aboriginal and Torres Strait Islander Child Placement Principle within policy, practice and training. It will also support the continuation of Family Group Conferencing, through cultural support and mentoring.

During 2018–19, CYPS undertook various activities to embed the Aboriginal and Torres Strait Islander Child Placement Principle into practice.

In October 2018, CYPS engaged Aboriginal owned organisation Curijo, to develop a guide to help CYPS staff effectively embed ‘active efforts’ for best practice case management under each element of the principle. Seven stakeholder workshops contributed to the guide’s development, including workshops with Aboriginal and Torres Strait Islander community organisations and the Our Booris, Our Way Review Team. The guide is due to be released in 2019.

CYPS also engaged the Secretariat of National Aboriginal and Islander Child Care (SNAICC) to provide staff training focussed on understanding and applying all elements of the principle into practice. Training was tailored to the specific needs highlighted by staff as priorities for effective working relationships with Aboriginal and Torres Strait Islander families. Almost 130 CYPS staff completed the training.

In response to the interim recommendations from the Our Booris, Our Way Review, CYPS has invested significantly in supporting and building the cultural competence of its staff by offering a range of training opportunities aimed at improving culturally responsive practice. This includes face to face, online and intensive programs.

In 2018–19, 32 staff also completed the intensive Cultural Development Program. Designed specifically for CYPS, it is conducted over three months and supports staff to develop a stronger understanding of the history, spirituality and importance of land to Aboriginal people. Recruitment to the designated CYPS training position in response to recommendation one of the Our Booris, Our Way Review enabled an additional three programs to be run during the reporting period. This program forms part of CYPS’ core training for staff.

In 2018-19, 300 Community Services Directorate staff attended across 12 sessions of the Cultural Safety Masterclass with Associate Professor Richard Frankland. The training was designed to increase understanding of Aboriginal and Torres Strait Islander peoples and look at creating policy to alleviate cultural loads, making culturally safe pathways and determining culturally safe environments.

In March 2019, Child and Youth Protection Services recruited an Aboriginal and Torres Strait Islander Senior Policy Officer to support the review and development of operational policy documents to ensure they are culturally responsive. The officer has commenced scoping work to implement the Aboriginal and Torres Strait Islander Child Placement Principle into policy, and established an advisory committee comprising internal and external stakeholders. As at 30 June 2019, the committee includes CYPs, Gudan Gulwan Youth Aboriginal Corporation, Aboriginal Legal Services, Justice and Community Safety, Winnunga Nimmityjah Aboriginal Health Service, ACT Together and ACT Health. All invitees were chosen for their expertise in working with Aboriginal families.

Disability

People with Disability Australia (PWDA) continues to support people with disability who may be affected by the Royal Commission. PWDA provides individual advocacy to those who are affected and are also running a comprehensive training program across Australia, developing awareness of the sexual and human rights of people with disability.

The ACT Government released the First Action Plan for the Disability Justice Strategy in August 2019.

Early in the development of the Disability Justice Strategy, training for frontline workers was identified as a necessary component of systemic cultural change. A series of five justice focussed training packages were trialled from 18 October 2018 to 3 April 2019 focussed on upskilling diverse frontline workers within the justice system. Based on feedback from the trials, the ACT Government is now working collaboratively with local training partners to develop and deliver training modules that can be flexibly assembled to better meet the expectations of ACT justice agencies.

On 14 March 2019, a workshop was held to address the cultural realities of Aboriginal people with disability, in order to improve service delivery to Aboriginal and Torres Strait Islander clients and co-workers. The workshop was attended by 14 people from seven agencies across government and community, including Galambany and Wurrumbul Courts, Police Community Youth Club (PCYC), ACT Policing, ACT Corrections, Child and Youth Protection Services, and the Office for Disability.

WORKING WITH CHILDREN CHECKS REPORT – PROGRESS

National Harmonisation of Working With Children Checks, Including the introduction of disqualifying offences and increased information sharing between jurisdictions.

Legislation has been amended and a further tranche of amendments will be made in 2020 to enhance the operation and administration of the ACT's Working With Vulnerable People Scheme (WWVP), as we continue to work with other jurisdictions to develop and implement National Standards for Working with Children Checks.

- The Working with Vulnerable People (Background Checking) Amendment Act 2019 commences on 1 July 2020 to better align the WWVP checks with intergovernmental agreement on Nationally Consistent Worker Screening for the NDIS.
- The screening of NDIS workers will be included as a subset of the broader WWVP scheme.
- The registration period for WWVP checks has been increased from three to five years.
- Disqualifying offences have been introduced for registration for an NDIS activity only.
- The tranche of amendments to the legislation scheduled for 2020 will work towards positioning the ACT WWVP Scheme to participate in the national harmonisation efforts.
- Work will continue on legislative reform to enable the ACT to improve information sharing between jurisdictions.

REDRESS AND CIVIL LITIGATION REPORT – PROGRESS

Provision of effective redress for survivors through the establishment of a single redress scheme and Reforms to civil litigation systems to make civil litigation a more effective means of providing justice for survivors.

Redress

The ACT joined the ten-year National Redress Scheme on 1 July 2018. The Scheme is an important step to acknowledging the long lasting and severe injuries that can affect survivors for the rest of their lives.

A Hub has been established in the Justice and Community Safety Directorate to coordinate and monitor the provision of ACT responses to requests for information from the Commonwealth Department of Social Services to help it to assess applications for redress.

The Scheme offers survivors access to psychological counselling, a direct personal response from the responsible institution and a monetary payment of up to \$150,000.

Civil Litigation

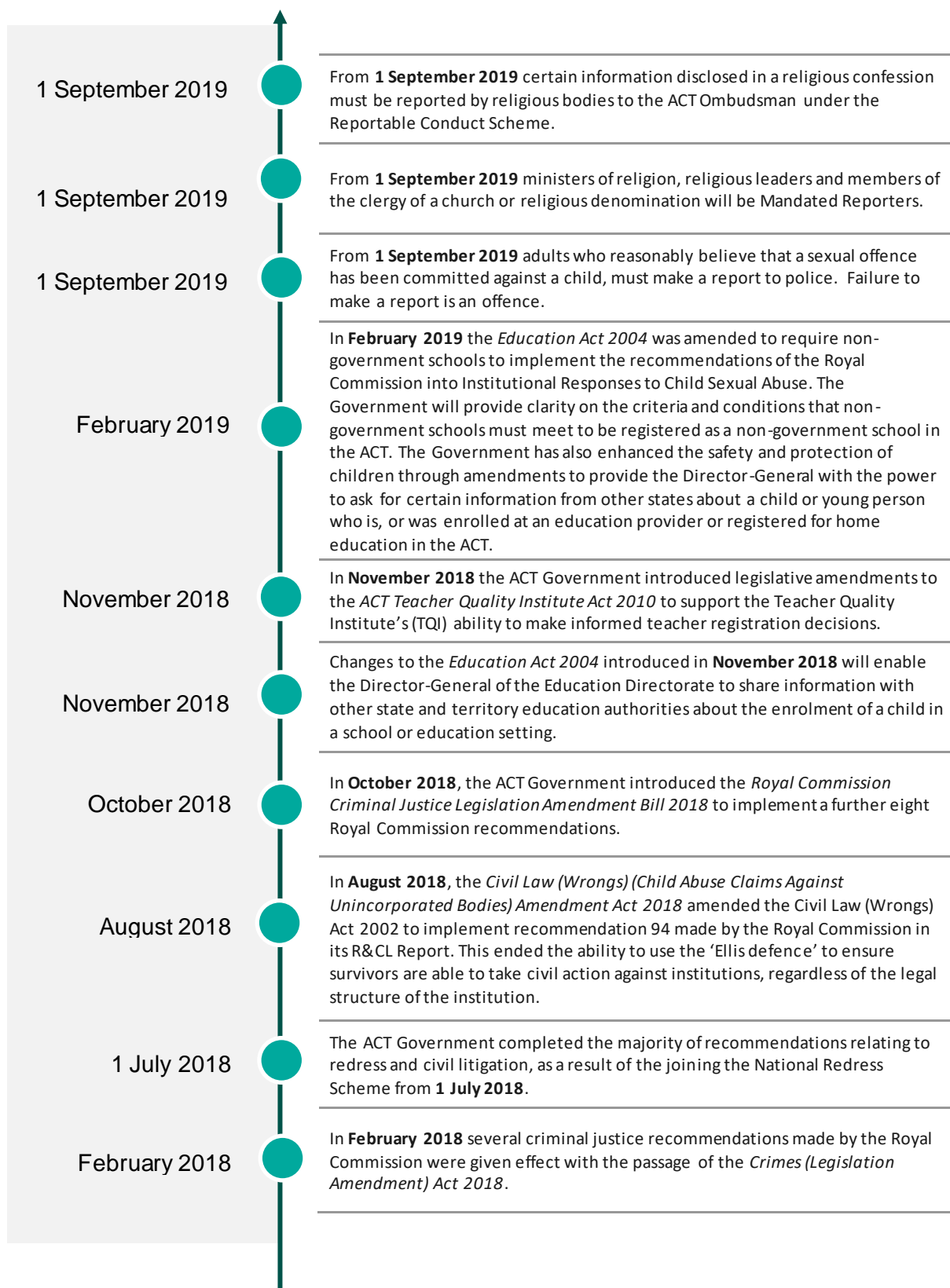
The ACT has already implemented a range of recommendations in the Royal Commission's Criminal Justice report, including:

- removing limitation periods for civil actions on child sexual abuse in an institutional context
- criminalising ongoing sexual abuse, rather than just individual sexual acts
- broadening grooming offences to criminalise any contact with a child that is intended to make a sexual offence more likely and extending grooming offences to the grooming of persons other than the child
- excluding good character from reducing a sentence for a child sex offender where that good character is what enabled them to gain access to the victim.

Civil law reforms already implemented include the removal of the 'Ellis defence' to ensure survivors can take civil action against institutions, regardless of their legal structure.

The ACT Government continues implementing law reforms to enable the implementation of the Royal Commission recommendations.

TIMELINE CRIMINAL JUSTICE AND CIVIL LAW REFORMS



CRIMINAL JUSTICE REPORT – PROGRESS

Implement reforms to the criminal justice system to ensure:

- a) the criminal justice system operates in the interests of seeking justice for society, including the complainant and the accused.
- b) criminal justice responses are available for victims and survivors.
- c) victims and survivors are supported in seeking criminal justice responses.

Special measures available to witnesses in proceedings are extended to victims making victim impact statements.

In June 2019 the ACT Government provided funding to establish an ACT Intermediary scheme. The Scheme, to be implemented by the Victims of Crime Commissioner within the ACT Human Rights Commission, will commence in early 2020. Intermediaries will initially be provided to child complainants in sexual assault matters and child witnesses in homicide matters.

Regular training and education programs for the judiciary and legal profession in relation to understanding child sexual.

In August 2019, the Prosecutors from the Office of the Director of Public Prosecutions attended a 'trauma' training program delivered by Blue Knot Foundation.

New failure to report offence

New laws came into effect on 1 September 2019 that relate to reporting child abuse, mandatory reporting and reportable conduct. The changes are all intended to improve the way adults proactively report child abuse to authorities.

All adults who reasonably believe that a sexual offence has been committed against a child, must make a report to police. Failure to make a report is an offence.

Further information can be found at:

<https://www.act.gov.au/childabuseroyalcommission/formalresponse/new-laws-to-improve-reporting-of-child-abuse>

NEXT STEPS

The ACT Government maintains its ongoing commitment to ensure that history never repeats, victims are never again silenced, and perpetrators of child sexual abuse are brought to justice.

An effective response to implement the Royal Commission's Final Report recommendations will depend on careful consideration, extensive consultation and cooperation between jurisdictions.

Over the next 12 months, the ACT Government will continue to implement the recommendations from the Royal Commission. In 2019-20 the ACT will:

- Amend legislation to enhance the operation and administration of the Working with Vulnerable People Scheme.
- Collaborate with the Commonwealth and other state and territory governments on recommendations agreed as national priorities, such as developing the National Framework on Child Safety and Child Safe Standards, information sharing, record keeping and data collection; and addressing the complex issue of children with harmful sexual behaviours.
- Continue consultation on the detailed design for the ACT Child Safe Standards scheme which will be developed in early 2020.

The work of the Royal Commission and the ACT Government's response may bring up strong feelings and questions. Be assured you are not alone, and that there are many services and support groups available to assist. Some options for advice and support include **1800 Respect**, Lifeline on **13 11 14** and the National Redress Information Line on **1800 146 713**.