



## Overview of Family Violence and Child Abuse Initiatives by all Australian governments

To develop a nationwide picture of existing government initiatives that address family violence, the Social Justice Commissioner sent correspondence to all State, Territory and relevant Australian government departments<sup>1</sup> requesting information on their policies and programs during the period 2006-2007.

The materials reproduced here are primarily drawn from information provided by each government or department,<sup>2</sup> as well as some background information on major reports, inquiries or events that have shaped family violence and child abuse policy.

*Part 1* of the appendix sets out the Council of Australian Governments (COAG) framework for intervention in family violence and child abuse, as well as Australian government responses reporting against the commitments arising from the 2006 *Inter-governmental Summit on Indigenous Family Violence and Child Abuse*.

*Part 2* of the appendix provides supplementary information on other policies and programs that address family violence and abuse in Indigenous communities at the federal level.

*Part 3* of the appendix provides an overview for each State and Territory under the following four headings:

- a) policy frameworks;
- b) joint State/Territory and Australian government initiatives;
- c) monitoring and evaluation processes; and
- d) programs

It also includes information about major relevant reports in each state and territory.

---

1 The departments contacted were: Department of Families, Community Services and Indigenous Affairs; Attorney General's Department; Department of Health and Ageing; Department of Employment and Workplace Relations; Department of Education, Science and Training; Department of Human Services; and Department of Communications, Information Technology and the Arts.

2 The Social Justice Commissioner's Office has reported the information provided by governments and departments. Although all efforts have been undertaken to ensure that the reporting is accurate, the Social Justice Commissioner's Office does not endorse the claims made.



## Part 1: The Council of Australian Governments' framework for responding to Indigenous Family Violence and Child Abuse

Family violence and child abuse in Indigenous communities are issues that require cooperative action between the state and territory and federal levels of government. Many of the crucial services, such as policing, justice and child protection are the responsibility of the states and territories although there is still considerable scope for enhanced funding and supplementary support from the Australian government to address family violence and child abuse.

Most of the significant collaborative action taken on Indigenous family violence and child abuse has been negotiated through the Council of Australian Governments (COAG).<sup>3</sup>

Following the Prime Minister's national roundtable with Indigenous leaders on family violence in 2003, a working group was formed to develop a draft family violence strategy to be endorsed by COAG.<sup>4</sup> COAG agreed to a *National Framework for Preventing Family Violence and Child Abuse in Indigenous Communities*<sup>5</sup> (the National Framework) on 25 June 2004. The National Framework establishes prevention of child abuse and family violence as a national priority and includes a process for taking action through bilateral agreements. It also states that family violence prevention will be based on the principles of:

- *Safety*: Everyone has the right to be safe from family violence and abuse.
- *Partnerships*: Preventing family violence and child abuse in Indigenous families is best achieved by families, communities, community organisations and different levels of government working together as partners.
- *Support*: Preventing family violence and child abuse in Indigenous families relies on strong leadership from governments and Indigenous community leaders and sustainable resourcing.
- *Strong, resilient families*: Successful strategies to prevent family violence and child abuse in Indigenous families enable Indigenous people to take control of their lives, regain responsibility for their families and communities and to enhance individual and family wellbeing.
- *Local solutions*: Successful strategies to prevent family violence and child abuse in Indigenous families are flexible, work across jurisdictional and administrative boundaries, enable communities and governments to work together in new and innovative ways and enable local Indigenous communities to set priorities and work with governments to develop and solution to implement them.

3 For a detailed discussion of government responses to family violence in Indigenous communities up to 2003, see *Social Justice Report 2003*, pp168-174.

4 Aboriginal and Torres Strait Islander Social Justice Commissioner, *Social Justice Report 2003*, HREOC, Sydney, 2003, p169.

5 COAG, Communiqué, 25 June 2004, Attachment C – *National Framework for Preventing Family Violence and Child Abuse in Indigenous Communities*, available online at: [http://www.coag.gov.au/meetings/250604/attachments\\_c.rtf](http://www.coag.gov.au/meetings/250604/attachments_c.rtf), accessed 29 January 2008.



- *Addressing the cause:* Successful strategies to prevent family violence and child abuse in Indigenous families to address the underlying causes of violence and abuse, including alcohol and drug abuse, generational disadvantage, poverty and unemployment.<sup>6</sup>

On 26 June 2006, the Minister for Families, Community Services and Indigenous Affairs, convened the *Intergovernmental Summit on Indigenous Family Violence and Child Abuse*, attended by all State and Territory Governments. All parties reconfirmed their commitment to the National Framework and developed the *National strategy for action to overcome violence and child abuse in Indigenous Communities* (the action strategy).<sup>7</sup>

The action strategy includes the following commitments:

- *Customary law and bail:* All governments agree that customary law in no way justifies violence against women and children. The Australian Government indicated its intention to amend 16A of the *Crimes Act 1914* to delete any reference to:
  - any mandatory consideration of cultural background for all offences against Commonwealth law and to exclude from sentencing discretion... claims that criminal behaviour was justified, authorized or required under customary law or cultural practice.<sup>8</sup>
- *Law Enforcement:* Unanimous support for the establishment of a National Intelligence Unit to improve policing of violence and child abuse in Indigenous communities.
- *Senior Indigenous Network:* Additional \$4 million in Australian government funding to support leadership development in Indigenous communities, to be negotiated bilaterally with the States and Territories.
- *Protection for Victims:* All governments recognise the importance of additional safe places and increased legal support for victims of violence and abuse.
- *Drug and Alcohol Rehabilitation Services:* Up to \$50 million Australian government funding to jointly fund additional drug and alcohol services, provided on a basis of need.
- *Health and Well-being of Children:* Extension of the Australian government's *Indigenous Child Health Check* scheme.
- *Corporate Governance:* Australian government funding guidelines to be amended to ensure that government funding only goes to 'organisations managed by fit and proper persons'.

6 COAG, Communiqué, 25 June 2004, Attachment C – *National Framework for Preventing Family Violence and Child Abuse in Indigenous Communities*, available online at: [http://www.coag.gov.au/meetings/250604/attachments\\_c.rtf](http://www.coag.gov.au/meetings/250604/attachments_c.rtf), accessed 29 January 2008.

7 Brough, M., (Minister for Families, Communities and Indigenous Affairs), *Communiqué – Safer Kids, Safer Communities, Attachment – National Strategy for action to overcome violence and child abuse in Indigenous Communities*, 26 June 2006.

8 Brough, M., (Minister for Families, Communities and Indigenous Affairs), *Communiqué – Safer Kids, Safer Communities, Attachment – National Strategy for action to overcome violence and child abuse in Indigenous Communities*, 26 June 2006.



- *Compulsory School Attendance*: All governments recognise the importance of school attendance but are unsure about how to ensure all Indigenous children are enrolled and attend school. The issue will be referred to the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA).

Following the Summit, implementation of the action strategy was discussed at the COAG meeting on 14 July 2006. It was further announced that the Australian Government would commit \$130 million over four years to assist with bilateral, joint funded initiatives around Indigenous family violence and child abuse.<sup>9</sup>

COAG agreed to the following measures:

- to provide more resources for policing in very remote areas;
- to improve the effectiveness of bail provisions;
- to establish a National Indigenous Violence and Child Abuse Intelligence Task Force to support existing intelligence and investigatory capacity;
- to establish Joint Strike Teams on a bilateral basis, where necessary, to work in remote Indigenous communities where there was evidence of endemic child abuse or violence;
- to invest in community legal education to ensure Indigenous Australians are informed about their legal rights, know how to access assistance and are encouraged to report incidents of violence and abuse;
- to amend or monitor State and Territory legislation, where necessary, to remove customary law or cultural practice excuses;
- States and Territories magistrates being encouraged to make attendance at drug and alcohol rehabilitation programmes mandatory as part of bail conditions or sentencing;
- additional resourcing for drug and alcohol treatment and rehabilitation services in regional and remote areas;
- support for networks of Indigenous women and men in local communities so that they can better help people who report incidents of violence and abuse;
- an accelerated roll-out of the Indigenous child health check in high-need regions, with locations to be agreed on a bilateral basis; and
- collect and share data on enrolments and attendance with a newly established National Student Attendance Unit to monitor, analyse and report on this data.

In addition to these specific measures to address Indigenous family violence and child abuse, COAG has utilised other processes for joint action. The *Overcoming Indigenous Disadvantage* process was established in April 2003 when COAG commissioned the Steering Committee for the Review of Government Service Provision to produce a regular report against key indicators of Indigenous disadvantage. The reports are designed to measure whether government services

<sup>9</sup> COAG, *Communiqué, Outcomes of the Indigenous Summit on Violence and Child Abuse in Indigenous Communities*, 14 July 2006, available online at: <http://www.coag.gov.au/meetings/140706/index.htm#indigenous>, accessed 29 January 2007.



are achieving outcomes and guide where further work is needed. Reports were released in 2003,<sup>10</sup> 2005<sup>11</sup> and 2007.<sup>12</sup>

The *National Framework of Principles for Delivering Services to Indigenous Australians* was agreed on by COAG on 25 June 2004. It sets out service delivery based on the principles of: sharing responsibility; harnessing the mainstream; streamlining service delivery; establishing transparency and accountability; developing a learning framework; and focussing on priority areas.<sup>13</sup>

Other measures include:

- the COAG Reconciliation Framework,<sup>14</sup>
- COAG Trials;<sup>15</sup> and
- bilateral agreements between Commonwealth and State and Territory Governments.<sup>16</sup>

### **Implementation of the Intergovernmental Summit on Indigenous Family Violence and Child Abuse and COAG Action Strategy**

In August 2006 the Prime Minister wrote to all Australian government Ministers with portfolio responsibility for the 17 initiatives included in the \$130m package. The Minister for Families, Communities and Indigenous Affairs was charged with overall responsibility for coordinating the implementation of the package and for leading bilateral negotiations with the states and territories.<sup>17</sup> The initiatives undertaken by Australian Government departments are reported below.<sup>18</sup>

#### **1. Customary law (lead agency: Attorney General's Department)**

The Australian Government enacted the *Crimes Amendment (Bail and Sentencing) Act 2006 (Cth)* on 7 December 2006 to give effect to COAG's decision on customary law. The Act amends the *Crimes Act 1914 (Cth)* to:

- 
- 10 SCRGSP (Steering Committee for the Review of Government Service Provision) 2003, *Overcoming Indigenous Disadvantage: Key Indicators 2003*, Productivity Commission, Canberra.
  - 11 SCRGSP (Steering Committee for the Review of Government Service Provision) 2005, *Overcoming Indigenous Disadvantage: Key Indicators 2005*, Productivity Commission, Canberra.
  - 12 SCRGSP (Steering Committee for the Review of Government Service Provision) 2007, *Overcoming Indigenous Disadvantage: Key Indicators 2007*, Productivity Commission, Canberra.
  - 13 COAG, Communiqué, 25 June 2004, Attachment B- *National Framework for Principles for Delivering Services to Indigenous Australians*, available online at: [http://www.coag.gov.au/meetings/250604/attachments\\_b.rtf](http://www.coag.gov.au/meetings/250604/attachments_b.rtf), accessed 29 January 2008.
  - 14 COAG, Communiqué, 3 November 2000, available online at <http://www.coag.gov.au/meetings/031100/index.htm#reconciliation>, accessed 29 January 2008.
  - 15 See the *Social Justice Report 2005*, pp 48- 57 for a detailed analysis of COAG trials.
  - 16 Relevant bilateral agreements between Commonwealth and State and Territory Governments are discussed below under each State and Territory overview.
  - 17 Costing for the seventeen initiatives was settled in late 2006. Evaluation data is not available for the period covered by this report (1 July 06 to 30 June 07), since most initiatives were in final stages of planning and/ or agreement during this time.
  - 18 The Social Justice Commissioner wrote to all relevant Secretaries of all of the relevant Commonwealth government departments requesting a report on the implementation of the COAG action strategy. These responses form the basis of the information provided.



- make clear that in the assessment of bail and sentencing decisions under Commonwealth law, the seriousness of criminal behaviour cannot be lessened or aggravated because of customary law or cultural practice.

The Act also provides additional protection to victims and witnesses by requiring courts to consider the potential impact of granting bail, on victims and witnesses – particularly those in remote communities.

The Australian Government has, as part of the Northern Territory Emergency Response, enacted *The Northern Territory National Emergency Response Act 2007* (Cth) (NT NER Act), assented to on 17 August 2007. The legislation brings bail and sentencing discretion in the Northern Territory in line with the Commonwealth's *Crimes Act* amendments and, therefore, also with the COAG decision. The amendments could be repealed if the Northern Territory enacts sufficiently complementary provisions.

While no direct funding was provided for the legislative amendments, the Australian Government has committed funding to two complementary programs:

- judicial cultural awareness training; and
- community legal education.

2. *Bail determinations and enforcement* (lead agency: Attorney General's Department)

The Australian Government enacted the *Crimes Amendment (Bail and Sentencing) Act 2006* (Cth) on 7 December 2006, to give effect to COAG's decision. The *Crimes Act* amendments require a bail authority to take into consideration:

- the potential impact of granting bail on alleged victims and witnesses, and
- the fact that an alleged victim or witness is located in a remote community.

The NT NER Act brings bail and sentencing discretion in the Northern Territory in line with the *Crimes Act* amendments. The Northern Territory Legislative Assembly has made legislative changes that go some way toward matching the Australian Government's amendments, through the *Bail Amendment Bill 2007* introduced on 23 August 2007.

The amendments will reverse the presumption of bail for persons charged with certain offences, including serious sexual offences, and will also consider the interests of the community when determining a bail application.

Each jurisdiction is independently evaluating the need for legislative amendments. The legislative amendments ensure that bail authorities take into account the safety of victims and witnesses when making a decision to grant bail. This will prevent perpetrators from returning to communities, where this would put the safety and wellbeing of community members at risk.



COAG asked the Standing Committee of Attorneys-General (SCAG) to report on the extent to which bail provisions and enforcement take particular account of potential impacts of victims and witnesses in remote communities, and to recommend any changes required.

In March 2007, SCAG Ministers approved an out of session paper. All jurisdictions agreed to the following non-legislative recommendations:

- i) Where appropriate to individual jurisdictions, Indigenous community representatives should be involved as one means of helping inform bail decision makers in relation to bail decisions concerning members of their communities.
  - ii) Existing drug and alcohol diversion programs that are available for accused on bail should be considered for continuation and expansion, particularly to increase their availability to Aboriginal accused.
  - iii) SCAG should:
    - a) continue its work on sharing information about the operation and evaluation of best practice Indigenous justice programs (through the Indigenous Justice Clearinghouse Project); and
    - b) request the Clearinghouse to prioritise a Research Brief on effective bail support programs.
  - iv) Best practice bail support programs should be identified and implemented in a manner appropriately adapted to local conditions.
3. *Legal services support for victims and witnesses* (lead agency: Attorney General's Department)
- Utilising existing funds, the Attorney General's Department will continue to fund the *Indigenous Legal Aid* program and *Family Violence Prevention Legal Services* program.
4. *Community legal education* (lead agency: Attorney General's Department)
- Indigenous specific community legal education (CLE) programs will be implemented in 15 rural and remote communities across Australia. The programs will:
- inform Indigenous Australians about their legal and human rights and responsibilities, including any misunderstandings about customary law and issues that have arisen from recent changes to the *Crimes Act 1914 (Cth)*; and
  - provide information about how to access a range of services and encourage Indigenous Australians to report incidences of violence and abuse.

The initiative is funded at \$4.23 million over four years beginning in 2007-08. Funding is also allocated for an independent review of the community legal education project 2009-2010.



The Human Rights and Equal Opportunity Commission (HREOC) is developing the community legal education (CLE) program and associated training resources, in consultation with the Attorney General's Department. This initiative is being implemented in consultation with State and Territory governments, HREOC and the Indigenous community. The Department has asked State and Territory justice departments to provide input into locations for the program. State and Territory governments have also been encouraged to provide funding or in-kind contributions that will ensure a comprehensive rollout of the program to Indigenous communities around Australia.

The CLE program will be managed by local leaders and run by community legal education officers drawn from the local community. The program will help to develop stronger partnerships between service providers and communities providing the information, resources and ongoing training necessary to help address violence and child abuse in local communities.

5. *Judicial cultural awareness training* (lead agency: Attorney General's Department)

COAG agreed to provide appropriate information to the judiciary, through the National Judicial College of Australia (NJCA) on Indigenous culture, customary law and bail legislation. The NJCA has established a system of committees of judges across Australia to develop and deliver the Indigenous cultural awareness programs. The curriculum will be finalised in late 2007. \$500,000 has been allocated over four years from 2007-08 to 2010-2011 and it will be evaluated at the end of this period.

6. *National Intelligence Taskforce* (lead agency: Attorney General's Department)

The National Indigenous Violence and Child Abuse Intelligence Task Force (the Task Force) was announced in July 2006 and commenced in September 2006. The Task Force was established with funding of \$4.921 million in 2006-07 and an additional \$11.489 million over four years.

The objectives of the Task Force are to:

- improve national coordination in the collection and sharing of relevant information and intelligence;
- enhance national understanding about the nature and extent of violence and child abuse in Indigenous communities provide related intelligence and other advice, including on organised criminal involvement in drugs, alcohol, pornography and fraud; and
- conduct research on intelligence and information coordination and identification of good practice in the prevention, detection and responses to violence and child abuse in Indigenous communities.





7. *Joint Strike Teams* (lead agency: Attorney General's Department)

The Australian Federal Police are coordinating Joint Strike Teams on a bilaterally negotiated basis. The first strike team involves Northern Territory, South Australia and Western Australia with a tri-state intelligence desk based in Alice Springs. This has been successful in reducing trafficking petrol, alcohol and drugs in the Central desert region. \$1.7 million has been allocated to this initiative.

8. *Assessment of Adequacy of Policing in Remote Areas* (lead agency: Office of Indigenous Policy Coordination, FaCSIA)

In order to assess the adequacy of police numbers and facilities in remote communities, the Australian Government commissioned an independent assessment of the policing requirements in specific remote areas of Australia in relation to violence, abuse and child protection issues, at a cost of \$200,000. Mr John Valentin ARM, former Deputy Commissioner of the Northern Territory Police completed *The Valentin Report* (the report).<sup>19</sup>

Data was collected across Western Australia, Northern Territory, Queensland and South Australia. The outcomes of this assessment have been used to:

- assist in defining policing requirements in specific remote areas;
- inform the ongoing development and implementation of effective and appropriate policy measures on those issues; and
- assist the Government in its allocation of funding for additional police facilities.

9. *Improved Policing in Remote Areas* (lead agency: Office of Indigenous Policy Coordination, FaCSIA)

The Australian Government will provide capital assistance for necessary infrastructure to assist States and Territories to provide adequate policing in very remote communities. Guided by *The Valentin Report*, this initiative specifically addressed the provision of capital assistance for police stations, housing and other infrastructure in remote areas of Australia. Relevant jurisdictions are contributing sworn police officers at each facility funded by the Australian Government.

Whilst the initiative was allocated \$40m over four years (subsequently increased to \$47.1m), the majority of funding will be granted to States and Territories in the 2007-08 and 2008-09 financial years. Construction in each case is to be managed by the States and Territories, with the resulting assets owned and maintained by them. Memoranda of Understanding have now been signed with Western Australia, South Australia, Queensland and the Northern Territory to undertake significant expansion of policing infrastructure in those jurisdictions.

19 This report was released publicly in May 2007, and is available online at: [http://www.facs.gov.au/internet/minister3.nsf/content/valentin\\_25may07.htm](http://www.facs.gov.au/internet/minister3.nsf/content/valentin_25may07.htm), accessed 29 January 2008.



Sites have now been approved for construction of police stations and/or officer accommodation in Amata (South Australia); Ernabella (South Australia); Galiwin'ku (Northern Territory); Woorabinda (Queensland); Hope Vale (Queensland); Lockhart River (Queensland); Poomperaw (Queensland); Aurukun (Queensland); Bidyadanga (Western Australia); Burringurrah (Western Australia); Looma (Western Australia); and Wingellina (Western Australia).

10. *Two Additional Sniffer Dog Teams* (lead Agency: Office of Indigenous Policy Coordination, FaCSIA)

The establishment of two mobile detector dog units to the Central Desert Substance Abuse Intelligence Desk will assist in reducing the trafficking and distribution of illicit substances throughout central and northern Australia. \$1.95 million has been allocated in the 2006-2007 to 2009-2010 budgets.

11. *Safe Places and Support Groups* (lead agency: FaCSIA)

\$6 million of the Family Violence Partnership Program (FVPP) allocation was committed to funding safe places and communities as well as support groups for victims under the Safe Places Initiative. This covers a two-year period up to and including 2008-09.

All States and Territories were invited to suggest proposals, including matched funding. Table 1 shows projects approved for Commonwealth funding (with total budget subsequently increased to \$8.2m).

<b>Table 1: Commonwealth funding of Safe Place Initiatives</b>		
<b>State</b>	<b>Project</b>	<b>Commonwealth Commitment</b>
SA	Ceduna Family Violence Strategy	\$473,080
SA	Cooper Pedy Safe House	\$768,000
NSW	Orana Far West Safe Houses	\$820,000
NSW	Weaving the Net – Community Development Program	\$548,000
NSW	Aboriginal Community Liaison Officers	\$505,896
NSW	Broken Hill Aboriginal Family Health Workers	\$360,000
NT	Safe Places: Behaviour Change	\$406,135
NT	Family Safe House	\$500,000



NT	Wadeye Child Care and Services Centre	\$1,500,000
NT	Wadeye Staff Housing and Fitout Costs	\$1,700,000
QLD	Yungaburra (youth residential facility)	\$650,000
<b>Total</b>		<b>\$8,231,111</b>

12. *Additional Drug and Alcohol Treatment and Rehabilitation Services* (lead agency: Department of Health and Ageing)

An additional \$46.168 million of funding will be provided over four years and then approximately \$14 million in recurrent funding per year to improve access to drug and alcohol treatment and rehabilitation services for Indigenous Australians in remote and regional areas.

This will enhance the capacity of existing drug and alcohol treatment and rehabilitation services and provide capital and recurrent funding for new treatment and rehabilitation services. Activities and services have been agreed collaboratively between the Australian Government, and State and Territory Governments and are supported by joint investment. The Measure is being developed and implemented in consultation with relevant stakeholder organisations including Aboriginal Medical Services and drug and alcohol treatment and rehabilitation services and state and territory governments.

13. *Alcohol Management Plans* (lead agency: Department of Health and Ageing)

As part of the measure to address violence and child abuse in Indigenous communities announced by the COAG in 2006, all States and Territories were encouraged to consider the applicability of alcohol management plans and to work with communities to introduce plans where appropriate. Alcohol management plans are implemented at the state/territory, local government or community level. A number of jurisdictions have alcohol management plans in place for specific communities. There was no funding attached to this component of the announcement.



14. *Restrict Kava Import Licences* (lead agency: Department of Health and Ageing)

The Australian Government has recently enforced the existing import regulations on kava. The tightened restrictions took effect on 25 June 2007 and have resulted in restrictions on the importation of kava for medical or scientific purposes only. Individuals returning from Pacific Island countries are allowed to carry 2kgs of kava on their person.

15. *Improving Health and Wellbeing of Indigenous Children in Remote Areas* (lead agency: Department of Health and Ageing)

COAG will provide \$3.8 million over two years for an accelerated rollout of the Medicare Benefits Schedule (MBS) Aboriginal and Torres Strait Islander Child Health Check (Item 708) in up to ten remote regions across Australia.

The MBS Aboriginal and Torres Strait Islander Child Health Check for Indigenous children aged 0-14 years was introduced in May 2006 to increase access to preventive primary health care for Indigenous children.

This measure will establish dedicated Health Check Teams who will augment the capacity of local primary health care services to provide comprehensive child health checks to all children aged 0-14 years within the remote regions. It is expected that 2,000 health checks will be conducted through the measure.

A follow-up team will also be available to work with the local primary health care services to ensure that all health conditions identified through the health check are responded to appropriately.

16. *Fit and Proper Persons* (lead agency: Department of Finance and Administration)

The Australian Government has determined that it will only fund non-government organisations that are led and managed by Fit and Proper Persons (FPP). The Department of Finance and Administration (Finance) has released the Policy Statement, *Fit and Proper Person Requirements*, which sets out the requirements for this policy implementation.

The Attorney-General's Department (AGD) and the Department of Families, Community Services and Indigenous Affairs (FaCSIA) will trial the FPP requirements over the period 1 October 2007 to 30 September 2008.

During the trial period, the FPP requirements will be implemented by selected FaCSIA and AGD program areas where funding exceeds \$80,000. Programs participating in the trial will ensure that standardised wording relating to FPP requirements is included in relevant documentation. Documentation (including Application Guidelines, Program Guidelines, Advertisements and Funding Agreements) has been prepared to assist organisations and individuals which will become part of the trial from 1 October 2007.



17. *National School Attendance Unit* (Lead agency: Department of Education, Science and Training)

All jurisdictions will collect and share truancy data on enrolments and attendance. The National Student Attendance Unit (NSAU) was established in late 2006 and has received preliminary data from all state and territory education jurisdictions. \$4.6 million has been allocated for this initiative.

The NSAU has conducted preliminary analysis of data, which suggests that the school attendance rate across states and territories is generally between 91-93 percent, with the rate for Indigenous children at least 7-10 percentage points less.

The NSAU's work involves:

- liaising with state and territory education jurisdictions to collect attendance data;
- undertaking research on attendance and enrolment issues; and
- developing strategies to improve school attendance and enrolment nationally.

\$670,000 of departmental funds has been spent on the establishment and maintenance for the National Student Attendance Unit, much of which has been formally rephrased to the year 2007-08 due to extended consultations with the states and territories.



## Part 2: Other Australian Government Initiatives to address Indigenous Family Violence and Abuse

Indigenous family violence and child abuse has been addressed by the Australian Government through a number of specific budgetary measures. In the lead-up to the June 2004 COAG meeting, the Australian Government introduced further initiatives relevant to Indigenous family violence and abuse through its 2004-05 Budget, including:

- \$22.7m (over 4 years) to double the number of Family Violence Prevention Legal Services (from 13 to 26);
- \$37.3m (over 4 years) to establish the Family Violence Partnership Program; and
- \$16.5m over four years for Indigenous women's development programs, targeting the development of women's leadership capacity.

The Australian Government has also been investing in related initiatives including more than \$60m to counter substance misuse and petrol sniffing in Central Australia and other regions – (\$8m over 4 years in 2005-06 and \$55.2m over 4 years in the 2006-07 Budget).

Subsequent significant budget allocations in 2005-06 and 2006-07 were:

### *2005-06 Budget*

- \$8m (over 4 years) for additional Indigenous drug and alcohol initiatives; and
- \$11.2m for comprehensive child health checks in Indigenous communities.

### *2006-07 Budget*

- \$23.6m (over 4 years) to expand the number of Family Violence Prevention Legal Services and to enable them to develop a prevention component;
- \$55.2m (over 4 years) to address substance abuse, petrol sniffing and governance training (a commitment of \$28m in 2006-07); and
- \$23m over four years for Indigenous leadership development, targeting Indigenous women, youth and men.

Indigenous family violence and child abuse prevention has also been addressed in a number of different portfolio areas. Information is provided below from the Office of Indigenous Policy Coordination, Attorney General's Department, Department of Health and Ageing and the Department of Employment and Workplace Relations.<sup>20</sup>

---

<sup>20</sup> Not all government departments provided supplementary information on measures to address Indigenous family violence and abuse.



## Office of Indigenous Policy Coordination

In 2004 new arrangements for the administration of Indigenous affairs were introduced with the abolition of the Aboriginal and Torres Strait Islander Commission (ATSIC) and Aboriginal and Torres Strait Islander Services (ATSIS). Responsibility for programs was transferred to mainstream agencies. The Office of Indigenous Policy Coordination (OIPC) was established to coordinate policy nationally, and Indigenous Coordination Centres (ICCs) were established in each of the former ATSIC regions to deliver a whole of government approach to programs on a regional basis and to negotiate with Indigenous communities at the local level.

This framework places ICCs in an integral role to deliver services and programs to address family violence and child abuse through mechanisms such as Shared Responsibility Agreements (SRAs) and Regional Partnership Agreements (RPAs). Examples of ICC led family violence related initiatives are outlined below.<sup>21</sup> In most cases these initiatives are delivered through a mix of SRA, RPA and program-supplemented funding.

### South Australia

- *Metro-Adelaide 'Nunga Mi:Minar' SRA*: Signed in June 2007 to improve education, health and well being for Indigenous women experiencing family violence by assisting women at the Nungar Mi:Minar Women's shelter. An Aboriginal health worker has been employed to promote a healthy lifestyle program focusing on good nutrition; maternal and child health; and life management skills. The SRA brings together the Australian Government's Department of Health and Ageing; Department of Families, Communities and Indigenous Affairs; the SA Government Departments of Education and Children's Services; and the metropolitan Indigenous women's shelter, Nungar Mi:Minar.
- *RPA for Community Family Wellbeing*: Negotiated for the West Coast of South Australia to incorporate services for family violence, community safety, housing, youth issues, education, outreach programs to youth at risk and women's leadership development.

### Victoria

- *Hope Opportunity Purpose Education and Employment (HOPE) SRA*: Negotiated in Mildura to reduce anti-social behaviour among Indigenous youth through increased school attendance and educational performance. The SRA uses sporting activities to engage youth and families in the education process.

21 This is a selective overview of agreements as provided by the Office of Indigenous Policy Coordination. A full searchable directory of agreements and programs can be found online at: <http://www.indigenous.gov.au/sra.html>, accessed 29 January 2008.



## New South Wales

- *Dubbo East West Strategy SRA*: Targets family violence and child sexual abuse through a focus on prevention, capacity building and early intervention. The SRA uses performing arts to engage children, youth, staff and families to build capacity, understanding and resilience in dealing with family violence.
- *Bowraville Comprehensive SRA*: Developed in response to violence and grief in the community. Key partners include the NSW Departments of Aboriginal Affairs, Environment and Water, Workplace Relations and Employment, and the Australian Government Department of Communications, Information Technology and the Arts. The SRA addresses law and order; health; education; employment; and families and young people.
- *Family Court SRA*: Works across the communities of Kempsey, Bowraville, Coffs Harbour and Grafton establishing an Indigenous community based contact service to provide information on accessing the Family Court services and processes.
- *Miimi Mothers SRA*: Covers the purchase of a building to create an Indigenous community centre. Miimi Mothers have recently also received funding through the FaCSIA Local Answers program to provide services for young people to build capacity, voluntary services and support for Indigenous women at risk of family violence and abuse.
- *Inner City Aboriginal Women's Consultative Group (ICAWCG) SRA*: ICAWCG is a group of highly respected women from the Redfern Waterloo area who formed the Redfern Waterloo Indigenous Women's Consultative Group. This group formed in order to engage with government to improve outcomes for women and their families in the Redfern Waterloo area. The SRA is a community and whole-of-government response to identified priority issues, and includes support for the 'Blackout Violence Project'<sup>22</sup> program which addresses violence prevention and child abuse in Indigenous communities. The SRA is linked to the Redfern Waterloo Authority's Human Service Plan that aims to reduce family violence.

## Northern Territory<sup>23</sup>

- *Palmerston Indigenous Village (PIV)*: Darwin ICC has developed a community development project in partnership with residents and the Palmerston City Council. The Palmerston City Council employs 2 people at PIV. One position acts as a community development officer and the other specifically targets young people at risk of entering the criminal justice system (funded by Attorney-General's Department through the ICC).

22 See case study of 'Blackout Violence Project' in Chapter 2.

23 According to the OPIC, it should be noted that examples of ICC activity in relation to family violence in the Northern Territory are potentially subject to significant review with respect to the Northern Territory Emergency Response.





Strategies to reduce family and community safety include: identification of 'dry houses'; improving relationships with local police; and working with service providers to improve access to program for local people. As a result of these strategies, school attendance of primary age students is now close to 100%.

- *Maningrida Youth Centre Project*: Developed by Darwin ICC and drawing on a range of partners including the Northern Territory Government, this project has a focus on reducing youth violence and self-harm by developing youth leadership and self reliance skills. The youth centre serves as a hub for programs and services and makes links across the local school, community organisations and Indigenous leadership forums.
- *Nhulunbuy*: Nhulunbuy ICC employs an Indigenous officer who participates in the local Child Protection Committee, convened by the NT Family and Children's Services Office. Nhulunbuy ICC also funds a local Indigenous language radio project, Aboriginal Resource and Development Services (ARDS), for the production of educational material in Yolgnu Matha, to address aspects of family violence in a culturally appropriate manner.

### **Queensland**

- *Positive Families – Men's Leadership and Support SRA*: Focuses on providing support for families through the establishment of a Bowen Aboriginal and Torres Strait Islander Men's Support Group. Activities include provision of governance and leadership training, mentoring, a Men's Support Group and cultural camps for young males at risk. One of the group's first initiatives has been the development of an Adopted Uncle mentoring program to support young people and help them to develop life skills.
- *Rowoarr Community Justice Rehabilitation Centre SRA*: Establishment of an alcohol rehabilitation facility to provide accommodation for 15 people in a safe, healthy and supportive family environment. The facility is accessible to residents of both Pormpuraaw and Kowanyama and provides a way of keeping families together during rehabilitation.

### **Western Australia**

- *Djugarargyn Aboriginal Community SRA*: Enables implementation of a three-part strategy to promote functional and resilient families using and building on facilities at Djugarargyn.

The first component comprises the Diversionary/ Lifeskills Program, a series of short courses focusing on diversionary activities underpinned by cultural awareness. Courses have been successfully run in partnership with the Djarindjin/ Lombadina School.

The second component is the Youth Camp/ Leadership Development Program which is a more formal program aimed at providing young people with essential skills in dealing with conflict, avoidance of drugs and awareness of support services. This program links participants with role models who may include elders, teachers and local police.



The final component, the Emergency Accommodation Support Program provides short-term crisis accommodation for youth, particularly girls and young women, who are at risk of self-harm, domestic violence and drug use.

- *Strengthening Families SRA*: Provides a day centre for West Kimberley men who are disadvantaged, unemployed, homeless, alcoholic, welfare dependant or who have been involved in family violence.

The Men's Service supports and enables Indigenous men by:

- working to develop better relations and understanding between the local Shire, Western Australian Police Department and the Western Australian Justice Department;
  - assisting men to access support services such as the Western Australian Department of Community Development (Welfare services);
  - encouraging men to work positively with Jayida Burru (family violence prevention);
  - promoting the men's centre locally as a place to rebuild a sense of identity and responsibility as an Indigenous man strong in language, lore and culture; and
  - promoting opportunities for Indigenous men to regain respect in their community and rebuild family unity.
- *Martu Elders Patrol SRA*: The Parnpajinya Community on the outskirts of the Newman township is exposed to high levels of drunkenness, disorderly conduct and domestic disputes, resulting in a large cohort of youth disengaging from education and engaging in substance use and criminal behaviour.  
The SRA addresses these issues through:
    - the Elders Patrol which locates truant children and works with the child and parent/ carer to identify the issues that stop the child attending school;
    - a breakfast program;
    - patrols of known drinking areas to locate those people who are at risk of harming themselves or harming others as a result of excessive alcohol consumption;
    - cultural bush trips; and
    - capacity building of parents.
  - *Mullewa Women's Indigenous Group SRA*: Enabling the renovation of the Indigenous Women's Centre to provide a range of activities which address feuding, family violence and relationship breakdown.
  - *Geraldton Comprehensive Youth Program SRA*: Strengthens youth at risk services and family support networks through:
    - provision of a Youth Night Outreach Program;



- establishment of culturally appropriate diversionary activities that enable youth to reconnect with families; address substance misuse and offending; and re-engage with education or employment;
- family counselling program; and
- renovation of the Alice Nannup Youth Art Centre.

### Attorney General's Department

- *Indigenous Legal Aid Program*: Funds organisations to deliver high quality, culturally inclusive legal aid services to Indigenous Australians. This network delivers services at 78 permanent sites, court circuits and outreach locations in urban, rural and remote areas throughout all States and Territories. These organisations provide a range of services including initial legal advice, minor assistance and referral, duty lawyer assistance and legal casework services in criminal, civil and family law matters.

In addition, service providers have developed new initiatives for the increased representation of Indigenous women and children. These include:

- the establishment of a Family Violence Team that comprises a female Aboriginal contact officer and a dedicated Aboriginal field officer, in three service areas in New South Wales (Dubbo (Western NSW), Grafton (North NSW) and Parramatta (Central-South-Eastern NSW)); and
- the establishment of Family Law Units comprising eight family lawyers who cover four offices and provide Family Law Services including care and protection orders with offices in Dubbo, Lismore, Wagga Wagga and Sydney.

The program has a three-year funding cycle, the current contracts end in June 2008. In 2006-07, \$48.175 million was provided under service contracts and \$169,000 for test case funding. In addition, \$1.543 million was provided under the pilot Expensive Indigenous Criminal Case Fund, and \$1.847 million was provided for capital and associated management costs. \$50.796 million has been allocated for the program in 2007-08.

- *Family Violence Prevention Legal Services*: Funding for legal services to assist Indigenous adults and children who are victims of family violence, or who are at immediate risk of such violence, in remote and regional Australia. FVPLS are also funded under the Early Intervention Prevention Program to intervene in the cycle of family violence and sexual assault, to bring about changes in the behaviour and attitude of individuals and the community.

FVPLS units run on one year contracts and provide a range of services to address and prevent family violence and sexual abuse. These include legal advice and casework assistance, counselling, child protection and support to assist in protecting victims from further violence and abuse. The units also provide information, support and referral services, and conduct community promotion and prevention initiatives to ensure



communities are aware of their legal rights and how to seek assistance. In addition, referrals to mediation programs help prevent an escalation of conflict into physical violence. In the first three quarters of the 2006-07 financial year FVPLS units assisted 4,908 clients

- *Prevention Diversion Rehabilitation and Restorative Justice Program:* Funding for community organisations to undertake projects to divert Indigenous Australians away from contact with the criminal justice system, and also facilitate activities to rehabilitate and support for people in custody. Projects include: night patrols; restorative justice initiatives around community and individual alternate dispute resolution activities; and programs for young people at risk.

\$8.522 million was spent on the program in 2006-07, with an additional \$635,000 for Shared Responsibility Agreements. \$13.252 million has been allocated in 2007-08, including new funding to convert over 117 CDEP positions into full jobs as night patrol workers. PDRR has also received \$8.211 million in 2007-08 through the *NTER Night Patrol NPP (Appropriation Bill August 2007)*.

- *National Community Crime Prevention Program:* Funding for grassroots projects designed to enhance community safety and crime prevention. Funding is administered through three streams:
  1. Community Partnerships stream;
  2. Indigenous Community Safety stream; and
  3. the Community Safety stream.

To date 311 projects totalling \$56 million have been awarded under this program. Of these, 38 are Indigenous Community Safety stream projects totalling \$5 million.

- *Community Legal Services Program:* Community legal centres (CLCs) are independent, community based, non-profit organisations, which provide assistance on legal and related matters to people on low incomes and those with special needs.

CLCs received \$25.712 million in 2006-07, including \$1,029,283 for Indigenous Women's Programs (IWPs). IWPs provide community development, community legal education, and outreach services to rural and/ or urban fringe communities. They provide assistance across a range of legal issues family law, tenancy, domestic and sexual violence and consumer rights law.

In 2007-08, \$1,050,073 has been allocated to eight community legal centres for IWPs to provide services specifically for Indigenous women to assist in addressing their legal service needs. IWPs are located in Sydney (statewide), Brisbane (statewide), Townsville/Cairns, Port Augusta, Geraldton, Kimberley, Pilbara region and Katherine.

- *Indigenous Family Violence Liaison Officers at the Family Court of Western Australia:* In the 2007-08 Budget, the Australian Government committed \$700,000 over three years to an Indigenous liaison pilot program in the Family Court of Western Australia.



Two Indigenous Family Liaison Officers will be employed to improve the delivery of family law services and access to justice for Indigenous families in Western Australia. The program will also improve access to counselling and mediation for Indigenous families in conflict, and improve access to family law services by Indigenous communities.

- *Northern Territory Aboriginal Interpreter Service*: Interpreter service for Indigenous individuals with limited English language skills to better understand the legal process and better understand their legal rights. The initiative provides training for interpreters as well as financial assistance to the Indigenous legal aid services and FVPLS units in the Territory for the purchase of interpreting services.

The Northern Territory Aboriginal Interpreter Service (AIS) is jointly funded by the Australian and Northern Territory governments and received \$1.107 million in 2006-07. A further \$1.133 million has been allocated in 2007-08, with an additional \$550,000 allocated as part of the NT NER. The Attorney-General's Department has signed a Memorandum of Understanding with the Northern Territory Government covering funding for four years commencing 2005-06.

- *Family Violence Law Strategy*: Announced on 26 February 2006 by the Attorney-General, the strategy supports the reforms relating to family violence contained in the *Family Law Amendment (Shared Parental Responsibility) Act 2006*.

From 1 July 2006 the *Family Law Act 1975* requires courts to take prompt action in relation to allegations of child abuse or family violence, particularly that it receives adequate information so that appropriate orders can be made and protection provided. A new objective has also been inserted into the Act to make it clear that children need to be protected not only from direct harm, but also from harm that comes from being exposed to family violence against others.

The Family Court of Australia has also implemented the *Magellan Project*, which operates nationally to deal with disputes involving serious allegations of child abuse and child sexual abuse. It involves an intensive case management approach combined with close stakeholder relations between the Court, legal aid, and State and Territory services such as child protection and Independent Children's Lawyers.

- *Family Relationships Services Program*: The Attorney General's Department has joint responsibility with FaCSIA for the Family Relationships Services Program. This program funds a range of services to assist families experiencing relationship difficulties or who have separated. These include new Family Relationship Centres which provide information for families with relationship issues, as well as referral to other services that can assist.



The first 15 of 65 Family Relationship Centres were established in July 2006 to provide information and referral to help strengthen family relationships, and dispute resolution to help parents reach agreement about their children after separation. Advisers for Indigenous communities were attached to offices in Darwin, Townsville, Lismore and Mildura. The Darwin Family Relationships Centre employs three Indigenous Advisers – two operate out of the Darwin office and one operates out of Alice Springs.

## Department of Health and Ageing

- *National Illicit Drug Strategy 'Tough on Drugs' Indigenous Communities Initiative*: Worth \$10.5 million over four years and part of a larger \$20 million package of initiatives announced by the Prime Minister on 28 August 2003 to reduce the incidence of violence in Aboriginal and Torres Strait Islander communities by developing local solutions to issues that contribute to violence such as drug and alcohol abuse.

The Department of Health and Ageing developed the Initiative in conjunction with Aboriginal and Torres Strait Islander representatives. Projects funded under this Initiative address key areas for action identified in the *National Drug Strategy Aboriginal and Torres Strait Islander Peoples Complementary Action Plan 2003-2009* endorsed by the Ministerial Council on Drug Strategy.

Current projects/programs funded under this Initiative during 2006-07 include:

- Alcohol and Other Drug component of the Indigenous HealthInfoNet – \$138,444.
- Implementation and Distribution Strategy for the Alcohol Treatment Guidelines for Indigenous Australians – \$197,698.
- Pilot trial of the Alcohol Treatment Guidelines for Indigenous Australians and an evidence-based brief intervention tool in two Aboriginal Community Controlled Health Services – \$5,797.
- Satellite broadcast promoting the Alcohol Treatment Guidelines for Indigenous Australians – \$205,200.
- Indigenous National Alcohol and other Drug Workforce Development program – \$950,710.
- Strong Spirit Strong Mind Video Resources – \$269,580.
- Pilbara Drug & Alcohol Program (SRA) – \$465,000.
- Smoking Cessation Program – \$63,435.
- Larapinta Learning Centre – \$133,291.
- Mt Theo Substance Misuse Program – \$109,091.
- Indigenous Risk Impact Screen (IRIS) and Brief Intervention State-wide Implementation Project – \$281,179.
- Substance Misuse Community Resilience Program – \$31,578.
- Gender specific inhalant abuse flipcharts – \$25,850.
- Inhalant Misuse: a review of interventions – \$77,288.
- Alcohol and Other Drugs (AOD) Strategic Intervention project With NT Indigenous Communities – \$116,784.



- Boorooloola Army Aboriginal Community Assistance Program  
– \$43,000.
- Doomagee Army Aboriginal Community Assistance Program  
– \$15,440.
- Indigenous Alcohol Intervention Program – \$177,525.
- *National Illicit Drug Strategy – Capacity Building in Indigenous Communities:* In May 2005, the Australian Government provided funding of \$8 million over four years. Funding under this Initiative is available for projects on a trial and/ or one-off basis and organisations that apply for funding must already have secured core funding, given that the funding under this Initiative is not designed for this purpose.  
Current projects funded under this Initiative during 2006-07 include:
  - National Drug Research Institution Indigenous Alcohol Intervention Program, Stage 2 – \$750,000.
  - Mt. Theo Substance Misuse Program – \$108,400.
  - Supporting Young People and Families, Bathurst SRA program – \$34,080.
  - South Coast Medical Service Aboriginal Corporation – \$127,640.
  - Aboriginal Health council of SA – \$15,774.
- *National Illicit Drug Diversion Initiative:* Indigenous programs are funded to prevent petrol sniffing and inhalant abuse. Youth Wellbeing Programs are run in Central and Top End Northern Territory by Central Australian Youth Link-up Services (auspiced by Tangentyere Council) and the Council for Aboriginal Alcohol Programs. Combined funding for the 2006-07 financial year was approximately \$356,666.
- *Healthy for Life:* Introduced in 2005-06 to support primary health care services to improve child and maternal health and chronic disease care and outcomes for Aboriginal and Torres Strait Islander people. Over 80 primary health care services are participating in Healthy for Life in all States and Territories through 53 sites. Over 88% of primary health care services funded through Healthy for Life are located in regional and remote areas.
- *Healthy For Life* is implemented in 2 phases by funded services. In phase 1, services undertake an assessment of current client population needs and an extensive 'stock-take' of existing model/s of care and systems of service delivery. In phase 2, services implement approved action plans and report twice annually on progress to achieving the specific program outcomes.
- *Health@Home Plus:* As announced in the 2007-08 Federal Budget the Australian Government will provide \$37.4 million over four years to support Aboriginal and Torres Strait Islander children aged 0-8 years in targeted remote and outer regional areas. Commencing in the prenatal period, health professionals will provide regular home visiting services to women pregnant with an Aboriginal and Torres Strait Islander child, continuing until the child is 2 years. Child and family support will be provided to high need children aged 2-8 years.



40 new Puggy Hunter Memorial Scholarships will also be offered through this initiative for child health related fields of study to support the development of the Aboriginal and Torres Strait Islander child health workforce.

*Health@Home Plus* will aim to improve health and wellbeing outcomes for Aboriginal and Torres Strait Islander children and their families by providing home based social and parenting support, coordinating health care and assisting parents and children to access other support services.

The program will be implemented from a small base (i.e. two trial sites in the first year), building up to 7 trial sites over four years.

### **Department of Employment and Workplace Relations**

- *Working for Families (WfF) Initiative*:<sup>24</sup> An additional 1,000 CDEP participant places were provided to the CDEP programme per annum for four years from 2003-04 to 2006-07. WfF was introduced to address the family violence and substance misuse problems prevalent in many remote Aboriginal communities by supporting project activities including:
  - Night patrols;
  - Police aides;
  - Women’s support programmes; and
  - Substance abuse programmes.
- In 2003, funding of \$44.4 million over four years was provided. Operational costs of approximately \$4m a year to cover the on-costs of organisations delivering the CDEP programme were to be absorbed within the CDEP programme budget. In 2007 the Australian Government committed \$50.7 million to continue funding 1,000 CDEP places per annum over the next four years.

In 2007 the Australian Government committed to the continuation of projects that are aimed at preventing and addressing family violence and substance misuse problems that affect many remote Indigenous communities. It is not clear how this will occur, i.e. whether CDEP positions will be converted to regular employment.

---

24 Working for Families was announced as part of ATSIC’s Family Violence strategy launched by the Federal Indigenous Affairs Minister on 21 August 2003.



# Part 3: State and Territory Government Responses to Indigenous Family Violence and Child Abuse



## 1) New South Wales

Much of the recent policy focus on Indigenous child sexual assault and family violence in NSW is the result of the 2006 *Breaking the Silence: Creating the Future*<sup>25</sup> report of the Aboriginal Child Sexual Assault Taskforce (ACSAT).<sup>26</sup>

The Aboriginal Child and Sexual Assault Taskforce was established in 2003 in response to the Roundtables on sexual violence in Aboriginal communities conducted by the Department of Aboriginal Affairs in 2001-02. It was also established due to the finding of the Aboriginal Justice Advisory Council's 2002 report *Speak Out, Speak Strong* that approximately 70% of Aboriginal women in NSW prisons had been sexually assaulted as children.<sup>27</sup>

ACSAT found that child sexual assault is an endemic problem in NSW Indigenous communities. Both boys and girls are victims, and perpetrators are often people close to the child. Child sexual assault is not well understood by the community and often goes unreported. The harm of child sexual assault is intergenerational and contributes to drug use, violence, criminal offending, and mental illness.

Although ACSAT found some good practice responding to child sexual assault, especially in Indigenous specific non-government organisations, there were significant barriers to accessing services and poor coordination between government agencies. Access to culturally appropriate counselling for victims was very limited, treatment for sex offenders was also limited, with treatment only available in correctional facilities and there was no state or commonwealth policy framework on child sexual assault. The report made 119 recommendations to eliminate service gaps and overcome barriers to accessing services. Overall the recommendations point to the need for effective, cooperative and community driven partnerships to tackle child sexual assault.

The report was published in June 2006 but the NSW government did not release its response until January 2007, despite sustained lobbying from the Indigenous community and other stakeholders. The Social Justice Commissioner also gave support to the ACSAT:

I am not so convinced that to date, the Taskforce's report has been treated with the urgency and priority that it deserves, or that it has been progressed in a manner consistent with the commitments made by the NSW government. And that is also why I am here today – to lend my voice and support to the report and to the

---

25 Aboriginal Child Sexual Assault Taskforce, *Breaking the silence: creating the future: addressing child sexual assault in Aboriginal communities in NSW*, NSW Attorney General's Department, Sydney, 2006.

26 The Taskforce members were: Marcia Ella-Duncan (Chair); Joan Dickson; Chris Cunneen; Greg Telford; Luke Penrith; and Melva Kennedy.

27 Aboriginal Child Sexual Assault Taskforce, *Breaking the silence: creating the future: addressing child sexual assault in Aboriginal communities in NSW*, NSW Attorney General's Department, Sydney, 2006.



directions that it sets forth for government and community partnerships and action.<sup>28</sup>

Much concern has also been expressed at the scale of the government's response, which involves the re-badging of existing expenditure, with very few additional resources being allocated.

### a) Policy Frameworks

#### ***NSW Interagency Action Plan to Tackle Child Sexual Assault in Aboriginal Communities 2006-2011***<sup>29</sup>

The NSW Government released its *NSW Interagency Plan to Tackle Child Sexual Assault in Aboriginal Communities 2006-2011*, in January 2007 in response to the *Breaking the silence: creating the future* report. The five-year plan contains 88 actions focused on four strategic directions: law enforcement; child protection; prevention and early intervention; and community leadership to be implemented at a total cost of \$30 million. Several actions are being implemented statewide, while others are being implemented in specific locations.

#### ***NSW State Plan***<sup>30</sup>

The Government's 10-year strategic plan contains priorities aimed at reducing family violence and abuse in Indigenous communities. These are:

- improved health, education and social outcomes for Aboriginal people;
- strengthening Aboriginal communities;
- embedding the principle of early intervention and prevention into government service delivery in NSW; and
- reducing the rates of child abuse and neglect.

The *State Plan* builds on and links commitments made under existing whole-of-government plans such as the *Interagency Plan to Tackle Child Sexual Assault in Aboriginal Communities* and *Two Ways Together*.

#### ***Two Ways Together***<sup>31</sup>

*Two Ways Together* (TWT), initiated in 2003, is the NSW Government's 10-year plan to improve the health and wellbeing of Aboriginal people. In 2004, the Government approved \$40 million in funding over 4 years for initiatives in 7 priority areas including health, education, economic development, justice, culture and heritage, housing and infrastructure, and families and young people.

28 Calma, T., *Addressing family violence and child sexual assault in Indigenous communities – A human rights perspective*, Aboriginal Child Sexual Assault Forum NSW Parliament House, Tuesday 5 December 2006, available online at [http://www.humanrights.gov.au/about/media/speeches/social\\_justice/20061205\\_family\\_violence.html](http://www.humanrights.gov.au/about/media/speeches/social_justice/20061205_family_violence.html), accessed 17 January 2008.

29 The *NSW Interagency Plan to Tackle Child Sexual Assault in Aboriginal Communities 2006-2011* can be accessed online at: [www.nsw.gov.au/PDF/NSWInterPlanTackleChildSexualAssAborigComs.pdf](http://www.nsw.gov.au/PDF/NSWInterPlanTackleChildSexualAssAborigComs.pdf), accessed 22 January 2008.

30 The *NSW State Plan* can be accessed online at: <http://www.nsw.gov.au/stateplan/index.aspx?id=8f782cbd-0528-4077-9f40-75af9e4cc3e5>, accessed 23 January 2008.

31 The *Two Ways Together* Policy Document and Regional Reports can be accessed online at: <http://www.daa.nsw.gov.au/policies/policy.html>, accessed 23 January 2008.



TWT sets the direction for a whole-of-government approach in Aboriginal affairs by ensuring that existing and new programs are linked to clear outcomes.

Regional Action Plans have been developed for 8 regions to implement the TWT programs and initiatives. The plans contain actions which either directly address family violence and child sexual assault, or which address causal factors such as education, housing and employment.

In 2007, TWT was aligned with the NSW *State Plan* to ensure that goals and targets are complementary. The State Plan goal of *Strengthening Aboriginal Communities* encompasses priority objectives of safe families, education, environmental health, economic development and building community resilience, which will guide TWT activity.

### ***NSW Aboriginal Family Health Strategy***

This strategy began in 1998 and focused on the funding of Aboriginal Family Health Workers involved in locally based projects to address Aboriginal health. Under the current program, two Area Health Services and 13 non-government organisations receive funding for 18 Aboriginal Family Health Workers. Aboriginal Family Health Projects are located at Hamilton, Taree, Wyong, Kempsey, Wagga Wagga, Tobwabba, Walgett, Wellington, Yorana, Tweed Heads, Wallsend and Moree.

In 2007-08, the *NSW Aboriginal Family Violence Strategy* will replace the Aboriginal Family Health Strategy. The new Strategy will continue to involve Aboriginal Family Health Workers, and will address issues of family violence, sexual assault and child abuse in Aboriginal communities by providing a framework for dealing with these concerns in a culturally appropriate manner across Area Health Services.

The *Family Violence Strategy* will incorporate operational guidelines for Aboriginal Family Health Workers, including mandatory training, professional development, supervision, mentoring, planning, monitoring and evaluation, and information on the range of available domestic violence, sexual assault and child abuse services, and guidelines for responses to family violence offending in Aboriginal communities.

### ***Guidelines for Responses to Family Violence Offending in Aboriginal Communities***

These Guidelines were developed in 2006-07 and describe the nature and variation of family violence in Aboriginal communities, and clarify NSW Health's role in prevention, protection and intervention in relation to family violence offending. The Guidelines provide a brief description of jurisdictions' services with associated referral pathways that support, and give context to, responses to family violence.

### ***Aboriginal Maternal and Infant Health Strategy***

The *Aboriginal Maternal and Infant Health Strategy* (AMIHS) provides antenatal and post-natal support for Aboriginal women through community midwives and Aboriginal health education officers.

The AMIHS involves midwives, Aboriginal health workers and education officers working in small teams to conduct activities such as prenatal checks, support during pregnancy, education and information, postnatal checks and transport assistance.



The 3-year evaluation<sup>32</sup> of the initial sites for the Strategy reported that the perinatal mortality rate decreased from 18.6 per 1,000 live births in 2003 to 5.4 per 1,000 live births in 2004.

***Department of Community Services Aboriginal Strategic Commitment and Commitment of Service to Aboriginal Communities***

The *Aboriginal Strategic Commitment* developed in 2006-07<sup>33</sup> explicitly recognises the impact of past government policies on Aboriginal people and communities and is underpinned by two key elements:

- in all programs, services and initiatives, DoCS is respectful and responsive to the diverse needs of Aboriginal people and communities; and
- Aboriginal children and young people are safe, nurtured and cared for in their families and communities.

***Aboriginal Child, Youth and Family Strategy***<sup>34</sup>

This Strategy forms part of NSW's Families First prevention and early intervention strategies aimed at improving outcomes for Aboriginal children, young people, their families and communities. The Strategy has established 22 Aboriginal Family Workers across NSW, located in a number of Aboriginal and mainstream organisations. Programs include Aboriginal Supported Playgroups and support groups for grandparents caring for grandchildren.

***NSW Police Force Aboriginal Strategic Direction 2007-2011***<sup>35</sup>

The Aboriginal Strategic Direction sets out clear objectives, strategies and actions as well as timeframes for achieving them. Major themes of the Plan include:

- communication and understanding between Police and Aboriginal people;
- community safety and fear of crime;
- Aboriginal cultural awareness within the NSW Police Force;
- numbers of Aboriginal officers and civilian staff in NSW Police;
- keeping Aboriginal youth away from criminal and anti-social behaviour;
- dealing effectively with family violence and sexual assault;
- Aboriginal substance abuse; and
- how to reduce offending and over-representation of Aboriginal people in the justice system.

32 The evaluation can be accessed online at: [http://www.health.nsw.gov.au/pubs/2006/evaluation\\_maternal.html](http://www.health.nsw.gov.au/pubs/2006/evaluation_maternal.html), accessed 23 January 2008.

33 More information on this Commitment can be accessed online at: [http://www.community.nsw.gov.au/DOCSwr/\\_assets/annual\\_report07/dg\\_message.htm](http://www.community.nsw.gov.au/DOCSwr/_assets/annual_report07/dg_message.htm), accessed 23 January 2008.

34 The document can be accessed online at: [www.familiesfirst.nsw.gov.au/uploads/41f247db-5d83-4449-b548-f3902ed6b5ec6.pdf](http://www.familiesfirst.nsw.gov.au/uploads/41f247db-5d83-4449-b548-f3902ed6b5ec6.pdf), accessed 23 January 2008.

35 The document can be accessed online at: [http://www.police.nsw.gov.au/about\\_us/policies\\_and\\_procedures/policies/aboriginal\\_strategic\\_direction](http://www.police.nsw.gov.au/about_us/policies_and_procedures/policies/aboriginal_strategic_direction), accessed 23 January 2008.



## b) State and Australian Government Joint Initiatives

### ***Overarching Agreement on Aboriginal Affairs between the Commonwealth of Australia and the State of New South Wales***

*The Overarching Agreement on Aboriginal Affairs between the Commonwealth of Australia and the State of New South Wales* (also referred to as the *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in New South Wales*) was signed on 17 April 2006.

This five-year agreement aims to improve Indigenous access to services. It is part of the implementation of *Two Ways Together: the NSW Aboriginal Affairs Plan 2003-2012*. The two governments have agreed upon action regarding:

- wealth and employment;
- entrepreneurialism;
- living conditions;
- health and social outcomes in Indigenous communities; and
- better integration of government services to Indigenous communities.

Implementation of the agreement will be supervised by the Intergovernmental Aboriginal Affairs Group, which has been established for this purpose.

### ***COAG Family Violence Action Strategy***

The NSW Government is working with the Australian Government across a range of priorities under the *National Strategy for action to overcome violence and child abuse in Indigenous Communities*,<sup>36</sup> as set out below.

#### ***Law enforcement***

NSW has seconded two Police officers to the National Indigenous Violence and Child Abuse Intelligence Taskforce that is head quartered in Alice Springs.

#### ***Senior Indigenous Networks***

At the Summit, the Australian Government announced funding of \$4 million to support leadership development of Indigenous women and men in Indigenous communities. NSW has been advised that its application for three programs has been unsuccessful. The programs included a statewide multimedia campaign and a legal education program to be rolled out to the four focus communities in the Interagency Plan; an extension of the Targeted Aboriginal Student Strategy; and provision of cultural camps to three focus communities. NSW will implement these actions in the context of the Interagency Plan.

36 Brough, M., (Minister for Families, Communities and Indigenous Affairs), *Communique – Safer Kids, Safer Communities, Attachment – National Strategy for action to overcome violence and child abuse in Indigenous Communities*, 26 June 2006.



### ***Protection for victims***

In May 2007, the Australian Government announced funding of \$2.23 million in 2007-08 and 2008-09 for four programs in NSW that address family violence:

- *Weaving the Net* Community Development Program – a community development and education program which works with community members, local and regional service providers, and appropriate Aboriginal leaders to build awareness of the dynamics of child sexual assault and to develop resources for addressing family violence and child abuse;
- *Aboriginal Family Health Workers* – funding will provide two Aboriginal Family Health Workers in Broken Hill;
- four *Aboriginal Community Liaison Officers (ACLO)* – ACLOs work in Police Local Area Commands and provide a range of community facilitator roles, supporting Aboriginal women to report family violence, assisting with resolving disputes, and implementing solutions to crime and violence; and
- the *Orana Far West Safe Houses program*.

### ***Drug and alcohol rehabilitation services***

NSW Health and the Office for Aboriginal and Torres Strait Islander Health (OATSIH) are currently in negotiations to jointly fund drug and alcohol rehabilitation services for Aboriginal people. The NSW Centre for Aboriginal Health provided funding for drug and alcohol programs, including residential programs, to 16 Aboriginal Community Controlled Health Organisations in 2006-07. NSW already provides a range of drug and alcohol services, including programs delivered by Aboriginal Community Controlled Health Organisations.

### ***Health and Wellbeing of Children***

NSW Health is working with the Australian Government Department of Health and Ageing to implement the roll-out of the Aboriginal and Torres Strait Islander Child Health Check in Coonamble and Gulargambone. An additional site will be established at Nyngan or Warren in 2007-08.

### ***Corporate governance***

The Australian Government proposed at the Summit that funding guidelines be amended to ensure that government funding, from all levels of government, be restricted to organisations managed by fit and proper persons. NSW gave in-principle agreement to this proposal. NSW is committed to supporting and developing Aboriginal community leadership and governance. NSW supports mechanisms that ensure Aboriginal representation and involvement in decision-making that affects Indigenous well-being. This is being done through Community Working Parties at a local level, and through the Regional Engagement Groups which have been established to drive the implementation of *Two Ways Together* at the regional level. The Regional Engagement Groups include representation from Aboriginal communities and State and Federal Government agencies. In addition, NSW has recently amended the *Aboriginal Land Rights Act 1983* to improve the corporate governance of the NSW Aboriginal Land Council network.



### ***Compulsory school attendance***

NSW has made improvements to its collection of data in relation to school attendance by Aboriginal students. NSW government schools make a return of absences at the end of each semester. The data is disaggregated by school, term, year, region, school grade, school levels and gender. From Semester 1, 2006 the return now includes data on Aboriginal students.

### **c) Monitoring and Evaluation**

#### ***Two Ways Together***

TWT Regional Reports were released in November 2006. The Reports bring together data about Aboriginal people and the government services for each of the Regional Coordination Management Group (RCMG) regions of NSW.<sup>37</sup>

The Department of Aboriginal Affairs prepares biennial indicator reports on the progress of TWT. The next report is due in early 2008.

#### ***State Plan***

Lead Ministers and relevant CEOs will be required to report to the Government on their progress in delivering *State Plan* priorities. Performance data on the priorities will be published on the *State Plan* website as soon as it is available. A *State Plan Annual Report* will also be published providing an analysis of the progress to date and will identify emerging challenges and any new programs or strategies that have been introduced.

### **d) Programs**

#### ***Healing approaches:***

- *Victims Services Approved Counsellors*: This is a non-Indigenous specific service but Victims Services Approved Counsellors have been undertaking training in cultural competence developed by the Education Centre Against Violence to ensure that counsellors have the skills and knowledge to work with Aboriginal clients.

#### ***Community education and community development:***

- *Greater Taree Domestic Violence Community Development Project* (\$50,000 in 2006-07): Education resources aimed at raising awareness among GPs, community organisations and teachers, of referral points and appropriate ways of identifying and addressing domestic violence. The project also involves a series of 5-day camps for young Aboriginal women and girls aged between 12 and 24 years.

---

37 The TWT Policy Document and Regional Reports can be accessed online at: <http://www.daa.nsw.gov.au/policies/policy.html>, accessed 23 January 2008.



- *Education Centre Against Violence (ECAV)* (\$595,660 in 2006-07): *Weaving the Net* program, outlined above. ECAV also has a Memorandum of Understanding with the Aboriginal Community Consultative Group to provide advice and support in the development and implementation of all-Aboriginal focused programs and resources.
- *Our Kids: Stay Safe, Stay Strong 2007 Calendar and Activity Book*: Calendar and activity book using children's art work to denounce violence. The activity book is an interactive resource tool aimed at building the awareness, skills and safety networks of children to protect them from violence and abuse in their families and communities.
- *Lismore City Council 'Indigenous Girls Well-Being Camp'* (\$16,200 in 2006-07): Camps include presentations on sexual health & wellbeing, understanding domestic violence, negotiating the legal system, healthy relationships, self-defence and self-esteem.
- *Community Justice Centres 'Conflict Management training'* (\$263,000 over 3 years): Delivery of conflict awareness and conflict management training for Aboriginal community members. The program targets awareness of the indicators of family violence as well as larger community disputes that have the propensity to escalate into violent confrontations. The training has been conducted in 4 communities, with another 12 communities scheduled for 2008.

***Culturally appropriate child protection services:***

- *Aboriginal Intensive Family-Based Services (IFBS)* (\$3.688 million in 2006-07): Aimed at reducing the number of Aboriginal children and young people entering out-of-home care by providing three month intensive home-based program to families whose children are at risk of out-of-home care, predominantly arising from drug and alcohol abuse and family violence.
- *Brighter Futures*: Involves DoCS working with non-government and community partner organisations to provide early intervention services to vulnerable children aged 0-8 years and their families. The program has a strong focus on supporting Aboriginal families, and between 2007 and 2010 will invest \$5 million in Aboriginal-specific programs and services.

***Programs for Indigenous offenders who perpetrate violence or abuse (including juveniles):***

- *Circle Sentencing* (\$1.015 million per annum): Alternative sentencing court for adult Aboriginal offenders. It directly involves local Aboriginal people (including victims) in the process of sentencing offenders, with the aims of making it more meaningful and improving confidence in the criminal justice system. It also empowers Aboriginal people to address criminal behaviour within their local communities.

Circle sentencing is used for offences that can be dealt with summarily. Serious offences such as malicious wounding, drug-related offences and sexual offences are excluded.





The program operates at Local Courts in Nowra, Dubbo, Walgett, Brewarrina, Bourke, Lismore, Armidale and Kempsey, with the program to expand into Western Sydney (Mt Druitt).

- *New Street Service for Adolescents* (\$500,000 in 2006-07): Non-Indigenous specific service in Western Sydney that provides therapeutic service for families that addresses abusive behaviours in young people aged between 10 and 17 years.
- *Magistrates Early Referral into Treatment Program (MERIT)*: Diversionary program for offenders with alcohol and drug use problems. The Aboriginal Health and Medical Research Council are developing a best practice model to deliver the MERIT program to Aboriginal defendants. The referral rate for Aboriginal defendants is around the same as their representation in the local court population but their completion rate is lower than non-Aboriginal defendants.
- *Walking Together* (\$299,000 in 2006-07): Group program targeted at Aboriginal male and female offenders, who are supervised by Community Offender Services at the Probation and Parole Service in Newtown and Redfern. The program provides a 16 session intervention for Aboriginal male perpetrators of family violence; a 16 session intervention for Aboriginal female perpetrators of family violence including strategies for reporting violence against children; and a 15 session intervention for Aboriginal male and female offenders to assist offenders to control alcohol consumption related to violent and non-violent offending.
- *'Our Journey To Respect' Program* (\$12,960 in 2006-07): Intergenerational violence prevention program targeting young Aboriginal males 14-18 years who have committed or are at risk of committing violent offences, run by the Department of Juvenile Justice.
- *Mallee Family Care 'Our Journey to Respect'* (\$26,000 in 2006-07): Group program, conducted in South Western NSW that seeks to facilitate participants' movement from relationships based on power and control towards relationships based on respect. It targets young Aboriginal males 12-17 years who have committed or are at risk of committing violent offences.

### **Community justice groups:**

- *Aboriginal Community Justice Groups* (\$1.2 million in 2006-07): Aboriginal Community Justice Groups look at offending behaviour in their community and develop local solutions to that behaviour. They also work with different parts of the criminal justice system and play a major role in the circle sentencing program. Groups are currently located in 17 communities. Lismore, Grafton, Maclean, Kempsey, Toronto, Redfern, Wollongong, Nowra, Wagga Wagga, Broken Hill, Dubbo, Bourke, Brewarrina, Walgett, Armidale and Moree.



### ***Safe houses and services for women and children:***

- *Orana Far West Safe Houses Project*: Partnership with the Australian Government to deliver an integrated family violence service delivery package building the capacity of five safe houses in Bourke, Brewarrina, Lightning Ridge, Walgett and Wilcannia to address safety issues for women and children at risk of family violence.
- *Staying Home Leaving Violence* (\$4.8 million over four years): Framework that helps women and children stay safely in their homes by removing the violent partner, funded through the Supported Accommodation Assistance Program. This is non-Indigenous specific service, currently running in Bega, Eastern Sydney and Western Sydney.

### ***Crime prevention programs:***

- *Aboriginal Community Assistance Patrols* (\$1.06 million in 2006-07): Community Patrols operate within 14 locations across New South Wales in Armidale, Bourke, Brewarrina, Dareton, Dubbo, Kempsey, Mungindi, Nambucca, Newcastle, Nowra, La Perouse, Taree, Wilcannia and Ballina.
- *Aboriginal Community Liaison Officers* (\$5.88 million in 2006-07): Aboriginal Community Liaison Officers operate in 50 communities across NSW and provide a key liaison point between Aboriginal communities and local police.

### ***Men's Groups:***

- *Acmena Juvenile Justice Centre*: Provides support to Aboriginal young people in custody by reinforcing positive role models in the community and developing linkages and relationships that assist transition back into the community.
- *Rekindling the Spirit*<sup>38</sup> (\$464 000 in 2006-07): Program is targeted at Aboriginal male and female community-based offenders who have issues relating to family violence. Activities in the program include group-based intervention to address issues of family violence and substance abuse; father and son camps; mother and daughters camps; and victims programs to support the victims of perpetrators.

---

38 See case study on *Rekindling the Spirit* in Chapter 2.



## 2) Queensland

The Queensland Government has commissioned a number of research reports and inquiries into Indigenous family violence and abuse over the years. The first major undertaking was the *Aboriginal and Torres Strait Islander Women's Task Force on Violence*, formed in December 1998, in response to demands from women for urgent action to halt the unprecedented levels of violence in Indigenous communities across Queensland.

Chaired by Associate Professor Boni Robertson of Griffith University, the Task Force comprised 50 Indigenous women with relevant knowledge and personal experience from across the state. A smaller Working Group carried out the process of research and consultation, visiting Indigenous communities and interviews throughout Queensland during the first half of 1999. The report, containing 123 recommendations, was handed to the Minister in October 1999 and tabled in State Parliament on 2 December 1999.

The Task Force found a disturbing level of violence:

Violence is now overt; murders, bashings and rapes, including sexual violence against children, have reached epidemic proportions with both Indigenous and non-Indigenous people being perpetrators.<sup>39</sup>

Alcohol was identified as a major factor, along with government inaction, the deterioration of traditional culture and identity and contemporary consequences of past injustices. The Taskforce attributed the rise of violence in Aboriginal communities to the failure of both Indigenous and non-Indigenous agencies to deliver critical services.

The *Cape York Justice Study*<sup>40</sup> was announced in July 2001 to look at the problem of alcohol and substance misuse in Cape York Indigenous communities. Although focusing on alcohol, unsurprisingly, the study made a clear link between alcohol use, family violence and abuse. The *Cape York Justice Study* also documents the fact that there are few services in the Cape York communities that can address violence and substance abuse, provide programs for perpetrators, or provide trauma and grief counselling. Further, those services that are available are based on service models that are not accessible or relevant to Indigenous people in Cape York<sup>41</sup>.

The Cape York Institute launched *From Hand Out to Hand Up: Welfare Reform Design Recommendations* report that was released on 19 June 2007.<sup>42</sup> The report is based on work with four Cape York communities – Coen, Aurukun, Hopevale and Mossman Gorge.

Recommendations in the report are in four areas:

- Restoring social norms by attaching reciprocity to welfare payments, so that for instance, parents will have to ensure 100% attendance of children at school to receive welfare payments.

39 Robertson, B., *The Aboriginal and Torres Strait Islander Women's Task Force on Violence Report*, Department of Aboriginal and Torres Strait Islander Policy and Development, Queensland, 1999.

40 Fitzgerald, T., *Cape York Justice Study*, Department of Communities, Brisbane, 2001.

41 Fitzgerald, T., *Cape York Justice Study*, Department of Communities, Brisbane, 2001.

42 More information on the *From Hand Out to Hand Up* Report can be accessed online at: <http://www.cyi.org.au/welfarereform.aspx>, accessed 23 January 2008.



- Addressing the 'welfare pedestal' through changing the incentives so that people are encouraged to come off welfare, or not enter welfare.
- Supporting individual engagement in the real economy through converting CDEP positions into real jobs, making communities more business friendly and introducing measures to support mobility for employment and education.
- Moving from welfare housing to home ownership.

The report also calls for the establishment of a Family Responsibility Commission in the Cape. This would be an administrative, statutory legal agency that would make rulings about whether obligations to children have been breached by carers and if necessary, enforce sanctions.

Although not specifically targeted at Indigenous children, the Crime and Misconduct Commission completed an extensive review, *Protecting Children: an inquiry into abuse of children in foster care*,<sup>43</sup> in 2004. This identified issues around the need for appropriately resourced and supported Aboriginal and Islander Child Care Agencies to provide appropriate support and placements for children in care<sup>44</sup> and assist in connection to family and culture.

## a) Policy Frameworks

### ***Strong Indigenous Communities CEO Taskforce***

The Queensland Government's Strong Indigenous Communities CEO Taskforce is responsible for progressing major policy development areas including:

- reforming Indigenous social and economic policy;
- reforming Indigenous governance and land; and
- addressing Indigenous justice.

### ***Meeting Challenges, Making Choices***<sup>45</sup>

In response to the *Cape York Justice Study*, the Queensland Government released *Meeting Challenges, Making Choices: The Queensland Government response to the Cape York Justice Study* in April 2002. This strategy identified a range of reforms to address the alcohol and violence issues afflicting Indigenous communities in Queensland, primarily in the eight key result areas of:

- alcohol, substance abuse and rehabilitation;
- governance;
- crime and justice;
- children, youth and families;
- health;
- education and training;

43 Crime and Misconduct Commission, *Protecting Children: an inquiry into abuse of children in foster care*, Brisbane, 2004.

44 Crime and Misconduct Commission, *Protecting Children: an inquiry into abuse of children in foster care*, Brisbane, 2004, p 225.

45 *Meeting Challenges, Making Choices* can be accessed online at: <http://www.mcmc.qld.gov.au/resources/policy.php#mcmc>, accessed 23 January 2008.



- economic development; and
- land and sustainable natural resource management.

### ***Partnerships Queensland<sup>46</sup>***

In 2005, Partnerships Queensland was launched as the strategic policy framework that consolidates all State initiatives for Aboriginal and Torres Strait Islander Queenslanders against the following goal areas:

- strong families, strong cultures;
- safe places;
- healthy living; and
- skilled and prosperous people and communities.

### ***Child Wellbeing Taskforce***

A Child Wellbeing Taskforce is being established in Queensland to improve care, development and safety of children in 19 identified communities. The Taskforce will pilot a place-based approach focused on prevention and early intervention, and will utilise cross-agency commitment and resources to develop innovative models of service delivery designed to meet the needs of each community. It is proposed that the Taskforce, which comprises representatives from a range of child safety, community, education and health agencies, will initially focus on the Aboriginal community of Hope Vale.

### ***Queensland Child Protection Strategy 2007-10***

The Queensland Government continues to reform its child protection system. A whole-of-government action plan guides implementation of the strategy over the next four years. Special consideration is given to meeting the needs of Aboriginal and Torres Strait Islander children and young people.

### ***Lower Gulf Strategy (Probation and Parole)***

In 2006-07, the Queensland Government provided funding of \$57.5 million over five years to establish a new probation and parole service. The service was designed to provide a permanent presence of probation and parole staff in Indigenous communities in the Lower Gulf in order to:

- ensure adequate supervision of offenders on orders;
- assist offenders with rehabilitation; and
- assist offenders on parole with reintegration into the community.

To support the strategy the Queensland Government is seeking to engage trainee Aboriginal and Torres Strait Islander employees to work at each of the probation and parole offices.

Since the strategy's commencement, there have been marked improvements in business practice and improved relationships with the Magistracy and community groups in the areas. Preliminary data indicates that the strategy is having a positive effect on diversion from custody, with greater incidence of parole or probation rather than custodial sentences.

46 More information regarding Partnerships Queensland, including the 2006 Baseline Report and Progress Report can be accessed online at: <http://www.indigenous.qld.gov.au/partnerships/partnerships.cfm>, accessed 23 January 2008.



### ***Aboriginal and Torres Strait Islander Access Strategy***

The Aboriginal and Torres Strait Islander Access Strategy (Indigenous Access Strategy) is designed to ensure that the Commission for Children and Young People (CCYP) services, policies, programs, and practices are:

- culturally competent;
- accessible; and
- effective in protecting and promoting the rights, interests, safety and well being of Aboriginal and Torres Strait Islander children and young people.

### ***Employment Screening Services Program (ESSP)***

In Queensland, the CCYP conducts employment screening to determine whether applicants are able to work in categories of employment regulated by the Commission for Children and Young People and the Child Guardian Act 2000.

The Employment Screening Services Program (ESSP) includes an Indigenous access strategy that will establish partnerships with Aboriginal and Torres Strait Islander communities to assist them to identify and manage risks to Aboriginal and Torres Strait Islander children and young people, including by conducting appropriate employment screening.

## **b) State and Australian Government Joint Initiatives**

### ***Agreement on Aboriginal and Torres Strait Islander Service Delivery between the Commonwealth of Australia and the Government of Queensland***

*The Agreement on Aboriginal and Torres Strait Islander Service Delivery between The Commonwealth of Australia and the Government of Queensland* (the Agreement) was signed in December 2005.

The Agreement is intended to establish arrangements to engage with Aboriginal and Torres Strait Islander communities across Queensland. The Agreement is based upon priorities that were agreed in the *Overcoming Indigenous Disadvantage Report* and which have subsequently been refined by both governments.

The Australian Government's priority areas are:

- early childhood intervention, focusing on improved mental and physical health;
- safer communities (including issues of authority, law and order and good governance) and developing community capacity; and
- enhancing 'Indigenous wealth, employment and entrepreneurial culture'.

The Queensland Government's priority areas are:

- strengthened families and communities and strengthened cultures;
- safe places (including alcohol management and community-based law and justice issues);
- healthy living (including access to housing issues); and
- skilled and prosperous people and communities (including access to education and training issues).



The key mechanism for Indigenous consultation will be 'Negotiation Tables'. It is also envisaged that the resulting increase in engagement between communities and government will provide the basis for the negotiation of Shared Responsibility Agreements (SRAs).

Schedules to the Agreement identify locations in Queensland receiving particular attention under the Agreement. During 2005-2006, the Lockhart River community was to be part of a pilot program for streamlined bureaucratic processes and more flexible funding. Furthermore, joint government initiatives in Cape York and on Palm Island are brought under the Agreement. It is intended that other areas will be identified for specific and coordinated action and added to Schedule Two.

The Agreement will be monitored by biannual meetings of senior officials, by joint workshops between government and Indigenous Coordination Centre Managers and by biannual meetings convened by the Department of Aboriginal and Torres Strait Islander Policy and Indigenous Coordination Centres.

### ***Family Responsibility Commission***

In mid 2006, the Cape York Institute launched its Welfare Reform Project. In accordance with the Cape York Agenda the *From Hand Out to Hand Up* Report contains a recommendation for a Family Responsibility Commission (FRC) to be funded by the Australian Government and commence in January 2008.

The FRC will make rulings about whether obligations to children have been breached by carers, and if necessary enforce a range of sanctions, including:

- (a) to issue a warning to an individual;
- (b) to direct individuals to attend support services on either a voluntary or compulsory basis;
- (c) to order all or part of welfare payments to conditional income management (such that the recipient has limited discretion over the expenditure of their welfare payments);
- (d) to determine that all or part of welfare payments be directed to an adult that is caring for that individual's children.

The FRC's Secretariat will be based in Cairns, but it will have panels of three people permanently based in each of the four communities vested with the power of decision-making. The panels would comprise three people: one legal officer and two Indigenous community members (one male and one female).

The FRC would be an administrative law tribunal and therefore any decision made by the body could be appealed. This would take place first by internal review; then if the appellant was dissatisfied with the result they could appeal to the Administrative Appeals Tribunal.



### ***COAG Trial in Cape York***

Since late 2005 there has not been any activity specifically relating to the Cape York Trial, and many stakeholders have accordingly concluded that the Trial is over. However, there has been no formal end to the process. There is a need for a COAG or Australian Government decision on whether there is to be any further action on the Cape York Trial, and clear communication of this to all relevant parties.<sup>47</sup>

### **c) Monitoring and Evaluation**

#### ***Partnerships Queensland – Baseline Report 2006***

The Partnerships Queensland *Baseline Report 2006* is the first stage of Partnerships Queensland performance reporting. The report provides the baseline from which all future progress in improved outcomes for Aboriginal and Torres Strait Islander peoples in Queensland can be measured. This monitoring process will measure key indicators of wellbeing and will provide the basis for developing targeted and prioritised programs and interventions that will address disadvantage in Aboriginal and Torres Strait Islander communities.

The report has collated information from state government agencies, the Australian Bureau of Statistics and the Australian Institute of Health and Welfare. The Office for Aboriginal and Torres Strait Islander Partnerships undertook the analysis and interpretation of the data in close consultation with relevant government agencies.

The *Baseline Report* is complemented by the initial *Implementation Progress Report 2006*. The progress report details the most recent achievements of the Queensland Government in addressing areas of Indigenous disadvantage. It also outlines future activities to be undertaken across government to strengthen policy, planning and service delivery to Aboriginal and Torres Strait Islander peoples.

#### ***Child Guardian Key Outcome Indicators***

In 2006, the CCYP conducted extensive research and consultation to establish an outcome-based method of assessing the effectiveness of the child safety system. This resulted in the development of Child Guardian Key Outcomes and a series of proposed measures that will be used when gathering and reporting information about the child safety system.

One of these outcome indicators relates to Aboriginal and Torres Strait Islander children, and includes various measures in relation to the safety and wellbeing of these children.

#### ***Indigenous Child Placement Principle Project***

The Commission for Children and Young People monitors the Department of Child Safety's compliance with the Indigenous Child Placement Principle set out in s.83 of the Child Protection Act 1999.

---

47 *Review of the Cape York COAG Trial Final Report* prepared for the Office of Indigenous Policy Coordination 9 October 2006, Sydney, available online at: [www.oipc.gov.au/publications/PDF/Cape\\_York\\_COAG\\_Trial\\_Evaluation.PDF](http://www.oipc.gov.au/publications/PDF/Cape_York_COAG_Trial_Evaluation.PDF), accessed 24 January 2008.





### ***Systemic recommendations***

In 2006-07, the Commission for Children and Young People finalised systemic recommendations related to Aboriginal and Torres Strait Islander children. These recommendations targeted information management and decision support mechanisms in an effort to improve the available data about Aboriginal and Torres Strait Islander children.

### ***Murri Court Review***

A review of the Murri Court was completed in 2006 and the majority of its recommendations have been implemented.<sup>48</sup> The review confirmed that the Murri Court has been effective in providing practical access to justice for Aboriginal and Torres Strait Islander offenders.

An independent evaluation is currently being undertaken by the Australian Institute of Criminology (AIC), and the AIC is also working with Department of Justice and Attorney-General to implement an effective evaluation database.

### ***Research into legislative instruments***

The Queensland Government has commissioned research into:

- the appropriateness of Domestic Violence Orders and the other relevant legislative instruments for Aboriginal and Torres Strait Islander communities, and recommendations for alternatives (this informed the evaluation of the 2003 amendments to the Domestic and Family Violence Protection Act 1989); and
- causal factors for family violence in Torres Strait Islander communities and recommended Torres Strait Islander-specific responses.

### ***Narrative Inquiry***

Narrative inquiry is a method of gathering and analysing information from community members through a 'story telling.' The Queensland Government has trialled a narrative inquiry training package with departmental staff and some funded non-government organisations that conduct prevention and early intervention pilot programs, including:

- Mununjali Housing and Development Company;
- Darumbal Community Youth Service; and
- Centacare, Mount Isa.

Narrative inquiry has been used effectively as an evaluation strategy by all three of these programs. The Darumbal Community Youth Service and Centacare have used the method to collect material for their Client Outcomes Projects, which were part of the suite of evaluation techniques used to evaluate the prevention and early intervention pilot programs.

---

<sup>48</sup> The Report on the review of the Murri Court can be accessed online at: <http://www.justice.qld.gov.au/671.htm>, accessed 24 January 2008.



## d) Programs

### **Healing approaches:**

- *Queensland Indigenous Alcohol Diversion Program (QIADP) (\$2.9 million over three years):* A voluntary 20-week rehabilitation program for Indigenous defendants charged with certain offences that relate to their use of alcohol; and for Indigenous parents involved in the child protection system who also have an alcohol problem.

The criminal justice stream of the QIADP will operate as a bail-based diversionary program. The goal of the program is to break the alcohol-crime cycle by involving eligible Indigenous defendants in treatment and case management programs designed to reduce alcohol-related harm to the individual and the community.

The family intervention stream of the QIADP will offer Indigenous parents the option of accessing culturally appropriate treatment for alcohol misuse if their alcohol misuse impacts on their ability to protect their children from harm.

The three-year pilot program commenced in July 2007 in Cairns (with outreach to Yarrabah) has 32 treatment places; Townsville (with outreach to Palm Island) has 40 treatment places; and Rockhampton (with outreach to Woorabinda) has 32 treatment places.

- *Healing services* (\$1.5 million per annum): Six Indigenous healing services, which provide contemporary and traditional healing to people in Indigenous communities affected by violence. Healing services have been successfully established in Thursday Island, Pormpurraw, Injinoo, Rockhampton, Cunnamulla and the North West of Cape York.

### **Community Education and Community Development:**

- *Child Responsive Communities Project (Cherbourg):* A multi-agency initiative, based on the Crime and Misconduct Commission's research on best practice to reduce child abuse.<sup>49</sup> The project aims to improve children's knowledge about child sexual abuse; dispel the notion that child sexual abuse is a "normal" childhood experience; and improve the government response once abuse is disclosed.

Project delivery will include school-based activities for primary school children, community-based education for adults, improvements to the responsiveness of the criminal justice system and improvements to community safety and therapeutic responses for children and their families.

This project is currently in the scoping and development phase.

---

<sup>49</sup> Crime and Misconduct Commission, *Protecting Children: an inquiry into abuse of children in foster care*, Brisbane, 2004.



- *AFL Education Partnership*: Education partnership with the Australian Football League (AFL) targeted at Indigenous youth. The partnership will use the existing 27 Kickstart football clinics, which are permanently staffed around Queensland remote Indigenous communities. The Government is currently developing 'curriculum' that coaches could use to educate children about healthy relationships, and challenge community tolerance of domestic and family violence.
- *Domestic and Family Violence Prevention*: In 2007, the Queensland Domestic and Family Violence Prevention Month campaign incorporated a focus on Indigenous men with the key message 'every man must take a stand against domestic and family violence.' A radio advertising campaign aired on Indigenous radio stations throughout the month, and advertisements (including perpetrator help cards) were placed in restrooms and public bars and clubs across the state. The Government also provided \$21,729 to Aboriginal and Torres Strait Islander community groups throughout Queensland to hold events and activities to promote the prevention of domestic and family violence in Indigenous communities.
- *Be Strong Be Heard*: Established to address prevailing non-reporting of sexual assault and mistreatment of Indigenous youth in Cape York and the Torres Strait.

#### ***Culturally appropriate child protection services:***

- *Department of Child Safety initiatives*: Recent child protection initiatives include:
  - the creation of a new Gulf Child Safety Service Centre to provide culturally-focussed service delivery to the remote communities of North West Queensland;
  - scholarship awards to four Indigenous staff members to gain relevant qualifications for employment as Child Safety Officers;
  - sponsorship of 12 Indigenous cadets under the National Indigenous Cadetship Project;
  - recruitment of 228 Aboriginal and Torres Strait Islander carers;<sup>50</sup> and
  - the allocation of \$12.8 million in grant funding to extend coverage of Indigenous Recognised Entities across Queensland.<sup>51</sup>
- *Residential care*: Over the next four years, the Government will allocate \$15.5 million in capital funding and \$19.1 million in recurrent funding for residential care houses in Pormpuraaw, Kowanyama, Aurukun, Weipa/ Napranum and Doomadgee; a first placement house on Palm Island to provide a culturally appropriate place for Indigenous children and young people to stay while their needs are being assessed; and office and residential accommodation for child safety officers working in Indigenous communities.

---

50 As at 31 December 2006.

51 There are currently 29 funded services.



- *Community Visitor Program (CVP)*: Makes regular visits to children in alternative care. Community visitors immediately report any identified harm to children and young people in out-of-home care to the Department of Child Safety and to the Queensland Police Service where the matter involves alleged criminal activity. Thirty per cent of serious issues identified by community visitors in 2006 related to Aboriginal and Torres Strait Islander children and young people.

***Programs for Indigenous offenders who perpetrate violence or abuse (including juveniles):***

- *Ending Family Violence Program*: Cognitive behavioural program, which is delivered over 10 two-hour sessions and responds to the specific needs of Aboriginal and Torres Strait Islander people who have been convicted of offences related to violence within their family and/ or community.
- *Ending Offending Program*: Cognitive behavioural program designed to modify the drinking and offending behaviour of Aboriginal offenders.
- *Crossroads* and *Back on track*: Cognitive behavioural program for sex offenders to prevent re-offending. Indigenous cultural advisors attend groups and consult with program staff in order to acknowledge cultural context and inform on culturally sensitive issues. These programs are only available in the correctional environment.
- *Murri Court*: Magistrates Courts that deals with adult and youth Indigenous offenders who plead guilty to offences and elect to appear before the Murri Court for sentence. The Murri Court provides a forum in which Aboriginal and Torres Strait Islander Elders can become involved in identifying the causes of offending behaviour and appropriate options for offender rehabilitation. The emphasis is on imposing alternatives to custodial sentences that are equally or more effective in preventing a recurrence of offending behaviour.
- *Police-Citizen Youth Clubs (PCYCs)* and *Community Activity Program through Education (CAPE)*: Operate in Indigenous communities throughout Queensland, including Wujal Wujal, Hope Vale, Yarrabah, Palm Island, Mornington Island and Napranum. The objective of these programs is to engage young people and divert them from the criminal justice system through recreational activities and support.

***Community Justice Groups:***

- Established in 1993 in response to the Royal Commission into Aboriginal Deaths in Custody and to deal more effectively with social justice issues regarding over representation of Aboriginal and Torres Strait Islander people in the States criminal justice system. The Queensland Government currently funds 41 Community Justice Groups across Queensland.



### ***Safe houses and services for women and children:***

- *Safe Haven* (\$17.83 million): Joint Australian and Queensland Government<sup>52</sup> project being implemented in the communities of Cherbourg, Coen, Palm Island and Mornington Island. It is aimed at reducing the impact of domestic and family violence on children and young people. While the building is underway an interim service model has been developed for co-ordination and integration of interim services with existing services; community capacity building; night patrol service; family support/parenting counselling service; youth engagement and support; and a family brokerage system.
- *Safe Houses*: The 2007-08 Queensland State Budget allocated \$19.1 million operating and \$15.5 million capital funding over four years to better protect Indigenous children in remote communities. This will include at least five 'safe houses,' which will provide accommodation for children who are within the child safety system.
- *Supported Accommodation Assistance Program*: There are currently 13 crisis accommodation services in Queensland funded through the Supported Accommodation Assistance Program (SAAP). These services are specifically designed to assist Aboriginal or Torres Strait Islander women and their accompanying children who are homeless or at risk of homelessness. SAAP services are also referred to as 'safe houses'.

### ***Crime prevention programs:***

- *Community Patrols*: The Queensland Government provides funding support to community patrols in Townsville and Palm Island. In addition, Community Justice Groups throughout the state facilitate the delivery of crime prevention programs in their communities including night patrols, 'Murri Watch', youth camps, and outstations.
- *Youth and Community Combined Action (YACCA ) program*: Provides recurrent funding of over \$2 million per year to non-government organisations. YACCA is aimed at young people aged 12 to 25 who are at risk of offending and other high-risk behaviours. Three services located in Cherbourg, Brisbane and Palm Island specifically target Indigenous young people. The services provide a range of crime prevention activities to assist young people to play positive and responsible roles in their communities.

52 Joint funding is provided: \$10.38M Queensland contribution and \$7.45 million Australian Government contribution.



### 3) South Australia

In 2003, a child protection review was undertaken by Robyn Layton QC. The report, *A State plan to protect and advance the interests of children*<sup>53</sup> devotes a chapter to Indigenous children and young people.

The report makes eight Indigenous specific recommendations for better service delivery, interagency cooperation and community education and community development. It also recommends a human rights based approach to Indigenous child protection:

Recommendation 31: That the principles contained in the United Nations Convention on the Rights of the Child (UNCROC) be reflected in all statutes affecting Indigenous children and young people and form the underpinning principle objectives driving legislation in this State. That the South Australian Child Protection Board, when developing protocols and guidelines, has regard to the three targets identified by UNICEF in its New Global Agenda for Children (2000).<sup>54</sup>

In 2004 the South Australian government created the Commission of Inquiry (Children in State Care and on APY Lands) to investigate:

allegations of failure on the part of government agencies, employees or other relevant persons to investigate or appropriately deal with allegations concerning sexual offences against children under the guardianship, custody, care or control of the Minister responsible for the protection of children; and to provide for a Commission of Inquiry into the incidence of sexual offences against children resident on the Anangu Pitjantjatjara Yankunytjatjara lands.<sup>55</sup>

The Commission of Inquiry has heard from 1849 people and undertaken 783 hearings.<sup>56</sup> The Commission is currently finalising its report which is expected to be submitted to parliament in January 2008.

#### a) Policy Frameworks

##### *South Australian Strategic Plan*

The South Australian Government has an overarching South Australian Strategic Plan (SASP). The SASP contains specific targets relating to Indigenous health and well-being:

- *Aboriginal healthy life expectancy*: Lower the morbidity and mortality rates of Aboriginal South Australians.
- *Aboriginal Leadership*: Increase the number of South Australians participating in community leadership and in community leadership development programs.
- *Aboriginal housing*: Reduce overcrowding in Aboriginal households by 10% by 2014.

53 *A State Plan to Protect and Advance the Interests of Children* can be accessed online at: <http://www.familiesandcommunities.sa.gov.au/Default.aspx?tabid=733>, accessed 24 January 2008.

54 *A State Plan to Protect and Advance the Interests of Children*, can be accessed online at: <http://www.familiesandcommunities.sa.gov.au/Default.aspx?tabid=733>, accessed 24 January 2008.

55 *Commission of Inquiry (Children in State Care and Children on APY Lands) Act 2004*.

56 Children in State Care Commission of Inquiry, *Issues upon which the Commission seeks submissions*, Media Release, 15 February 2007.



- *Aboriginal education:* early years. Increase yearly the proportion of Aboriginal children reading at age appropriate levels at the end of year 1.
- *Aboriginal wellbeing:* Improve the overall wellbeing of Aboriginal South Australians.
- *Aboriginal employees:* Increase the participation of Aboriginal people in the South Australian public sector, spread across all classifications and agencies, to 2% by 2010 and maintain or better those levels through to 2014.

Further, the South Australian Government has drafted a State Aboriginal Strategic Plan, which is due for release in 2007-08.

### ***Keeping Them Safe In Our Care Action Plan***

Keeping them Safe is the South Australian Government's wide ranging program to reform the State's child protection systems and services. An action has been identified to specifically address the needs of Indigenous young people:

- Getting it Right for Aboriginal Children and Young People: Giving a renewed priority and commitment to developing effective and culturally appropriate responses to the high numbers of Aboriginal children and young people in our care.

Service planning across government departments seeks to address this as a state government priority.

### ***Domestic Violence Statement of Commitment***

The Justice Portfolio adopted the Domestic Violence Statement of Commitment in September 2005. The Statement of Commitment recognises the key role of Justice Portfolio agencies in responding to domestic violence including:

- providing victims with access to justice and increasing their safety; and
- intervening effectively with offenders to stop violence.

### ***Women's Safety Strategy***

The Women's Safety Strategy has specific reference to Indigenous women, stating that responses to violence against Aboriginal and Torres Strait Islander women will be informed by the principles detailed in the 'Rekindling Family Relationships – Framework for Action'.

### ***Family Safety Framework***

This is a Framework to drive the development of improved, integrated service responses to violence against all women and children in South Australia. The Framework outlines the process, procedures and policies that will enable agencies to better support women, children and young people who are victims of violence and abuse and people who use violence. The Framework incorporates an agreement to share information between agencies and sets out the parameters for the sharing of this information.



## b) State and Australian Government Joint Initiatives

### ***Overarching Agreement on Indigenous Affairs between the Commonwealth of Australia and the State of South Australia***

The *Overarching Agreement on Indigenous Affairs between the Commonwealth of Australia and the State of South Australia* (also known as the *Bilateral Agreement on Service Delivery to Aboriginal and Torres Strait Islanders in South Australia*) was signed by the Prime Minister and the Premier of South Australia on 17 April 2006. The five-year agreement aims to enhance health and welfare of Indigenous South Australians.

The agreement is a response to issues identified in the *Overcoming Indigenous Disadvantage Report*. The agreement includes planned action in the areas of 'safer communities; housing and infrastructure; health and education; homelessness; economic development; land, environment and culture; and service delivery'.

It is to enhance cooperation between the two governments in service delivery, including through a streamlining of processes. The agreement is also designed to reduce bureaucratic overlap and service duplication in Indigenous communities.

### ***COAG Family Violence Action Strategy***

The Australian Government and South Australia participated in bilateral negotiations throughout 2006-07 to identify initiatives to address violence and child abuse in Indigenous communities as outlined in the COAG Action Strategy. The majority of the discussions under the Action Strategy had not reached the formal agreement stage by the end of 2006-07.

### ***Law enforcement***

#### *Improved Policing in remote areas*

The Australian Government initiated an audit of policing in remote areas. The State Government participated in this initiative through SAPOL with an audit of policing on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands.

The Australian Government has agreed to provide the South Australian Government with capital funding for police infrastructure on the APY Lands. The State has agreed to contribute to this by providing four additional police officers for the APY Lands and a number of community liaison positions, targeting family violence. The number of permanent police on the APY Lands has now increased to twelve fully sworn officers compared to 2002 when the Lands were policed by officers operating from Marla with the support of Community Constables. In addition to the 12 officers, there are 10 Community Constable positions across the Lands as well as 6 officers and 1 clerical position based at Marla.

#### *Sniffer Dogs and Strike Teams*

South Australia is a party to the tri-state intelligence desk, based in Alice Springs, which has been very successful in reducing the trafficking of petrol, alcohol and drugs in the Central Australian desert region.

#### *National Indigenous Violence and Child Abuse Task Force*

South Australia has provided two officers to the Task Force.





### **Protection for Victims**

#### *Ceduna and Coober Pedy Safe House Initiative*

The Australian and State Governments have jointly funded the development and implementation of a number of Safe Houses for Women and Children fleeing violence in Ceduna and Coober Pedy. This initiative provides intensive case management, accommodation and re-establishment services to women and children.

#### *Commission of Inquiry into sexual abuse on the APY Lands*

The Australian Government has provided support to the State for the expansion of the current Commission of Inquiry into Children in State Care. The expanded Inquiry focuses on the sexual abuse of children on the APY Lands. The Inquiry will hand down its report at the end of January 2007.

### **Health and Wellbeing of Children**

Introduction of a family Support Worker in Yalata and Senior Social Workers in Anangu Pitjantjatjara Yankunytjatjara (APY) Lands to provide early intervention for families.

### **Drug and Alcohol Rehabilitation Services**

The South Australian and Australian Governments have entered into a joint agreement for non residential rehabilitation drug and alcohol day centres in Port Augusta, Coober Pedy and Ceduna.

### **Compulsory School Attendance**

The South Australian Government has agreed to provide data on school attendance to the Australian Government. This data will be provided down to the school level (not individuals) to enable monitoring of attendance levels.

## **c) Monitoring and Evaluation**

No monitoring or evaluation mechanisms were reported to the Aboriginal and Torres Strait Islander Social Justice Commissioner.

## **d) Programs**

### **Community education and community development:**

- *Rekindling Indigenous Family Relationships (RIFR) project in the Riverland:* Funded through the Family Violence Partnership Program (FVPP) jointly between the Australian and State governments, it is aimed at increasing the capacity of Indigenous people to respond to, reduce and prevent family violence and child abuse, as well as link with a range of services. It includes a Community Enhancement Program and Family Wellbeing Program that provides participants with skills for effective communication and conflict resolution. The Family Well Being course is a Certificate II Course within TAFE Aboriginal Education and is a nationally accredited counselling skills course.



- *State Aboriginal Women's Gathering and State Aboriginal Men's Gathering:* In 2006 a gathering with over 70 women representing communities from metropolitan, rural and remote South Australia coming together. The theme of the Gathering was '*Indigenous Family Violence – Local Community Solutions*'. Delegates to the gathering were presented with a report, '*A Two-Way Conversation: Aboriginal Women Talking, Government Listening*', compiled by Office of Women (OfW). The report presents the SA Government's response to recommendations made at the 2002-2005 State Aboriginal Women's Gatherings. A panel comprising Departmental heads from across Government joined the Gathering to respond to questions from the delegates as to how Government could further progress the recommendations.

A similar State Aboriginal Men's Gathering also occurred in December 2006 with a focus around men's health.<sup>57</sup>

- *Child Safe Environments Training – tailored to community:* Training by Families SA in partnership with a remote area Health Clinic in Pukatja to increase knowledge of the child protection system.

#### **Culturally appropriate child protection services:**

- *Taikurtinna Maltorendi (Families to remain together):* Aboriginal-specific service providing support and access to services for Aboriginal families who receive a 'Tier 3' notification and who live in the north-west regions of Adelaide. Taikurtinna Maltorendi also provides a whole of family case management/ outreach home visiting service that aims to support families in a non-threatening, culturally accountable environment to improve the housing, educational, health and wellbeing outcomes for children at risk of becoming homeless.
- *Yaiya Tirramangkotti:* Provides advice and assistance in cases involving the abuse of Aboriginal children. Staffed by Aboriginal people, Yaiya Tirramangkotti makes sure that everything is done to involve Aboriginal families and help them care for their children in ways that are culturally appropriate and consistent with the Aboriginal Child Placement Principles.
- *Principal Cultural Consultants:* Indigenous positions that advise senior staff within the department of the management of critical cases and the quality, appropriateness, and effectiveness of this practice.
- *Murray Bridge Aboriginal Families Team:* Provides holistic services and support to prevent families and young people entering the child protection, alternative care and youth justice system.
- *Davenport Community Protocols:* As a pilot project, the Port Augusta District Centre, Families SA is partnering with the Davenport Community to develop protocols regarding best ways to approach and work with the community on issues relating to child protection and child/ young person safety within the community.

---

57 See Men's groups case study in Chapter 2.



- *Port Augusta Aboriginal Families Team*: Provides intensive case management for Aboriginal families who have multiple problems, and who have been involved with numerous human service agencies over a long period of time.
- *Kumangka Padnendi*: Assists Aboriginal families to remain united, re-united or re-connected using a therapeutic approach. The therapeutic approach is two pronged, the first is the 'Rapid Response' that has the capacity to respond to Aboriginal people in crisis situations where children have been removed or are at risk of removal. The second is the sustained therapeutic response that focuses on the parents/caregivers needs. Often the parents/ caregivers are themselves victims of past policies that lead to widespread removal and disruption to parenting practices.

***Programs for Indigenous offenders who perpetrate violence or abuse (including juveniles):***

- *Mary Street Adolescent Program*: Provides counselling and help for adolescents (and their families) who have sexually offended. This is not an Indigenous specific service.
- *Aboriginal Mental Health Youth Partnership*: Families SA and the Child and Adult Mental Health Services (CAMHS) have developed partnerships within the Secure Care setting at Cavan Training Centre, to provide support, counselling and mental health services to Aboriginal young people within the juvenile justice system.
- *Panyappi*: Indigenous youth mentoring service for young people who experience multiple problems that lead them to frequent inner city or other suburban hangouts, placing them at risk of being a victim of crime or engaging in offending behaviour.
- *Kurlana Meyanna Karpandi (Supporting Youth)*: Service to target Aboriginal young people in the juvenile justice system – aged from 10 to 18 years who are custody and are in need of suitable accommodation or placement after they return to the community. The program is designed to recruit, train and support Aboriginal carers to provide placements for young people in the Justice System.
- *Marni Wodli (Good House)*: Accommodation program funded primarily to provide culturally appropriate accommodation options and independent living skills to 'at risk' Aboriginal young people aged between 15 and 18 years.

***Crime prevention programs:***

- *Port Augusta Youth Support Services Bus*: Collaborative program with partnerships between Families SA, Department of Justice and Port Augusta Council to provide transport for young people at risk of offending to go to safe places; and provide individual support and referral.



## 4) Western Australia

Western Australian initiatives to address Indigenous family violence and child abuse have been framed in response to the Gordon Inquiry, one of the most well known and largest inquiries into Indigenous communities. Following the Coroner's Inquest into the death of a 15 year old girl in Swan Valley, the Western Australian Government formed a special inquiry headed by Magistrate Sue Gordon to look at family violence and child abuse in all Western Australian Aboriginal communities. The findings of this inquiry are published in the report, *Putting the Picture Together: Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities*.<sup>58</sup>

Commenced in 2002, the Inquiry ran for six months and evidence and information was obtained by the Inquiry through written submissions from government, non-government agencies and individuals; documents and materials provided by government agencies; consultation with Aboriginal communities, government agencies, non-government agencies and to other facilities and individuals; formal hearings; and relevant research materials.

The Gordon Inquiry found that:

- family violence and child abuse occur in Aboriginal communities at a rate that is much higher than that of non-Aboriginal communities;
- better responses are needed when family violence and child abuse occur;
- the Government needs to provide a co-ordinated 'connected' approach to service delivery that responds to each community's need for integrated service provision; and
- there is a need to increase the capacity of workers to be responsive to abuse and violence in Aboriginal communities and the needs of Aboriginal people.

The Gordon Inquiry made 197 findings and recommendations. It is this Report that has shaped much of the policy development in Western Australia. The recommendations can be grouped around 4 main themes:

1. strengthening the response to child abuse and family violence;
2. strengthening response to vulnerable children and adults at risk;
3. strengthening the safety of communities; and
4. strengthening the governance, confidence, economic capacity and sustainability of communities.

The Western Australian Government's response to the Gordon Inquiry, *Putting People First*, was tabled in Parliament in December 2002. Further government responses are outlined below.

---

58 More information including the full Gordon Inquiry Report can be found online at: <http://www.dia.wa.gov.au/gordon/background.html>, accessed 24 January 2008.



## a) Policy Frameworks

### ***Gordon Action Plan***<sup>59</sup>

In November 2002, the Western Australian Government, in response to the Gordon Inquiry, identified four key outcome areas to be addressed by the Gordon Action Plan. They include:

- timely responses to children identified as abused or significantly at risk of abuse and/or neglect;
- a reduction in family violence and child abuse in Aboriginal communities;
- an increase in the percentage of people in Aboriginal communities who feel safe including children and youth; and
- an increase in the percentage of Aboriginal people who are aware of and can access family violence and child abuse services.

The Gordon Action Plan comprised 125 initiatives with a budget of \$71 million over four years.

### ***Operational Response to Child Abuse disclosures in the East Kimberley***

Between April and July 2007, there were a number of arrests and charges following child abuse disclosures in Indigenous communities in the East Kimberley.

On 23 July 2007, the Cabinet Standing Committee on Law and Order gave a mandate to the Department of Indigenous Affairs (DIA) to lead coordination of a government response to the broader impacts on the community as a result of the high number of disclosures. A Director's General Group, established to coordinate the response at the strategic level, has endorsed a model for agreed whole-of-government action to address broad community issues arising from the disclosure of child abuse.

The model will provide a phased approach consisting of the initial response involving investigation and case management, the recovery phase involving community healing and other strategies to support the broader community to manage issues, and community building involving longer-term strategies, services and processes to bring about safety and security of children.

The response model is underpinned by the Gordon Action Plan, which provides the longer-term measures needed to reduce family violence and eliminate child abuse.

---

59 Details on the Action Plan and information on the Government's response to the Gordon Inquiry are available online at: <http://www.dia.wa.gov.au/gordon/Index.htm>, accessed 24 January 2008.



## **b) State and Australian Government Joint Initiatives**

### ***Bilateral Agreement on Indigenous Affairs between the Western Australian and Australian Governments***<sup>60</sup>

The Bilateral Agreement on Indigenous Affairs (the Agreement) between the Western Australian and Australian Governments establishes an agreed framework and priorities for intergovernmental cooperation and enhanced effort in Indigenous Affairs.

The Agreement has six key outcome areas:

- Law and Order and Safe Places for People;
- Skills, Jobs and Opportunities;
- Healthy and Strong People;
- Sustainable Environmental Health and Infrastructure;
- Land, Sea and Culture; and
- Strong Leadership and Governance.

The Western Australian Government has now established a Directors' General Group supported by specific Senior Officers groups under each outcome area to establish policy priorities for negotiation with the Australian Government.

## **c) Monitoring & Evaluation**

### ***Gordon Action Plan***

Department of Indigenous Affairs (DIA) has monitored and evaluated the implementation status of the initiatives arising from the Gordon Action Plan. As at 30 May 2007, the majority of initiatives have been implemented.

The outcomes of the Gordon Action Plan are being evaluated in three stages. The first stage consists of:

- a) evaluation of collaboration between agencies and with the Aboriginal community at a strategic level;
- b) case studies of the impacts of initiatives and strategies at the community level;
- c) identification of the longer-term outcomes for the Gordon Action Plan; and
- d) how these can be measured and evaluated.

The first stage of the evaluation is currently in progress. A number of separate Gordon Action Plan initiatives have already been evaluated by the agencies responsible for these programs, including the Strong Families and Child Protection Workers programs.

---

<sup>60</sup> A copy of the Agreement is available to download at: <http://www.dia.wa.gov.au/DIA/Partnerships/BilateralAgreement.aspx>, accessed 24 January 2008.



Part C of the Stage One evaluation of the Gordon Action Plan will identify the longer-term outcomes and how these can be measured and evaluated. This will include developing an outcomes framework and a set of indicators that will give a clearer picture of what sorts of data will be required and useful in assessing the achievement of Action Plan outcomes. Stage Two of the Gordon Action Plan evaluation is scheduled for 2008.

#### **d) Programs**

##### ***Healing approaches:***

- *Culturally appropriate Counselling and Support Services* (\$200,000 specific Gordon Action Plan funding): Program to increase capacity to provide culturally appropriate counselling and support services by considering the feasibility of giving scholarships to Aboriginal and other persons for professional development in partnership with tertiary institutions; engaging with relevant agencies, bodies and people to foster the development and implementation of skills training and support for Aboriginal people; and evaluating the Derby Family Healing Centre to assess the benefits of whole-of-family 'healing centre models'.

##### ***Community education and community development:***

- *Protective Strategies program*: The Department of Education and Training will introduce into the school curriculum the teaching of protective behaviour strategies to complement health and well being units.

##### ***Culturally appropriate child protection services:***

- *Aboriginal Support Workers* (\$5.084m specific Gordon Action Plan funding over four years): Recruitment and support of fourteen skilled Aboriginal Support Workers (one per police district) to enhance the accessibility of and support services for children and youth exhibiting risk behaviour. The workers will be co-located within existing services that are accessed by Aboriginal children and young people.

##### ***Programs for Indigenous offenders who perpetrate violence or abuse:***

- *Reasoning and Rehabilitation Program*: A cognitive behavioural program that aims to reduce offending behaviour through group work. This is not an Indigenous specific program.
- *Sex offender program*: All juvenile sex offenders in custody have the opportunity to engage in counselling to address their sexual offending. This is not an Indigenous specific program.
- *Community Supervision Agreements* (\$0.835m specific Gordon Action Plan funding over four years): Three Training and Liaison Officers are employed in the Pilbara, Kimberley and Goldfields to provide appropriate financial and logistical support and training to communities managing community supervision agreements. This is hoped to lead to an expansion in the number of community supervision agreements.

***Safe Houses and services for women and children:***

- *Safe Places-Safe People* (\$ 1.247m specific Gordon Action Plan funding over four years): Strategy that foster a systematic and coordinated approach to respond to child abuse. The program builds on and supports community initiatives, such as the Kids Helpline, to respond to the needs of children including:
  - Identification of 'safe persons and places' in Aboriginal communities where Aboriginal children can take themselves to if they are in need.
  - Expansion of work already being undertaken in seven rural and remote communities to develop community-managed responses and the identification of safe places for Aboriginal women threatened or subjected to violence.
  - Investigation of the feasibility of each 'safe place' having access to a restricted phone with free provision to call emergency numbers such as police, crisis care, and Kids Help Line.

***Crime Prevention programs:***

- *Aboriginal Community Patrols*: The Department of Indigenous Affairs funds 17 service providers to deliver 19 patrols throughout metropolitan and regional Western Australia. The patrols assist Indigenous people at risk of self harm; family and community violence; homelessness; and substance abuse and misuse.





## 5) Victoria

The Victorian Government established an independent Victorian Indigenous Family Violence Task Force in 2001 to lead the development of an Indigenous family violence strategy for the State. Their report, *Indigenous Family Violence Taskforce Report (2003)*<sup>61</sup> is the key research document on the status of Indigenous family violence in Victoria, having undertaken in-depth community consultations at a local, regional and state-wide level.

The Report finds that one in three Indigenous people are the victim, have a relative who is a victim or witness an act of violence on a daily basis in Aboriginal communities across Victoria.

Data provided to the Task Force by Victoria Police indicates that an Indigenous person in Victoria is more than eight times more likely to be a victim of family violence than a non-Indigenous person. Data collected across the same time frame confirmed that 2.9% of Victoria's Indigenous community were victims of family violence compared with 0.55% for non-Indigenous people.

The report found that Aboriginal children are the subject of substantiated child abuse at more than seven times the rate for non-Aboriginal children and there had been a 38.7% increase in Indigenous child protection investigations with parental domestic violence characteristics between 1998-99 and 2002-03. Substantiated incidents had also increased by 52.7% in this same time period.

The Report made 28 formal recommendations to the Victorian Government along with the provision of an Action Plan to be considered by members of the Indigenous Family Violence Partnership Forum and the Indigenous Family Violence Working Group when preparing the 'whole of government' response for input into the Victorian Indigenous Family Violence Strategy.

The Victorian Government prepared a Formal Response to the Victorian Indigenous Family Violence Task Force Final Report, as well as the recommended Indigenous Family Violence Strategy, discussed below.

### a) Policy Frameworks

#### ***Indigenous Family Violence Strategy***

The Indigenous Family Violence Strategy is the Victorian Government's response to the *Indigenous Family Violence Taskforce Report (2003)*,<sup>62</sup> together with the *Victorian Government Response to the Victorian Indigenous Family Violence Task Force Final Report (2004)*.<sup>63</sup> In 2002-03 \$7.6 million was allocated over four years to support the development and implementation of the *Indigenous Family Violence Strategy*.

61 The *Indigenous Family Violence Taskforce Report (2003)* can be accessed online at: [http://www.office-for-children.vic.gov.au/family-violence-sexual-assault/library/publications/task\\_force\\_report](http://www.office-for-children.vic.gov.au/family-violence-sexual-assault/library/publications/task_force_report), accessed 24 January 2008.

62 The *Indigenous Family Violence Taskforce Report (2003)* can be accessed online at: [http://www.office-for-children.vic.gov.au/family-violence-sexual-assault/library/publications/task\\_force\\_report](http://www.office-for-children.vic.gov.au/family-violence-sexual-assault/library/publications/task_force_report), accessed 24 January 2008.

63 The *Victorian Government Response to the Victorian Indigenous Family Violence Task Force Final Report (2004)* can be accessed online at: [http://www.office-for-children.vic.gov.au/\\_\\_data/assets/pdf\\_file/0020/16706/fcs\\_govt\\_response\\_task\\_force\\_report.pdf](http://www.office-for-children.vic.gov.au/__data/assets/pdf_file/0020/16706/fcs_govt_response_task_force_report.pdf), accessed 24 January 2008.



The long-term response to Indigenous family violence is an Indigenous-Government partnership to develop a ten-year plan to prevent and eliminate Indigenous family violence. This partnership is led by the Indigenous Family Violence Partnership Forum, which comprises senior Government representation and Indigenous community leadership through the Indigenous Family Violence Regional Action Groups and Indigenous service providers.

Indigenous Regional Action Groups build the leadership and capacity of Indigenous communities to prevent and respond to family violence. Regional Action Groups have been empowered to become effective decision-making bodies on strategies to address family violence issues at the local level. Training incorporating knowledge building and skills development has been provided to members so they fulfil their leadership role.

### ***A Fairer Victoria***

In 2005, *A Fairer Victoria* reinforced the Government's commitment to improving the lives of all Victorians, including Indigenous Victorians. It led to a new policy of working with Indigenous people, *Building a New Partnership with Indigenous Victorians*.<sup>64</sup> This commitment underpinned the development of the *Victorian Indigenous Affairs Framework* (VIAF).

### ***Victorian Indigenous Affairs Framework***

The VIAF contains six Strategic Areas for Action:

1. improve maternal health and early childhood health and development;
2. improve literacy and numeracy;
3. improve year 12 completion or equivalent qualification and develop pathways to employment;
4. prevent family violence and improve justice outcomes;
5. improve economic development, settle native title claims and address land access issues; and
6. build Indigenous capacity.

To ensure that there is coordination of effort, and to provide whole of government leadership, the Government established a Ministerial Taskforce on Aboriginal Affairs to direct implementation of the VIAF.

### ***Ministerial Taskforce on Aboriginal Affairs***

The Ministerial Taskforce on Aboriginal Affairs (MTAA) drives action and provides whole-of-government direction on the VIAF. It has a continuing focus on outcomes for children and young people.

---

<sup>64</sup> The policy document *Building a New Partnership with Indigenous Victorians* can be accessed online at: [http://www1.dvc.vic.gov.au/aav/docs/Vic\\_IndigenousAffairsFramework.pdf](http://www1.dvc.vic.gov.au/aav/docs/Vic_IndigenousAffairsFramework.pdf), accessed 24 January 2008.



### ***Aboriginal Justice Agreement***

The first phase of the Victorian Government's *Aboriginal Justice Agreement (AJA)*,<sup>65</sup> launched in 2000 by the Department of Justice, was a formal agreement between Government and elected members of the Indigenous community. The *Aboriginal Justice Agreement's* objectives are crime prevention and early intervention; strengthening alternatives to imprisonment; reducing re-offending; reducing victimisation; building responsive and inclusive services and strengthening community justice responses.

Launched in 2006, the second phase of the *Aboriginal Justice Agreement*<sup>66</sup> includes a commitment to:

- further develop a shared vision and agreed priorities for action within government and community sectors;
- empowering local Indigenous communities to become involved in justice policy planning and service delivery; and
- further develop stronger and more sustainable approaches to tackling the many issues associated with over-representation of Indigenous people in the Victorian justice system.

An additional \$26 million was provided by the Victorian Government in the 2006-07 Budget to progress Phase 2 and to strengthen the effort in reducing over-representation.

### ***Aboriginal Justice Forum***

Under the AJA, the Aboriginal Justice Forum was established to forge and sustain key justice partnerships at the local, regional and state-wide levels. The foundations are the Regional Aboriginal Justice Advisory Committees.

The Aboriginal Justice Forum and Regional Aboriginal Justice Advisory Committees have been successful in enabling the Indigenous community and the Government to jointly set policy direction and monitor all AJA-related activities. This partnership has been enhanced through the establishment of Local Justice Action Committees in 2006-07. Local committees enable local Indigenous communities to work closely with justice agencies to devise local solutions to justice issues.

### ***The Aboriginal Services Plan 2008-2010***

*The Aboriginal Services Plan 2008-2010* outlines commitments by the Department of Human Services (DHS) to improve outcomes for Indigenous people.

### ***A Way Forward – Violence Against Women Strategy***

This Strategy provides Victoria Police with a platform for development of initiatives and its key role in system-wide family violence and sexual assault reforms. Ongoing strategies include Indigenous specific initiatives.

65 Further information on the *Aboriginal Justice Agreement* can be accessed online at: <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Your+Rights/Indigenous+Victorians/JUSTICE++Victorian+Aboriginal+Justice+Agreement>, accessed 24 January 2008.

66 Further information on the *Aboriginal Justice Agreement* can be accessed online at: <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Your+Rights/Indigenous+Victorians/JUSTICE++Victorian+Aboriginal+Justice+Agreement>, accessed 24 January 2008.



### ***Integrated Family Violence Service Reform Framework***

The Victorian Government's Integrated Family Violence Service reforms initiated a new approach to family violence in Victoria. The broad reforms were supported by \$35.1 million over four years in the 2005-06 Budget.

All agencies, including human services, police and justice services are required to work together to provide co-ordinated responses at the local level. Improving access to services for Indigenous Victorians is one of the family violence reform priorities. Regional Integrated Family Violence Committees which have been established throughout Victoria can address Indigenous access issues. These committees are responsible for driving and monitoring implementation of the new approach to family violence at a regional level and include representatives from Indigenous organisations.

In 2004 Victoria Police introduced the *Code of Practice for the Investigation of Family Violence* which details that police must respond to all incidents of family violence, emphasising the safety and support of victims. The code recognises the unique nature of family violence in Indigenous communities.

### **b) State and Australian Government Joint Initiatives**

No state and Australian Government joint initiatives were reported to the Aboriginal and Torres Strait Islander Social Justice Commissioner.

### **c) Monitoring and Evaluation**

#### ***Victorian Indigenous Affairs Framework***

Each of the six Strategic Action Areas contained in the Victorian Indigenous Affairs Framework (VIAF) includes change indicators that will measure the Government's progress in reducing Indigenous disadvantage. Achieving improvements in the change indicators in each of the Strategic Action Areas is the basis for improving outcomes. These indicators provide a way to measure progress in achieving the priority outcomes of the VIAF.

#### ***Aboriginal Services Plan Key Indicators Report***

The Department of Human Services is closely monitoring the number of reports of child abuse and neglect that it receives. The department will report on its progress against a range of measures including child protection reports, substantiations and re-substantiations through the annual *Aboriginal Services Plan Key Indicators Report*.



## d) Programs

### ***Culturally appropriate child protection services:***

- *Aboriginal Child Specialist Advice and Support Service (ACSASS):* Provided by VACCA<sup>67</sup> and Mildura Aboriginal Corporation, ACSASS work closely with the Department of Human Services to provide consultation, advice and information to Child Protection workers on all reports and significant actions and decisions regarding Indigenous children.
- *Aboriginal and Torres Strait Islander Family Decision Making Program:* Every region now has funds to enable local Aboriginal community controlled organisations to appoint community conveners as part of the Aboriginal and Torres Strait Islander Family Decision Making Program. This program enables extended family and respected Elders to participate in decision-making and case planning about the safety, stability and development of Indigenous children within the child protection system.
- *Aboriginal Family Preservation and Restoration programs:* Prevents the placement or enable the return home of Indigenous children by improving safety and care standards within the family. Aboriginal Family Preservation works intensively with families in their own home while Family Restoration offers the additional resource of a residential facility for the whole family.
- *The Indigenous – Family Services (Innovations Programs):* Since 2001 resources have been increased to the Indigenous family services sector for the delivery of services to Indigenous children and families. Services focus on those families who have been identified to child protection services.
- *Capacity Building:* As part of the implementation of the new child and family legislation an additional \$1.4 million was committed in November 2006 to assist Indigenous community controlled organisations build their capacity to deliver a range of child and family welfare services.
- *Child FIRST:* Initiative for all children and families in need of support and guidance. It ensures they receive supports earlier both through improved early years services that engage more effectively with vulnerable Indigenous families and through Child FIRST linking families into local family services. Capacity also now exists to provide longer-term support for particularly vulnerable families where required.

### ***Community education and community development:***

- *Indigenous Family Violence Strategy Community initiative Fund:* Annual grants under the Community Initiative Fund complement the Regional Action Groups. The Fund supports the implementation of community-based projects that raise awareness of and responses to family violence. In 2006-07, 33 local projects were funded.

---

67 See case study on the Lakidjeka ACSASS in Chapter 2.



- *Mildura Family Violence and Sexual Assault Awareness Campaign:*<sup>68</sup> Victoria Police and the Indigenous community in Mildura have developed a media campaign to prevent family violence by highlighting the impact of violence on community members. Strong relationships between Indigenous leaders and Victoria Police have been forged through the project.
- *Lake Tyers Community Renewal Program:* A holistic approach to reduce Indigenous disadvantage based on long term and sustained community renewal strategies. The program has reduced police call-outs from an average of 25 per month (for the three months before the intervention) to an average of 1.25 call-outs for the first four months of the 2007 calendar year.

### ***Healing Approaches:***

- *Healing Services and Time Out* (\$1.6 million per annum): Four Indigenous Healing Services will provide a holistic approach to addressing family violence in Indigenous communities. The Healing services are to be based in Loddon Mallee South, East Gippsland, North & West Metropolitan and Eastern Metropolitan Regions.

Four Indigenous Time Out services will refer Indigenous people who use violence against family members to a place to access support to help them manage their violent behaviour. The Time Out services are in Loddon Mallee North, Hume, East Gippsland and North & West Metropolitan Regions. These services are currently being developed.

The Victorian Government has allocated \$1.6 million per annum and the Australian Government has allocated capital funding of \$2.8 million for two Healing and two Time Out centres in rural Victoria.

- *More appropriate access to Court:* Indigenous outreach support is a part of the courts reforms associated with establishing the Family Violence Court Division of the Magistrates' Court of Victoria at Ballarat and Heidelberg

### ***Programs for Indigenous offenders who perpetrate violence or abuse (including juveniles):***

- *The Koori Youth Intensive Bail Support Program:* Aims to reduce the number of young Indigenous people detained prior to sentencing. The program provides intensive outreach support to assist young people comply with bail conditions or conditions placed on deferred sentences.
- *Koori Courts:* Adult and children's Koori Courts have been implemented across Victoria, achieving reduced re-offending. This is in addition to the Aboriginal Liaison Officer Program and cultural awareness training for court staff and Magistrates in the mainstream courts system.
- *The Koori Pre and Post Release Services Programs:* Provides post release, intensive cultural support to young Indigenous people to help reduce the likelihood of non-compliance with post-custodial orders. Cultural programs also operate in Custodial Centres that increase the knowledge and engagement of young Indigenous people with their culture.

---

68 See case study on the Mildura Family Violence and Sexual Assault Awareness Campaign in Chapter 2.



- *The Koori Youth Justice Program*: Established in 1992 and has expanded over the years to all Department of Human Services regions. In 2006-07 there were 16 community workers, three custodial workers (one in each custodial centre) and a central program adviser. The role of the Koori Youth Justice workers, based mainly in Indigenous Co-operatives, is both preventative and responsive. Clients include young people who are the subject of orders from the criminal division of the Children's Court, young adults in the dual track system, young Indigenous people who are at risk of offending and those who have committed minor offences and received Police diversion or caution.
- *The Marumali program*: This program assists individuals to heal and manage the distress and trauma of dealing with the intergenerational impacts on prisoners of the Stolen Generations.
- *The Koori Cognitive Skills Program*: Cognitive behavioural program for Indigenous offenders.

### **Early intervention and well being:**

- *Koori Maternity Strategy*: Delivered through the Koori Maternity Program in 11 Aboriginal community controlled Health Services. Indigenous maternity health workers are also employed to work with clinical staff at the Co-operative and/ or the local hospital.
- *The In-Home Support for Aboriginal Families Initiative*:<sup>69</sup> Support to improve the health, development, learning and well-being of Indigenous children 0-3 years. It also aims to strengthen support and improve parenting capacity for Indigenous parents and their families that is respectful of their cultural identity.
- *Best Start*:<sup>70</sup> Early childhood prevention and early intervention initiative that aims to improve the health, development, learning and well-being of all children between the ages of 0-8 years across Victoria, from pregnancy through to transition to school. Of the 30 *Best Start* sites, six are Indigenous specific.
- *Maternal and Child Health Service*: Universal access and participation for all children from birth to school age. Maternal and child health nurses play an important role in linking Indigenous children with the Koori Early Childhood Education Program workers and/ or local early childhood activities including playgroups and kindergartens. For higher-need Indigenous mothers, an 'in-home support' service is now being introduced in areas building on the Koori Maternity Strategy and extending support over the first three years.

69 Further information on the *In Home Support for Aboriginal Families* can be found online at: [http://www.office-for-children.vic.gov.au/early-years-services/in\\_home\\_support\\_for\\_aboriginal\\_families](http://www.office-for-children.vic.gov.au/early-years-services/in_home_support_for_aboriginal_families), accessed 24 January 2008.

70 Further information on the Best Start program can be found online at: <http://www.beststart.vic.gov.au/>, accessed 24 January 2008.



## 6) Tasmania

The Tasmanian response to family violence has been informed by the major report, *ya pulingina kani – Good to see you talk*<sup>71</sup> (2002). This project was part of the Indigenous Family Violence Project and was conducted jointly by the Tasmanian Office of Aboriginal Affairs and Women Tasmania, Department of Premier and Cabinet and funded by Partnerships Against Domestic Violence.

The report was based on extensive state-wide consultations. The project team spoke with over one hundred and fifty people formally and informally. The result is a narrative told by Aboriginal people about Aboriginal family violence in Tasmania.

Four recommendations that were made in the *ya pulingina kani* report:

1. *Reciprocity*: An ongoing role for the individuals who contributed to the report in advising government on Indigenous family violence matters with the Tasmanian government accepting reciprocal responsibility for the healing that lies ahead for Tasmanian Aborigines.
2. *Healing*: That Aboriginal people be trained in community grief and healing work. This healing process will then promote the continuation of the story telling that has been started in this compilation of this report. Those who have been trained can then go on and train others in the community in this healing work.
3. *Partnership*: That the Government will honour its policy of working in partnership with the community.
4. *Art, Performance and Culture*: That the Government fund Aboriginal writers, artists and performers to collaborate and bring the stories of *ya pulingina kani* to life through state wide performances.

The *ya pulingina kani* report also helped inform the development of the *Safe at Home* initiative outlined below.

### a) Policy Frameworks

#### *Safe at Home*

Enacted in 2005, *Safe at Home* is the Tasmanian government's criminal justice response to family violence. It is a mainstream initiative delivered through an integrated service delivery system designed to manage the safety of adult and child victims and also change the behaviour of offenders.

### b) State and Australian Government Joint Initiatives

#### *COAG Trial*

The COAG trial site in the north-eastern region of Tasmania (covering Launceston, Meander Valley, Northern Midlands, Break O'Day and Flinders local government areas), was formed in part by the Indigenous Family Violence Project Tasmania, which produced the *ya pulingina kani* Report. Further groundwork for the trial

71 The *ya pulingina kani* report can be accessed online at: <http://www.dpac.tas.gov.au/divisions/oa/information/yapullinginakani.pdf>, accessed 24 January 2008.





began in July 2003 in a collaborative process involving members of the Aboriginal community, governments and project workers.

The COAG trial process has generated a number of positive outcomes including:

- improved collaborative relationships between the Australian Government, Tasmanian Government and the Aboriginal community;
- identification of a number of priority areas for potential action; and
- implementation of, for example, an Aboriginal Family Wellbeing Course delivered through TAFE Tasmania, a program based around community cohesion and well being for Cape Barren Island, and the appointment of an Aboriginal case worker based at Ashley Youth Detention Centre.

The COAG trial in Tasmania has now been evaluated and, following on from the Australian Government's announcement in February 2007, the trials will evolve onto a more mainstream footing. There remains a commitment from all parties to continue working together under the COAG arrangements to further scope and progress priority areas for action. This will also build on the work of the Inter-governmental Family Violence summit held in July 2006 following which COAG reaffirmed its commitment to the National Framework on Indigenous Family Violence and Child Protection.

Following discussions by the Inter-governmental Coordinating Committee, the trial's Lead Agency Forum has now agreed to:

- broaden the focus on Aboriginal family violence in the trial site to the whole of Tasmania; and
- establish a new governance structure to guide further scoping and implementation in agreed priority areas for action.

Continued direct engagement with the Aboriginal community, as partners, will remain a priority as the initiative continues into implementation.

### **c) Monitoring and evaluation**

No monitoring or evaluation mechanisms were reported to the Aboriginal and Torres Strait Islander Social Justice Commissioner.

### **d) Programs**

#### ***Safe at Home***

Although *Safe at Home* is a mainstream initiative, it has a significant focus on cultural appropriateness. The *ya pulingina kani* Working Group was established to advise Government on Aboriginal family violence issues and acts as a reference group for *Safe at Home*. The group arose from the *ya pulingina kani* (Good to See You Talk) Report that was commissioned by the Tasmanian Government in 2002.



## 7) Australian Capital Territory

### a) Policy Frameworks

#### ***ACT Children's Plan 2004-2014***

The ACT Children's Plan is a ten-year plan to guide decisions by the government and non-government sectors about policies, programs and service for children up to 12 years of age. It includes commitments around prevention and early intervention, education and coordination of services. Of the seven key commitments one specifically relates to working in partnership with Indigenous communities.

#### ***ACT Aboriginal Health Forum and 'A New Way'***

The Aboriginal and Torres Strait Islander Health Forum was formed under the National Framework Agreement and is the primary strategic planning body for Aboriginal and Torres Strait Islander Health in the ACT. It consists of three forum partners:

- Australian Government Department of Health and Ageing;
- ACT Health ; and
- Winnunga Nimmityjah Aboriginal Health Service.

Additional Forum representation comprises:

- Queanbeyan Indigenous Coordination Centre;
- ACT Division of General Practice; and
- Department of Families, Community Services and Indigenous Affairs.

The Forum meets up to six times a year and is specifically responsible for the implementation of '*A New Way: The ACT Aboriginal and Torres Strait Islander Health and Wellbeing Plan 2006-2011*'. This Plan represents an ACT government/ non-government health service provider response to the requirement of the NSFATSIH that each jurisdiction develop a local Implementation Plan.

'*A New Way*' contains five priority areas:

1. building family resilience;
2. maternal and child health;
3. social health, including mental health and substance abuse;
4. chronic and infectious disease prevention and management; and
5. frail aged and people with disabilities.

#### ***Cultural Respect Implementation Plan 2006-2009 – ACT Health***

The Cultural Respect Implementation Plan was developed in response to the national Cultural Respect Framework for Aboriginal and Torres Strait Islander Health 2004-2009 endorsed by the Australian Health Minister's Advisory Council (AHMAC). The Cultural Respect framework is designed to guide ACT Health in ensuring that the services they provide are culturally safe for Aboriginal and Torres Strait Islander people.



## **b) State and Australian Government Joint Initiatives**

### ***Bi-lateral Agreement on Indigenous Affairs – between Australian Capital Territory (ACT) Government – Department of Disability Housing and Community Services (DHCS) – and the Australian Government***

The ACT has not yet finalised this bi-lateral agreement with the Australian Government. Key projects currently under consideration or being implemented in the ACT include an Indigenous specific alcohol and drug rehabilitation program, an Aboriginal and Torres Strait Islander Elected Body and a seamless and integrated service delivery system for Aboriginal and Torres Strait Islander children and young people.

### ***Bi-lateral agreement – Department of Education and Training (DET)***

There is a bi-lateral agreement with the Australian Government Department of Education, Science and Training to implement strategies to achieve the priorities for Indigenous education of the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA). This agreement is for a four-year period and achievement is reported annually to the Australian government in its *Supplementary Recurrent Assistance Performance Report on Indigenous Education*.

## **c) Monitoring & Evaluation**

### ***Taskforce on Indigenous Affairs***

Established early 2007 as a joint initiative to bring together the relevant ACT Government Chief Executives to coordinate;

- the ACT Government's Indigenous policies and programs; and
- to report to the Minister for Indigenous Affairs on directions and priorities.

The terms of reference were recently amended to emphasise actions to improve outcomes for 'children' and 'young people'. The Taskforce provides bi-monthly reports to the Minister.

### ***Aboriginal and Torres Strait Islander Reference Group***

Joint government and community group that considers service delivery issues relating to Aboriginal and Torres Strait Islander families,

### ***Aboriginal Health Impact Statements***

An outcome identified from the ACT Health Cultural Respect Implementation Plan 2006-2009. Provides a mechanism to ensure that mainstream health services are responsive to the needs of Aboriginal and Torres Strait Islander people.

### ***ACT jurisdictional reports***

ACT jurisdictional reports, prepared by the ACT Aboriginal Justice Centre (AJC) for the National Aboriginal Justice Advisory Committee (NAJAC), provides comprehensive information on a range of Indigenous justice matters. The reports contain information supplied from a range of ACT agencies. Development of these reports is supported by the Department of Justice and Community Safety.



### ***Aboriginal and Torres Strait Islander Health Performance Framework***

The Aboriginal and Torres Strait Islander Health Performance Framework (HPF) is designed to measure the impact of the NSFATSIH and inform policy analysis, planning and program implementation. The HPF has approximately 70 measures in three groups:

- health status and outcomes;
- determinants of health including socio-economic and behavioural factors; and
- health system performance.

As signatories to these documents, ACT Health continues to monitor and report quarterly against agreed priorities that refer to, and recommend, “the protection of children from abuse and violence, including sexual abuse” and responses to alcohol, smoking, substance and drug misuse.

#### **d) Programs**

##### ***Culturally appropriate child protection services:***

- *Aboriginal and Torres Strait Islander Services Unit:* Discrete functional unit within the Office for Children, Youth and Family Support (OCYFS), Department of Disability, Housing and Community Services that gives a strong focus to Aboriginal and Torres Strait Islander issues and to work towards addressing the over-representation of Aboriginal and Torres Strait Islander children and young people in the care and protection and community youth justice systems.
- *Indigenous Integrated Service Delivery Project:* Targets at risk Aboriginal and Torres Strait Islander families with young children. Over the next twelve (12) months the Project will develop and foster an integrated approach to service delivery across identified Government, education and family support services to at risk Aboriginal families.
- *The Aboriginal and Torres Strait Islander Kinship and Foster Care Service:* By the end of 2006-07, the number of families registered with the service has grown to 14, with a further 10 families undergoing the training, assessment and registration process.
- *Community-Based Indigenous Family Support Services:* Two workers provided in partnership with Gugan Gulwan Youth Aboriginal Corporation, Winnunga Nimmityjah Aboriginal Health Service and the Office for Children, Youth and Family Support; and the Jumby Mulla Program in a contract with the Billabong Aboriginal Corporation.
- *Aboriginal and Torres Strait Islander Cultural Plans:* Following amendments to the *Children and Young People Act 1999* (ACT), in 2006-07, decision-makers in the ACT must now take into account any cultural plan in place when making a decision to place an Aboriginal and Torres Strait Islander child or young person in out-of-home care.
- *Integrated Family Support Project:* Joint initiative between government and non-government agencies in the ACT, targeting at risk children in vulnerable families. It aims to try and divert families away from the care



and protection system and to prevent re-reporting. Under this project, participating agencies will be working with up to 10 vulnerable families. Although this is a mainstream project, at least two of the families will be Indigenous.

***Programs for Indigenous offenders who perpetrate violence or abuse (including juveniles):***

- *ACT Aboriginal Justice Centre:* Provides assistance to individuals within the criminal justice system to prevent further offending. The Aboriginal Justice Centre also has an advocacy role and is establishing partnerships and better service coordination between related agencies.

***Safe houses and services for women and children:***

- *Indigenous Supported Accommodation Service (ISAS):* Crisis and transitional supported accommodation to Aboriginal and Torres Strait Islander families who are homeless or at risk of homelessness. ISAS also provides outreach support to families in a case management framework and specialist children's case management. The service is funded to provide six families with accommodation and support in six separate houses.

Both Inanna and Raja, who are mainstream services with a proven record of providing culturally appropriate services to Aboriginal and Torres Strait Islander people, will provide the interim ISAS service until an Aboriginal and Torres Strait Islander community organisation is able to provide the service.

***Early intervention and well being:***

- *Koori Preschool Program:* Provides opportunities for Indigenous children to be enrolled in preschool from 0-5 years of age.
- *Winnunga Nimmitviah Aboriginal Health Service:* Provides a range of services including the Aboriginal Midwifery Access Program; Aboriginal Hearing Screening Program; Aboriginal Dental Program; Youth Detoxification Support Service; and Dual Diagnosis Program.



## 8) Northern Territory

Major Australian Government and Territory policy shifts in relation to Indigenous family violence and child abuse have been prompted by the *Ampe Akelyernemane Meke Mekarle (Little Children Are Sacred)* report.<sup>72</sup> In August 2006 the Northern Territory government established the *Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse*, chaired by Pat Anderson and Rex Wild QC.

The terms of reference for the Inquiry were to study how and why Indigenous children were being abused, with the focus being on unreported cases of abuse; to identify any problems in the way government responds to and attempts to protect Indigenous children from abuse; to look at way in which government departments can better work together to protect and assist children; and to look at how education pertaining to child sexual abuse can be brought to Indigenous communities.

The inquiry travelled all over the Northern Territory holding more than 260 meetings with individuals, agencies and organizations, and visiting 45 communities to talk with Aboriginal people. The Inquiry also received 65 written submissions. The Board of Inquiry was also assisted by an Expert Reference Group.

Underlying the Inquiry's findings was the common view that sexual abuse of Indigenous children is happening largely because of the breakdown of Indigenous culture and society. Other important points made by the Inquiry included:

- child sexual abuse in Indigenous communities is serious, widespread and often unreported;
- most Indigenous people are willing and committed to solving problems and helping their children. They are also eager to better educate themselves;
- Indigenous people are not the only victims and not the only perpetrators of sexual abuse upon their children, with a number of case reported where non-Indigenous perpetrators were abusing and exploiting Indigenous children;
- much of the violence and sexual abuse occurring in Territory communities is a reflection of past, current and continuing social problems which have developed over many decades;
- the combined effects of poor health, alcohol and drug abuse, unemployment, gambling, pornography, poor education and housing, and a general loss of identity and control have contributed to violence and to sexual abuse in many forms;
- existing government programs to help Indigenous people break the cycle of poverty and violence need to be improved and achieve better outcomes. There is not enough coordination and communication between government departments and agencies, and this is causing a breakdown in services and poor crisis intervention;

---

<sup>72</sup> The full report can be accessed online at: [www.nt.gov.au/dcm/inquiryasaac/pdf/bipacsa\\_final\\_report.pdf](http://www.nt.gov.au/dcm/inquiryasaac/pdf/bipacsa_final_report.pdf), accessed 24 January 2008.



- improvements in health and social services are desperately needed to address the break down of communities; and
- programs need to have enough funds and resources and be a long-term commitment.

The Inquiry found that child sexual abuse is a complex and deep-seated problem that requires urgent and dedicated action from the entire community in a collaborative manner. The Board made 97 recommendations for action that included:

- the empowerment of Indigenous communities to enable them to take more control and make decisions about their future;
- the provision of education campaigns on child sexual abuse and how to stop it, through the implementation of mandatory reporting amongst other things;
- the improvement of school attendance;
- the reduction of alcohol consumption in Aboriginal communities;
- the building of greater trust between Government departments, the police and Aboriginal communities;
- the strengthening of family support services; and
- the appointment of a Commissioner for Children and Young people who would be a senior, independent person who can focus on the interests and wellbeing of children and young people, review issues and report to Parliament.

The Board of Inquiry submitted their report to the Chief Minister on 30 April 2007. The Commonwealth Minister for Families, Community Services and Indigenous Affairs launched the Northern Territory Emergency Intervention in response on 21 June 2007 and the Chief Minister for The Northern Territory Government responded with the 'Closing the Gap of Indigenous Disadvantage' policy on 20 August 2007.

## a) Policy Frameworks

### ***Closing the Gap of Indigenous Disadvantage – Generational Plan of Action***<sup>73</sup>

The Northern Territory Government supported the messages and recommendations of the *Inquiry into the Protection of Aboriginal Children from Sexual Abuse (Little Children are Sacred Report)*. *Closing the Gap of Indigenous Disadvantage*, the official Northern Territory Government response to the Inquiry, was released in August 2007.

*Closing the Gap* commits to a twenty year generational commitment to overcoming Indigenous disadvantage. The vision of the plan is that:

by 2030, Indigenous children born in the Northern Territory will be as healthy and live as long as other Territorians. They will have the opportunity to participate fully in the social and economic life of the Territory, while having a strong cultural identity.<sup>74</sup>

<sup>73</sup> More information and the full response can be accessed online at: <http://www.action.nt.gov.au/>, accessed 24 January 2008.

<sup>74</sup> Northern Territory Government, *Closing the Gap of Indigenous Disadvantage*, August 2007, p2.



*Closing the Gap* addresses additional areas of legislative reform, governance, employment and economic development, remote area policing, health, housing, communication and engagement that go beyond the recommendations contained in *Little Children Are Sacred*. The response establishes a comprehensive framework for the implementation of a long-term generational approach and for negotiating responsibilities with the Australian Government, and with communities through local community boards.

The response addresses each of the 97 recommendations made in *Little Children Are Sacred* in Appendix 1 of *Closing the Gap*.<sup>75</sup> There are seven action areas:

1. safety;
2. health;
3. housing;
4. education;
5. jobs;
6. culture; and
7. a better way of doing business.

Each area is designated a plan of action and in many instances additional budgetary funding is committed within the plan itself. The Northern Territory Government has committed \$286.43 million towards 5 year actions to implement the plan which will be spent on:

- \$79.36 million for child protection;
- \$38.61 million to implement the Remote Area Policing Strategy, community justice and other safety measures;
- \$10.11 million for alcohol and drug management;
- \$23.4 million to achieve better health outcomes;
- \$42.32 million for housing in Indigenous communities;
- \$70.68 million towards education;
- \$13 million to improve Indigenous employment and economic development; and
- \$8.95 million towards better cross-cultural understanding and engagement in service delivery.

### ***Building Safer Communities***

*Building Safer Communities* (BSC) is the Northern Territory Government's framework for crime prevention and community safety. The building blocks of the framework are:

- children and young people;
- protecting your home and business – preventing property crime;
- preventing violence – protecting Territorians;
- two way justice – engaging Aboriginal culture and communities;
- tackling substance abuse; and
- targeting punishment and preventing (re)offending.

---

<sup>75</sup> Northern Territory Government, *Closing the Gap of Indigenous Disadvantage*, August 2007, Appendix 1.





### ***Building Healthier Communities***

The Department of Health and Community Services (DHCS) have identified the following objectives for their framework '*Building Healthier Communities*' 2004-2009:

- giving kids a good start in life;
- strengthening families and communities;
- getting serious about Aboriginal health;
- creating better pathways to health services;
- filling service gaps; and
- tackling substance abuse.

### ***Indigenous Education Strategic Plan***

The Indigenous Education Strategic Plan outlines the six action areas and 12 priorities that the Department of Education will implement to build a strong, relevant education system that delivers results for Indigenous Territorians. The aim of the Indigenous Education Strategic Plan is to support young Indigenous Territorians to:

- value school;
- come to school;
- learn and achieve to their full potential;
- stay at school for 12 years of schooling; and
- successfully make the transition into employment, apprenticeships and traineeships, training or higher education.

The plan calls for strong partnerships between Indigenous parents, students, and the local school.

### ***Domestic and Family Violence Strategy***

The Northern Territory Government's Domestic Violence Strategy is designed to address issues of importance to all Territorians. The Domestic and Aboriginal Family Violence strategies (2003-2007) focus on issues of importance to Indigenous people, especially those living in remote and isolated localities. The strategies take a coordinated, multi-faceted, whole-of-government and whole-of-community approach to addressing domestic and family violence.

The Domestic and Family Violence Advisory Council is charged with providing high level and independent advice to Government on implementation of the Domestic and Family Violence Strategies, particularly in relation to regional and community issues. The Council reports directly to the Minister for Family and Community Services.

## **b) State and Australian Government Joint Initiatives**

### ***Overarching Agreement on Indigenous Affairs***

The Prime Minister and the Chief Minister of the Northern Territory signed the *Overarching Agreement on Indigenous Affairs between the Commonwealth of Australia and the Northern Territory of Australia 2005-2010* (the Agreement) in April 2005. The Agreement sets out a collaborative approach by the Northern Territory



and Australian Governments to working with Indigenous communities to improve government service delivery and achieve better outcomes for Indigenous people in the Northern Territory.

Bi-lateral schedules are being progressively attached to the Agreement to set out how the governments will work together. The first three schedules '*Sustainable Indigenous Housing*', '*Strengthening and Sustaining the Indigenous Arts Sector*' and '*Regional Authorities*' were attached at the signing of the Agreement. Two additional schedules '*Boosting Indigenous Employment and Economic Development*' and '*Healthy Country, Healthy People*' were formally attached to the Agreement in March 2006 and September 2006 respectively.

Northern Territory and Australian Government agencies are working on potential future schedules in the areas of: Safer families and children; Indigenous education and training; Indigenous child health and wellbeing; Indigenous youth; and strategic interventions in priority communities.

### ***COAG Family Violence Action Strategy***

The Australian and Northern Territory Governments are currently negotiating a series of actions in relation to the National Inter-governmental Summit on Violence and Child Abuse in Indigenous Communities.

Measures discussed and agreed to in 2006-2007 include funding for remote policing and drug detection dogs, joint action on the National Indigenous Violence and Child Abuse Intelligence Taskforce, additional alcohol and drug treatment services and funding for the provision of safe houses.

### *Health*

The main outcome of the June 2006 summit was an Australian Government commitment to an extra \$15.9 million over four years for the NT for alcohol treatment and rehabilitation services.

The Northern Territory considered priority areas within the alcohol and other drug areas by building on its significant initiatives in reforming legislation and in developing new services. As a result, the Northern Territory Government was the first jurisdiction to identify priorities, and in April 2007 provided details to the Australian Government on the NT's matching effort in the alcohol and other drug treatment area.

Unfortunately, no formal agreement has been signed yet. When funding is allocated it will be used across five key priority areas:

- support to the remote alcohol and other drug outreach workforce;
- rehabilitation and treatment services – Youth volatile substance abuse treatment services;
- rehabilitation and treatment services – Nhulunbuy Special Care Centre;
- Sobering Up Shelters (SUS) – replacement of facilities in Tennant Creek and Katherine; and
- transitional non-residential care services.



## **Education**

The NT is represented on the National Student Attendance Unit (NSAU) by the Deputy Chief Executive of Education Services.

### ***Indigenous Housing and Infrastructure Agreement***

Under the Common Policy Framework, the Northern Territory Government agrees to deliver housing and housing related infrastructure components of these programs under the *Indigenous Housing and Infrastructure Agreement (IHIA) 2005-2008*. The new streamlined housing program *Northern Territory Indigenous Housing Program (NTIHP)* will operate alongside Territory Housing, which retains responsibility for Territory-wide public rental housing and current home-ownership policies and programs.

### **c) Monitoring and Evaluation**

*Closing The Gap* contains three mechanisms that will be established to oversee its implementation:

- The formation of an Indigenous Affairs Advisory Council, comprising Indigenous leaders, representatives from Indigenous organizations and peak bodies. The group will advise government on issues affecting Indigenous Territorians, facilitate community input into *Closing the Gap* and oversee its implementation.
- The formation of an Operational Group comprised of the Deputy Chief Executives from relevant Northern Territory Government agencies who will be responsible to the Chief Executive Taskforce on Indigenous Affairs and will drive the implementation of the *Closing the Gap* across the Northern Territory Government. The group will report six monthly to the Chief Minister and Cabinet on the progress of the implementation. Cross-agency working groups responsible for the implementation of *Overcoming Indigenous Disadvantage report recommendations* will also be established and will report back to this Operational Group, thereby improving the integration of cross agency actions.
- The *Overcoming Indigenous Disadvantage* report along with Northern Territory Government agency annual and performance reports will be used to assess progress against *Closing the Gap*. These reviews will be conducted by the Indigenous Affairs Advisory Council and the Operational Group and compiled into a biennial report on progress under *Closing the Gap*.



## d) Programs

### ***Culturally appropriate child protection services:***

- *'Jidan Gudbalawei'* (Kriol) or Peace at Home project: Jointly funded by the Australian and Northern Territory Governments, it aims to reduce the incidence of family violence and ensure the safety of family and children. The project combines resources from the Northern Territory Police, Department of Health and Community Services and community partners.

The project team works with families to lower family violence and educate people about the effects of family violence on families. Using a community education model, community safety plans are developed to strengthen each community's capacity to respond to family violence from within. Northern Territory Police educate men on the consequences of violent behaviour and separate sessions are held with women on services that can support them. The Department of Health and Community Services delivers sessions on what constitutes child abuse.

The project team also works with the Northern Territory Correctional Services, incorporating a case plan in the ongoing management of clients.

### ***Community education and community development:***

- *Pornography awareness education:* The Little Children are Sacred Report recommended that a pornography awareness education campaign be conducted amongst Indigenous people in remote areas. A range of culturally appropriate materials have been developed which will be used by a group of trained Indigenous men to disseminate the messages in Indigenous communities across the Territory within two years. The target group are teenage and adult Indigenous males, with complimentary education provided to women and children.
- *Programs for women in Alice Springs Correction Centre:* Specific sessions for women inmates regarding safe houses and services for women. These sessions include psycho-educational information from external providers specifically involved with women's shelters and safe houses.

### ***Programs for Indigenous offenders who perpetrate violence or abuse (including juveniles):***

- *Indigenous Family Violence Offender Program:*<sup>76</sup> Community based offender program run by NT Community Corrections. The IFVOP has now been run in eight remote communities in the Northern Territory: Nguiu, Oenpelli, Daly River, Pirlingimpi, Milikapati, Galawinku, Ntaria and Yuendumu. The Northern Territory and Australian Governments entered into a funding partnership to consolidate and expand the program into additional communities.

---

76 See Indigenous Family Violence Offender Program case study in Chapter 2.



- *Elders Visiting Program*: Traditional Elders from remote communities across the Northern Territory visit Correctional Centres to speak with prisoners about post-release plans, obligations and expectations upon returning to their communities.
- *Community Court*: Involves people of Indigenous cultural or community background. The Community Court is currently operational in Darwin, Tiwi Islands and Nhulunbuy.
- *NT Police Youth Diversion Scheme*: Provides an interface between police and community and is aimed at reducing offending behaviour of young people and those at risk of offending. This occurs in a restorative justice framework with formal diversion and associated case management support in urban centres. In remote and regional areas Community Youth Development Units work with those at risk within a community development framework.