

First Annual Report to the Parliament of South Australia

by the

Minister for Families and Communities

on the

**Children on Anangu Pitjantjatjara Yankunytjatjara (APY)
Lands Commission of Inquiry – A Report into Sexual Abuse**

**As required by Section 11A of the Commission of Inquiry (Children in
State Care and Children on APY Lands) Act 2004**

November 2009

Children on APY Lands Commission of Inquiry

First Annual Report to the Parliament of South Australia

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Introduction

The Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands Commission of Inquiry was established on 26 June 2007 during the course of the Children in State Care Commission of Inquiry. The activities and outcomes of the Children on APY Lands Commission of Inquiry are governed by the *Commission of Inquiry (Children in State Care and on the APY Lands) Act 2004*. The Act requires that the Government provides annual reports for a period of five years regarding progress with the implementation of the Commission of Inquiry's recommendations. This is the first such annual report.

The Government tabled an initial statement at the time of the tabling of *The Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands Commission of Inquiry – A Report into Sexual Abuse* on 6 May 2007. This was followed by a response to each of the Inquiry's recommendations in July 2008, and thereafter, by the tabling of the Implementation Statement in October 2008.

This First Annual Report details each of the Inquiry's recommendations, the Government's initial response, the implementation report and Government's subsequent progress to date regarding the implementation of the recommendations. Further progress reports will be made to Parliament annually.

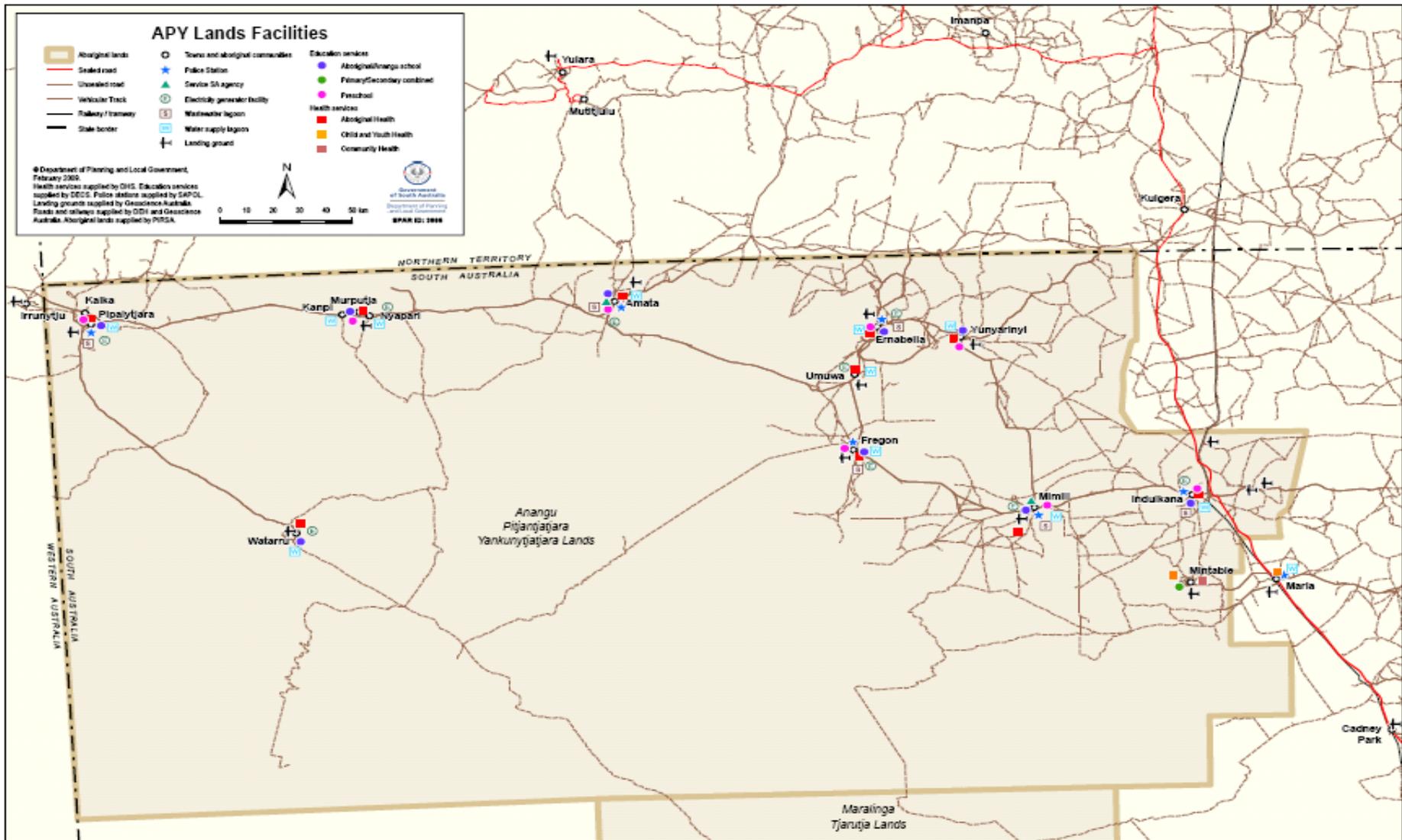
An across Government Taskforce, which includes senior officers from the State and Commonwealth Governments and key non-government agencies working on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands, was established to consider the findings of the Inquiry and to develop and implement appropriate responses to the key concerns and recommendations raised in the Inquiry's Report. This Taskforce meets on a quarterly basis and acts as an advisory body. In addition, an Inter-departmental Working Group made up of senior State Government officers has been established and is responsible for reporting on progress.

The Government's response to the recommendations of the Commission of Inquiry's Report is being addressed in a phased manner. While the implementation of the recommendations has been initiated, the true impact on the communities and children of the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands will only become evident over a period of time.

Glossary of Terms and Acronyms

ACCP	Australian Centre for Child Protection
AEW	Anangu Education Worker
AGD	Attorney General's Department
AHW	Anangu Health Worker
ALRM	Aboriginal Legal Rights Movement
Anangu	People of the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands
APY Lands	Anangu Pitjantjatjara Yankunytjatjara (APY) Lands located in the North West of South Australia
CAA	Courts Administration Authority
CAMHS	Child and Adolescent Mental Health Services
CARL	Child Abuse Report Line
COAG	Council of Australian Governments
CPA	Children's Protection Act, 1993
CPC	Child Parent Centre
CPS	Child Protection Services
CYWHS	Children's, Youth and Women's Health Service
DASSA	Drug and Alcohol Service of South Australia
DECS	Department of Education and Children's Services
DFC	Department for Families and Communities
DFEEST	Department for Further Education, Employment, Science and Technology
DPC-AARD	Department of the Premier and Cabinet - Aboriginal Affairs and Reconciliation Division
DTEI	Department for Transport, Energy and Infrastructure
FaHCSIA	Commonwealth Department of Families and Housing Community Services and Indigenous Affairs
MOU	Memorandum of Understanding
MUNS funding	Municipal Services funding
Nganampa Health Council	Nganampa Health Council Incorporated – an Anangu controlled health service based in communities across the APY Lands
NPY Women's Council	Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council
OATSIH	Office for Aboriginal and Torres Strait Islander Health
PIMS	Police Incident Management system
PIR	Police Incident Report
PYEC	Pitjantjatjara Yankunytjatjara Education Committee
SAPOL	South Australia Police
SCIB	Sexual Crime Investigation Branch
STI/STD	Sexually Transmitted Infection/Disease
TAFE SA	Tertiary and Further Education South Australia

Community Name in Report	Also known as
Pukatja	Ernabella
Kaltjiti	Fregon
Iwantja	Indulkana



Summary Of Progress To Date In Response To Children On APY Lands Commission Of Inquiry Recommendations

Children on APY Lands Commission of Inquiry Recommendation	Progress Update
<p>1. That any change to governance of communities on the Lands be implemented promptly so as to reduce the extent of dysfunction and possible corruption in the communities. That the nature of any change should have regard to the empowerment of Anangu and enhancing confidence in disclosing child sexual abuse and implement measures to prevent the abuse and address its consequences.</p>	<p>Government's response to this recommendation is being addressed on two levels:</p> <ul style="list-style-type: none"> • Reform of governance arrangements and service delivery at a regional level. <ul style="list-style-type: none"> ○ The Thurtell Report – <i>Scoping Study of the Delivery of Municipal and Local Government Services</i> – has been released ○ A consultation paper outlining the scope for possible regional service delivery options was circulated by DPC-AARD in October 2008, calling for written submissions which were received by March 2009. ○ The modelling for a regional service delivery body is currently being undertaken and interim arrangements will be in place in 2010. • Strengthening of local community councils' capacity and governance arrangements. <ul style="list-style-type: none"> ○ Intensive governance reform and capacity building with Iwantja, Kaltjiti, Mimili, Pukatja, Nyapari, Kanpi, Amata, Kalka and Pipalyatjara community councils is underway in order to enable council members to address community management issues in a more comprehensive and effective manner. This programme is being undertaken by two consultancies supported by FaHCSIA and DPC-AARD.
<p>2. That initiatives related to salary and conditions of Families SA staff on the Lands be frequently reviewed to ensure that Families SA is able to attract and retain appropriate professional staff to implement its strategies and programs dealing with child sexual abuse on the Lands.</p>	<ul style="list-style-type: none"> • In 2008 DFC undertook an extensive review of conditions for its staff on the Lands • Families SA, in accordance with the Commissioner for Public Employment's Standards, provides benefits and incentives to attract and retain appropriate, skilled staff to positions in the APY Lands including payment of a loading

Summary Of Progress To Date In Response To Children On APY Lands Commission Of Inquiry Recommendations

	Children on APY Lands Commission of Inquiry Recommendation	Progress Update
		<p>on base salary, the provision of Government subsidised housing and a locality allowance. Training and induction packages relevant to work on the APY Lands have been developed to introduce new staff to the strategies and programs of Families SA (including those dealing with child sexual abuse), the particular community context and appropriate culturally-inclusive practices.</p> <ul style="list-style-type: none"> • Current standards and procedures in relation to workers' entitlements and conditions are applied and regular reviews and training are undertaken. • In addition to the three existing social work positions on the APY Lands, a further three positions have been created. • The recruitment process for two of the school-based social workers will continue until suitable candidates are found. • Two child protection workers have been appointed. • The Australian Government has provided funding for the construction of permanent housing for the five new staff, which is scheduled to be completed in April 2010.
3.	<p>That the programs of Families SA to prevent child sexual abuse on the Lands continue to receive sufficient funding and, where possible, those programs be expanded.</p> <p>That there be regular monitoring on the effectiveness of such programs and a regular review to determine if, and how, they may be improved or better co-ordinated to reduce the incidence of child sexual abuse on the Lands.</p>	<ul style="list-style-type: none"> • DFC continues to maintain programs to strengthen families and identify children and families at risk. • The outreach service from Coober Pedy has been restructured. • Support is being provided to the Home Living and Family Support programs. • AARD-DPC is leading the development of a Youth Strategy. A draft strategy has been developed for discussion and an associated Action Plan is being drafted. The goal of the Strategy is to engage young Anangu as active participants in their communities and to enable them to make decisions and choices through access to a

Summary Of Progress To Date In Response To Children On APY Lands Commission Of Inquiry Recommendations

	Children on APY Lands Commission of Inquiry Recommendation	Progress Update
		<p>learning environment and to comprehensive and high quality youth services that are supported by committed and culturally competent staff.</p> <ul style="list-style-type: none"> • A feasibility study for a safe house has been undertaken by the NPY Women's Council. A draft document entitled, <i>Proposed Preferred Models for Safe Accommodation Services for Women and Children from the APY Lands</i> was finalised in October 2009 and will be discussed by the Taskforce in December 2009. Planning for the establishment of the safe house will be undertaken in 2010. • Regular reviews of programs provided on the APY Lands, including those of Families SA, are undertaken in order to improve services in order to reduce the incidence of child sexual abuse.
4.	<p>That e-notification technology be further developed to allow mandatory notifiers on the Lands to fulfil their statutory obligations other than by use of the telephone.</p> <p>The Families SA child protection staff be placed on the Lands to receive, assess, and respond promptly to mandatory reports concerning Anangu children as is discussed and recommended in Part IV Chapter 3.</p>	<ul style="list-style-type: none"> • The electronic-notification program was launched in September 2008 and meets the requirements in relation to notification of child abuse and neglect as required by the Children's Protection Act, 1993. • The State Government has employed two child protection workers in addition to the extra social workers to respond to child protection issues on the APY Lands.
5.	<p>The initiative to place social workers on the Lands be expanded from the proposed three to at least six and some of them to be female.</p> <p>That each of the six social workers be aligned to one school, so that each of the six major schools on the Lands has one dedicated social worker involved in early prevention strategies/training to help prevent child sexual abuse and to minimise its effects in the communities.</p>	<ul style="list-style-type: none"> • Four school-based social workers have been appointed, recruitment of a further two social workers continues.
6.	<p>That Nganampa and the State Government reach agreement to ensure that Nganampa provides to Families SA all information about a child who is the subject of a mandatory notification pursuant to the <i>Children's Protection Act</i> to enable Families SA to discharge its function under</p>	<ul style="list-style-type: none"> • Families SA has been chairing the <i>Child Protection on the APY Lands Working Group</i> which includes the Nganampa Health Council and is responsible for developing protocols

Summary Of Progress To Date In Response To Children On APY Lands Commission Of Inquiry Recommendations

Children on APY Lands Commission of Inquiry Recommendation		Progress Update
	the Act. That if such agreement is not possible the State Government consider legislation to achieve that objective.	<p>regarding responses to child protection matters.</p> <ul style="list-style-type: none"> • A final draft protocol document has been circulated to all agencies for feedback prior to release in October/November 2009. • A Bill including amendments to Section 11(1) of Children's Protection Act has been drafted and was introduced to Parliament in July 2009.
7.	That CAMHS and Families SA review the protocols that govern their working relationship with a view to providing better assistance to children who have been, or may have been, sexually abused on the Lands.	<ul style="list-style-type: none"> • CAMHS participates in the protocol sub-group to develop and review protocols and practices arising from the recommendations of the Commission of Inquiry. Once this work has been completed, relevant interagency processes will be included in the <i>Interagency Code of Practice: Investigation of Suspected Child Abuse and Neglect</i>. Strategies to overcome barriers to information sharing identified by the review are under consideration.
8.	That the necessary long-term funding be provided to allow Families SA to provide the required therapeutic services to children and young people on the Lands who have been sexually abused.	<ul style="list-style-type: none"> • The Children and Adolescent Mental Health Service (CAMHS) provides mental health therapeutic services to children and young people on the Lands through its visiting service comprised of three staff visiting eight times a year for one week at a time. Four visits are made to western communities and four visits are made to eastern communities each year, with Pukatja visited each time. • A model has been developed by Health SA to expand the therapeutic services that are provided by CAMHS through the establishment of a permanent team on the APY Lands. Funding has been obtained through the COAG National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes in order to implement this proposed model (see Recommendation 16). • CAMHS is currently providing an intensive twelve-month supportive response for Pukatja in conjunction with the

Summary Of Progress To Date In Response To Children On APY Lands Commission Of Inquiry Recommendations

Children on APY Lands Commission of Inquiry Recommendation		Progress Update
		NPY Women's Council regarding disclosures of allegations of sexual abuse.
9.	That the staff of the Children's Protection Services at the Women's and Children's Hospital be increased to enable timely and effective investigation of allegations of sexual abuse of young children on the Lands. That resources be provided to enable the training of sufficient Aboriginal medical practitioners, psychologists and social workers to undertake forensic assessments of Anangu children alleged to have been sexually abused.	<ul style="list-style-type: none"> • A model for the expansion of therapeutic services provided by CYWHS Child Protection Services has been developed by Health SA. • CYWHS Child Protection Services are prioritising resources as required to meet demand; this includes an increase during this financial year of 2.0 FTE staff who contribute to the overall demand of the service and enable the investigation of allegations of sexual abuse of children on the Lands. • Training in relation to responding to victims of rape and sexual assault is being provided for emergency department nurses and general practitioners.
10.	That a review to evaluate the effectiveness of a 'multi-disciplinary' team approach involving Families SA and other services providers on the Lands to disclose and detect child sexual abuse be undertaken by an independent consultant after such teams have been in place for 12 months.	<ul style="list-style-type: none"> • The Australian Centre for Child Protection has developed a draft framework to be used to conduct evaluations of multi-disciplinary approaches to addressing child protection and the disclosure and detection of child sexual abuse. • The framework will be finalised by 31 December 2009 and Government will develop appropriate measures of effectiveness in response to the framework.
11.	That adequate treatment and services, accommodation, supervision, and support for children removed from the Lands to Adelaide for child protection reasons and their parents or carers, be established and provided.	<ul style="list-style-type: none"> • Roles and responsibilities in relation to the provision of treatment and services, accommodation, supervision and support to children who have been removed from the APY Lands for child protection reasons have been identified and documented. • SA Health responds by making practitioners available to travel where appropriate to meet the needs of children and their families.
12.	That Families SA and NPY Women's Council establish closer co-operation and develop an understanding as to the role which the Council is to play in supporting children who have been	<ul style="list-style-type: none"> • The NPY Women's Council and the Nganampa Health Council participate on the Task Force and are involved in

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	<p>sexually abused, or are identified as at risk from sexual abuse. That DFC develops relationships with elder men in the communities to exercise their cultural authority in condemning the sexual abuse of children on the Lands. That DFC increases funding to NPY Women's Council to enable increased support and advocacy for children who have been sexually abused.</p>	<p>the sub-committee, chaired by Families SA, aimed at improving collaborative protocols and working relationships in the reporting, investigation and management of child protection notifications.</p> <ul style="list-style-type: none"> • Families SA and the NPY Women's Council have an undertaking to meet (or teleconference) on a six-weekly basis. • The NPY Women's Council was contracted by DPC-AARD to develop and forward options for an APY safe house service delivery model. • Agencies continue to promote the role senior men can play through discussion in appropriate forums.
13.	<p>That as a matter of urgency the housing construction program, with the assistance of Commonwealth Government funds, begins as soon as possible to construct houses that are appropriately designed for Anangu families and for houses to be built to be used by appropriate personnel of service providers on the Lands.</p>	<ul style="list-style-type: none"> • The National Partnership Agreement on Remote Indigenous Housing is a ten year agreement which will provide South Australia with \$291.494m to fund the construction of new properties in remote communities, the capital upgrade of existing dwellings in remote and non-remote communities, and the implementation of public housing-like property and tenancy management across Aboriginal communities in South Australia. The \$291.494m funding includes the \$25m previously committed for the APY Lands. • A Capital Works Plan has been agreed between the Australian and South Australian Governments for new housing refurbishment activity in the APY Lands for work until June 2011. • A Memorandum of Understanding (MOU) between the Minister for Housing and the APY Council was signed on 31 August 2009. • Housing SA already operates a programmed repairs and maintenance service for properties located on the APY

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		<p>Lands.</p> <ul style="list-style-type: none"> • A Regional Manager for APY housing, Mr Gary Oxford, has been appointed, will be located in Umuwa, and will coordinate the delivery of housing across the APY Lands. • Asset and Tenancy Audits have been conducted. • Some 61 new houses will be constructed across the APY Lands by June 2011. • An additional 113 refurbishments will also be completed by 30 June 2011 through the Remote Indigenous Housing National Partnership funding.
14.	That sufficient funds are provided to DFC to ensure that adequate temporary or permanent accommodation can be provided to Aboriginal people seeking medical, therapeutic and respite care who have left the Lands on account of child sexual abuse.	<ul style="list-style-type: none"> • A safe house will be built specifically for children from the APY Lands who are at risk of abuse. • The NPY Women's Council was provided with funds to conduct a feasibility study for the establishment of a safe house. The Council provided a draft document with a set of recommendations in October 2009, which will be discussed by the Taskforce in December 2009. • The APY Lands Safe House is in addition to the safe house services at Coober Pedy and Ceduna, which are joint Commonwealth and State Government initiatives to help protect Aboriginal women and children who are at risk of domestic and family violence. • Children and families required to attend Adelaide for emergency Child Protection assessments are supported to do so by either SAPOL and/or Families SA. In these cases, short-term emergency accommodation is provided.
15.	That Nganampa receive increasing funding so that the number of general medical practitioners based on the Lands can meet the professionally accepted ratio of doctors to patients. That the increased funding to Nganampa enables medical practitioners and nurses to receive salary and financial incentives sufficient to recruit such staff and retain them in service on the Lands.	<p>[Noted]</p> <ul style="list-style-type: none"> • Preliminary meetings were held in late September 2008 with the Nganampa Health Council to discuss the Government's response to the Commission of Inquiry's report and the Nganampa Health Council was invited to

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		<p>join the Taskforce.</p> <ul style="list-style-type: none"> • The operations of the Health Council are controlled by the Anangu community and the Council is primarily funded by the Commonwealth Government (with the South Australian Government providing some funds for particular projects). • The Health Council has indicated that there is no benchmark for contexts such as the APY Lands regarding the ratio of professional medical practitioners to patients. The Council has indicated that it currently has 2.25 clinical doctors and requires an additional full time practitioner. The Council has recently advertised and is attempting to recruit for such a position. • In general, the clinics on the APY Lands are staffed by registered nurses, with the support of medical officers as required. • The South Australian and Commonwealth Governments will continue to examine the issue of the funding and staffing of the Nganampa Health Council.
16.	<p>That there be a substantial increase in services on the lands for persons with mental health issues and for persons who have been sexually abused as children who require therapeutic services.</p>	<ul style="list-style-type: none"> • Two mental health practitioners based in the Northern Territory (Alice Springs Mental Health Team) conduct regular trips to APY Lands under the existing joint state/territory agreement with visiting consultant psychiatrists. • Currently mental health services on APY Lands are being reviewed by Country Health SA to consider the most appropriate services into the future. • Discussions have occurred between Commonwealth and State Governments regarding implementation of additional funding for Personal Helpers and Mentors Program. • Centacare NT has been funded by the Australian Government to deliver the program to communities across

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		the APY Lands over the next 3 years and is currently case managing 14 people.
17.	That the protocols of the Drug Rehabilitation Centre at Amata be altered to allow children access to the drug and rehabilitation program. That the Drug Rehabilitation Centre at Amata be adequately funded in the long-term so as to allow appropriate services for children who require rehabilitation.	<ul style="list-style-type: none"> • The Drug and Alcohol Service of South Australia's (DASSA) has undertaken a review process and, where appropriate, the development of the Amata Drug Rehabilitation Centre protocols to ensure there are no practical barriers to children and young people attending the centre should they need drug rehabilitation. • The importance of family support is recognised and the facility is family friendly. • There is no age limit to access the facility; however a responsible adult family member or carer is required for the duration of a stay for any clients under the age of 16 years. • The facility is adequately funded to provide appropriate services for children who require rehabilitation.
18.	That in the case of babies born to children resident on the Lands, the payment of the Baby Bonus be given in instalments. That in the case of a baby being removed from the mother, who is a child resident on the Lands, the balance of the Baby Bonus payment unpaid at the time of removal follow the baby and be paid to the person or persons who provide the care for the baby. That the State and Commonwealth Governments consider whether these arrangements can be implemented.	<ul style="list-style-type: none"> • As of 1 January 2009, the Commonwealth Government implemented improvements to the way the Baby Bonus is paid, with thirteen fortnightly instalments being paid to eligible claimants. • Work has commenced on a financial literacy and consumer awareness project entitled MoneyBusiness, which has been co-ordinated by the Department for Families and Communities' Coober Pedy Anti-Poverty Team and is sponsored by the Department of Families and Housing, Community Services and Indigenous Affairs. The program will be trialled in three communities on the APY Lands over twelve months.
19.	That every positive result of a screening test for a sexually transmitted infection of a child on the Lands should be immediately notified to Families SA even if the person reviewing the result has not formed the relevant suspicion under section 11 of the <i>Children's Protection Act</i> . That every such result also be immediately notified to the Department of Health.	<ul style="list-style-type: none"> • Investigation and information sharing policies and procedures regarding STD notification are contentious and require sensitive handling. These issues have been discussed in a number of Taskforce meetings and are

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<p>That upon receipt of such a notification Families SA assess whether there is evidence that the child may have been sexually abused and refer the matter to the Child Protection Services of the Women's and Children's Hospital for assessment, investigation and if required, appropriate therapy.</p> <p>That the Child Protection Services of the Women's and Children's Hospital be adequately funded for that role.</p> <p>If there is evidence that the child has been sexually abused Families SA must take whatever action is in the best interests of the child which may include referring the matter to SCIB of SA Police and informing Nganampa of what decisions have been made.</p>	<p>currently still being resolved. Discussions on these issues, involving key staff in SA Health and the Department for Families and Communities, were held in October 2009.</p> <ul style="list-style-type: none"> • The Department of Health and Ageing and Nganampa Health Council have agreed to work with the State Government to ensure that the long term trust between the population and the clinical staff on the APY Lands is maintained, and that legal imperatives do not diminish client trust and service access rates. • Due consideration will be given to the Northern Territory Government's decision in August this year to modify the mandatory reporting requirements regarding children and identified sexual activity.
<p>20. That Nganampa develop its own guidelines and procedures to ensure that all indicators of child sexual abuse are reported to Families SA.</p> <p>That all Nganampa health workers receive regular training regarding their South Australian mandatory reporting obligations.</p>	<ul style="list-style-type: none"> • Under its governance arrangements, the Nganampa Health Council Incorporated is accountable to its Anangu-controlled governing body and is accountable to the Commonwealth Government through its funding agreement. • The Nganampa Health Council and the NPY Women's Council are represented on a number of bodies responsible for addressing the recommendations of the Inquiry, including the sub-group for reviewing and developing Child Protection service protocols known as the <i>Child Protection on the APY Lands Working Group</i>.
<p>21. That section 11 of the Children's Protection Act be amended to provide that it is an offence to prevent, obstruct or interfere with a person discharging or attempting to discharge the obligation of mandatory reporting pursuant to section 11(1) of that Act.</p>	<ul style="list-style-type: none"> • A Bill to give effect to this recommendation has been introduced to Parliament and after public consultation, is progressing through the Parliament, and is expected to be finalised before the end of this year. • The importance of promoting a positive and safe environment for the reporting of suspected abuse or neglect is being advocated.

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22.	That Families SA be adequately resourced to respond effectively and in a timely manner to all mandatory reports from the Lands.	<ul style="list-style-type: none"> • In 2007/08, Families SA appointed three school-based senior social workers. An additional school-based senior social worker was appointed in October 2009, recruitment continues to fill two additional positions and two child protection officers have been employed in order to respond to child protection notifications. • Social workers are working with families and children to prevent their entry into the child protection system. • In addition, Coober Pedy Families SA has restructured its outreach service to increase the services to the Lands. • Families SA regularly reviews the capacity of its child protection services to respond effectively and in a timely manner to all mandatory reports from the Lands.
23.	That Nganampa, DECS, Families SA and SA Police establish appropriate protocols, policies and guidelines for the management of disclosure, or detection of child sexual abuse, including what information is to be provided to the family and carers of the child and by whom.	<ul style="list-style-type: none"> • A steering group (now referred to as the Task Force) has been established comprising senior officers from the Australian and State Governments and relevant non-government organisations (including the Nganampa Health Council and the NPY Women's Council) to consider key issues raised by the Report. • In addition to the development of collaborative working relationships through the Task Force, a sub-group focuses on reviewing and developing service protocols. <i>The Child Protection on APY Lands Working Group</i> has considered the existing protocols between DECS, Families SA, SA Police and the Child Protection Services of the Children, Youth and Women's Health Service to ensure that they facilitate streamlined and effective responses on child protection matters, including the nature of the information to be provided to the family and carers of the child and by whom. • After extensive consultation and input from all agencies

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		involved, a final draft protocol has been circulated to all agencies for feedback prior to its release in October 2009.
24.	That Nganampa develop policies and guidelines that address mandatory reporting of any activity that may indicate sexual activity of children, including STIs, requests for contraception, injuries, as well as underage pregnancy.	<ul style="list-style-type: none"> • Nganampa Health Council is accountable to its Anangu controlled governing body and is accountable to the Commonwealth Government through its funding agreement. • The Nganampa Health Council participates in the Children on the APY Lands Commission of Inquiry Taskforce as well as in the <i>Child Protection on APY Lands Working Group</i> which has responsibility for developing protocols for the way in which child protection matters are responded to on the APY Lands. • Investigation and information sharing policies and procedures regarding STI notification are contentious and require sensitive handling. • A range of stakeholder meetings have been held to discuss the issue of mandatory reporting but the issue of reporting any activity that may indicate sexual activity of children, including STIs, requests for contraception, injuries, as well as underage pregnancy is still being resolved. • The Northern Territory Government's decision of August 2009 to modify the mandatory reporting requirements regarding children and identified sexual activity will be given due consideration.
25.	That as a matter of urgency DECS continue to assess ways and means of ensuring that all children on the Lands of compulsory school age attend school and that adequate resources are provided for that assessment. That DECS and DFC with the support of Anangu leaders in communities engage parents and carers as well as children, in activities to enable the provision of information to the communities about the value and importance of school for children including as a way of reducing the incidence of child sexual abuse.	<ul style="list-style-type: none"> • DECS and DFC are working collaboratively to develop strategies to enhance information sharing to monitor and support school attendance of school-aged Anangu children. An Improvement Coordinator at the Aboriginal Lands District office is responsible for regularly monitoring student absences, contacting schools and ensuring strategies are in place to increase attendance.

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		<ul style="list-style-type: none"> • Protocols with Families SA regarding chronic non-attendance have been established and implemented. The Indigenous Student Support System (ISSS) DECS attendance program is used regularly to identify students who have been absent for 10 days or more. Each case is followed up at the local school level. • The importance of monitoring school attendance is also being raised with the governing councils of schools on the Lands and with the Pitjantjatjara Yankunytjatjara Education Committee (PYEC). • The monitoring of school attendance is also raised through the local school governing councils. Representatives from the Anangu teachers, Anangu Education Workers (AEWs) and Anangu Coordinators are also on the governing councils as cultural experts. • The Government reviews the responsiveness of schools to children on the APY Lands on an ongoing basis. • The Australian Government provided funding for an extension to the Wiltja Residence to allow for an additional 30 APY secondary students to attend secondary school in Adelaide. It is expected that the residential centre and additional student places will be operational for the 2010 school year.
26.	<p>That DECS assess extending the school curriculum on the Lands to include increased study of information technology and appropriate computer based courses which can be accessed by children and young persons on the Lands to develop computer skills.</p> <p>That consideration of the teaching of numeracy and literacy in a manner suitable to Anangu children continue to be assessed and implemented.</p> <p>That DECS assess whether appropriate pre-vocational training for trade, home and family management skills should be introduced into the curriculum of the schools on the Lands.</p> <p>That the principals and teachers at the schools on the Lands consult with senior Anangu and consider whether traditional Anangu skills and law should be introduced into the curriculum.</p>	<ul style="list-style-type: none"> • The Government has continued to provide information technology and computer-based courses, such as the Digital Education Revolution program and the IBM Kidsmart/Digital Learning Bank project. • The APY schools have sufficient bandwidth and computer hardware to begin the delivery of curriculum online. • The Government is working to ensure that literacy and numeracy rates continue to improve - testing has shown

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	That adequate resources be provided to DECS for all these purposes.	<p>some improvement in numeracy levels.</p> <ul style="list-style-type: none"> • The <i>Accelerated Literacy Program</i> has been implemented in all APY Lands schools. • Two full-time Literacy Project Officers are based at the Aboriginal Lands District Office. • The Pitjantjatjara Literacy Project has been producing high-quality Pitjantjatjara literacy materials. • The Government will continue to provide SACSA and SACE Frameworks for the delivery of pre-vocational skills and will continue to deliver pre-vocational training that focuses on home and family skills. • The Government has maintained the Anangu Cultural Domain which incorporates the Pitjantjatjara and Yankunytjatjara languages, food gathering, traditional cultural music and dance. • The Government sought advice regarding the teaching of Anangu law from Anangu Elders through PYEC. This is a challenging cultural issue and is one that the Communities wish to deal with themselves.
27.	<p>That priority be given to remedial teaching at schools on the Lands for Anangu who have missed education as children.</p> <p>That the benchmark testing of years 3, 5, 7 and 9 be monitored closely and that sufficient funding be provided to achieve the goal of bringing the results of children on the Lands up to the respective averages of mainstream South Australian schools.</p> <p>That making education more relevant to Anangu students, and recognising the importance of Anangu culture continue to be assessed.</p>	<ul style="list-style-type: none"> • A focus on remedial teaching in schools has been made through the use of the <i>Accelerated Literacy Program</i>, using age appropriate texts. • The Government is continuing to closely monitor the results of benchmark testing on the APY Lands. • All education programs take into consideration Anangu cultural perspectives. DECS continues to reflect on its teaching methodologies for cultural relevance. • Additional Anangu Education Workers have been employed to provide support for working intensively with students in a one-on-one setting.

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28.	<p>That there be regular meetings of all staff of Nganampa, DFC including Families SA, DECS and SA Police working on the Lands to receive continuing education about child care and protection, to discuss the needs and problems of sexually abused children and the problems encountered by those service providers.</p> <p>That such meetings should be held at least three times each year.</p> <p>That they be initiated and managed by AARD rather than any one of the particular agencies.</p>	<ul style="list-style-type: none"> • DPC-AARD established initial meetings with the Nganampa Health Council, NPY Women’s Council, Health SA, Department for Families and Communities (DFC), Service Coordinators and OATSIH. The meetings focused on discussing the Inquiry’s report and enabled discussion regarding the nature and efficacy of service provision on the Lands. • The Nganampa Health Council and NPY Women’s Council are members of the Taskforce overseeing the implementation of the recommendations. They also participate in the <i>Child Protection on the APY Lands Working Group</i>, which is focused on establishing protocols for inter-agency information-sharing regarding child safety and protection issues. • The APY Lands Cross-border Tri-State mental health meetings also provide an opportunity for relevant agencies to discuss child protection issues in relation to mental health. • Families SA and the NPY Women’s Council hold regular six weekly meetings to improve communication and undertake joint planning around case matters. • A range of other meetings involving agencies working on the APY Lands occur on an ongoing or ad-hoc basis as required and provide opportunities for exchange and discussion regarding child protection issues.
29.	<p>That a program to educate members of the communities on the Lands as to what is inappropriate sexual conduct, and its consequences, and the supports which are available for victims of sexual abuse (including children) be designed and implemented.</p>	<ul style="list-style-type: none"> • Agencies, both government and non-government, are raising awareness among clients and their families about the primacy of keeping children safe. • In February 2009 Families SA, in partnership with Relationships Australia and the NPY Women’s Council ran <i>Child Safe Environment Training</i>.

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		<ul style="list-style-type: none"> • To ensure continued program development and continuous professional development, Families SA in partnership with DECS are reviewing the <i>Child Safe Environment Training</i> for Anangu. The training is scheduled on an ongoing basis to ensure it is delivered to all APY communities and service providers on the Lands. • The NPY Women's Council has developed an initiative to create awareness - "<i>Speak Up: Speak Against Child Sexual abuse</i>" which provides educative information about child sexual abuse and avenues for reporting abuse.
30.	That more resources be focused on education measures to better advise children, their parents and carers and the community on appropriate sexual behaviours, the law and their rights.	<ul style="list-style-type: none"> • The South Australian Government is continuing to create awareness amongst children, their parents and carers and the broader community about preventing child abuse and neglect, the law and children's rights through a range of services, including those provided by the Families SA Outreach Services, school-based social workers, DECS counsellors, Youth programs, CAMHS services and the Community Safety Committees established by SAPOL. • The importance of community education regarding appropriate sexual behaviours, the law and legal rights are included as a standing item at the community safety meetings.
31.	That meetings with men and boys in communities with male Anangu elders and men from the agencies on the Lands regarding sexual conduct of men involving children and the consequences of such conduct be held without delay. That such meetings be co-ordinated and managed by AARD.	<ul style="list-style-type: none"> • The South Australian Government initiated discussions with the senior men's Law and Culture Committee for the APY on the issue of the safety of children on the Lands. • The issues are complex and require sensitive treatment and the building of relationships of trust and open communication. This process has proved to be difficult and has also been affected by changes in Government personnel involved in the discussions. • There are a number of forums and programs through which

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		<p>men are engaged in discussions about their sexual conduct involving children, domestic violence, and the role of men in families and community, and the consequences of their conduct. An example of such a program is the Cross-Border Offenders' Program.</p>
32.	<p>That strategies to restrict access to pornographic material, by children in particular, be investigated. That there be a community education campaign on the dangers of exposing children to pornography.</p>	<ul style="list-style-type: none"> • SAPOL has included a focus on pornographic material as part of its operational duties and lawful searches on the APY Lands. • SAPOL is co-ordinating a review of computer filtering to ensure that inappropriate access is not gained to the Internet through computers funded or located within public or government buildings. Policy and codes of practice are in place regarding the accessing of pornographic matter through the Internet. • Awareness training about the dangers of exposing children to pornography is being developed through the Sex Crime Investigations Branch (SCIB). This training will be delivered to communities on the Lands. • The <i>Child Protection Behaviour Course</i> has been developed to incorporate a module that focuses on contemporary issues in communities and is currently awaiting formal approval. • Cultural and other relevant training in relation to pornography issues is being provided to members of SCIB and other members currently serving within the APY Lands.
33.	<p>That DPC AARD, with the assistance of DFC, establish safe houses for Anangu, particularly children who need short-term sanctuary from abuse, after consultation with Anangu leaders in communities, Families SA, Nganampa, DECS staff and SA Police. That the State Government adequately resource the safe house with suitable staff, services and facilities.</p>	<ul style="list-style-type: none"> • The planned safe house will provide protective services and support a safe return to the community for children (and their carers) who are subject to child protection notifications following child protection assessments and medical assistance.

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		<ul style="list-style-type: none"> • A feasibility study for a safe house has been undertaken by the NPY Women's Council. A draft document entitled, <i>Proposed Preferred Models for Safe Accommodation Services for Women and Children from the APY Lands</i> was finalised in October 2009 and will be discussed by the Taskforce in December 2009. Planning for the establishment of the safe house will be undertaken in 2010.
34.	<p>That Families SA place two social workers on the Lands to respond to mandatory notifications of suspected sexual abuse of Anangu children on the Lands.</p> <p>That Families SA review any policy about whether mandatory notifiers should be informed of the action which is taken following the making of the report.</p>	<ul style="list-style-type: none"> • There are two new child protection officers (social workers) for the APY Lands, who play a critical role in investigating and responding to mandatory notifications. • Child protection investigations are also provided by Outreach from the Coober Pedy District Centre.
35.	<p>That appropriate health, mentoring and counselling services be established for teaching and other education staff resident on the Lands.</p> <p>That DECS arrange and resource adequate respite for teachers and other school staff resident on the Lands.</p> <p>That principals of the schools on the Lands consider and report to DECS as to what is needed to enhance recruitment of teaching staff and retention rates.</p>	<ul style="list-style-type: none"> • DECS has continued to provide a range of supports for its teaching and other education staff on the Lands. • DECS promotes the professional development and retention of staff as well as making support available through its Employee Assistance Program. • The Department is investigating "respite" schemes applicable to other Government employees working in the APY Lands. Teachers currently receive on site support from the school site principal and receive training and development opportunities. • In addition to the on-site, school-based induction of new teachers, there is an intensive Induction Program.
36.	<p>That there be night patrols in each community on the Lands, initially in the presence of sworn police.</p> <p>That people with cultural authority, sworn police and community professionals and residents assist in the training of people to participate in the patrols as is appropriate.</p>	<ul style="list-style-type: none"> • The increased police presence throughout the APY Lands, coupled with flexible rostering arrangements, allows for police patrols to be deployed across the APY Lands as incidents arise. • Community Safety Committees meet to consider, develop and implement community safety initiatives including but

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		<p>not restricted to the re-introduction of night patrols.</p> <ul style="list-style-type: none"> • SAPOL is continuing the Community Liaison Project within the Community Constable framework.
37.	<p>That a process of restorative justice for the resolution of disputes in communities on the Lands be developed, implemented and periodically assessed.</p>	<ul style="list-style-type: none"> • The Government established a Restorative Justice Reference Group in late 2008. • The Group has met with a number of key people and agencies to ascertain information on the South Australian criminal justice system and restorative justice practices, as well as views on the appropriateness of a restorative justice approach for victims of sexual assault. • An extensive literature review has been conducted and includes information on relevant practices, processes and legislation in other jurisdictions. A report will be delivered to the Attorney General for consideration by Cabinet by the end of 2009.
38.	<p>That all allegations of sexual abuse of children on the Lands, including the names and identifying particulars of abused victims and perpetrators, the date, place and nature of the alleged abuse, any corroborating or confirming evidence and action taken, be accurately recorded. That all such information be provided to the Sexual Crime Investigation Branch of SA Police.</p>	<ul style="list-style-type: none"> • All allegations of child sexual abuse reported to police are recorded on a Police Incident Report (PIR), which is entered onto the Police Incident Management System (PIMS). All suspected abuse and neglect must also be reported to the Child Abuse Report Line. • The Sexual Crime Investigation Branch investigates and manages all reported sexual assaults.
39.	<p>That fully operational police stations with an adequate number of personnel be established at all of the main communities on the Lands, namely Pipalyatjara or Kalka, Amata, Pukatja (Ernabella), Kaltjiti (Fregon), Mimili and Iwantja (Indulkana). In the alternative that police stations be established at Amata, Pukatja and either Mimili or Iwantja. That the police stations be established as a matter of urgency. That the safety of communities where there is not a police station with a permanent police presence be kept under review and such police stations be established as is required to maintain safety in the communities.</p>	<ul style="list-style-type: none"> • The Australian Government has provided funding for the construction of Police complexes at Pukatja, Amata and Mimili and include a police station, courts and cells, carport and storage facilities and accommodation for police staff. • Construction of the Amata and Mimili complexes commenced in September 2009 with completion in December 2009. Construction in Pukatja will commence in October 2009 and be completed by March 2010. • Once the construction of the complexes and

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		<p>accommodation is completed, four police officers will be stationed at each location.</p> <ul style="list-style-type: none"> • SAPOL currently has eight full time police officers living on the APY Lands. To ensure that there are 12 uniform police officers on the Lands at any one time, SAPOL introduced an additional 'fly in and fly out' police presence in August 2008. These police officers have been provided with temporary accommodation at Amata, Murputja and Umuwa by the Australian Government (see also recommendation 40). • There are nine Community Safety Community Groups across the APY Lands. Bi-monthly meetings are held in each community. Each community is focusing on developing a Community Safety Action Plan.
40.	<p>That at least four sworn police officers be placed in each of the new police stations to be established on the Lands.</p> <p>That the police officers be selected not only because of experience and ability but also because of suitability of personality and attitude.</p> <p>That all police officers positioned in the permanent placements of the Lands, or otherwise working on the Lands, undertake cultural training specifically designed to facilitate their working with Anangu.</p>	<ul style="list-style-type: none"> • Police stations are being built at Amata, Mimili, and Pukatja. Facilities at Amata and Mimili will be completed in December 2009, and in Pukatja by March 2010. • Four officers will be at each police station. This will ultimately result in a permanent police presence of 19 officers on the APY Lands. With the input from Community Constables, Police Aboriginal Liaison Officers and project staff, there will be a total of 31 SAPOL staff providing services to the APY Lands, with additional support from six members stationed at Marla. • SAPOL commenced a 'fly-in and fly-out' model in August 2008 to ensure that there are 12 uniform police officers on the Lands at any one time. In addition, one detective and two child and family violence/crime prevention officers are based at Marla.
41.	<p>That whenever possible all allegations of child sexual abuse on the Lands be investigated by the Victim Management Service, Child Exploitation Investigation Services and Paedophile Task</p>	<ul style="list-style-type: none"> • SAPOL's current practice is to record all available information in relation to all allegations of child sexual

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	<p>Force of SA Police, or the Far Northern Local Service Areas. That members of SA Police required to investigate such allegations receive appropriate training regarding cultural, language and other communication matters concerning Anangu and sexual matters, and suitable techniques of investigation.</p>	<p>abuse. This is done using a Police Incident Report (PIR), which is entered onto the Police Incident Management system (PIMS). All suspected abuse and neglect is also reported to the Child Abuse Report Line (CARL).</p> <ul style="list-style-type: none"> • The Sexual Crime Investigation Branch (SCIB) searches PIMS each day to collect data relating to sexual offences. SCIB assesses all sexual offences and then offers consultancy and support as required to ensure that matters are properly investigated. • SAPOL Child Protection Courses and Child Safe Environment Courses have been modified to include a greater focus on traditional Aboriginal content. • Induction information has been reviewed and modified to provide a broader level of information for all staff deployed within the APY Lands.
42.	<p>That a training program for interpreters be developed by an established tertiary education organisation for Anangu and other persons with knowledge of Pitjantjatjara, Yankunytjatjara, Ngfaanyantjarra and other languages used on the Lands as a matter of urgency. That people undertaking the training also receive information about features of the child protection and the criminal justice system which are relevant to the role of interpreters. That interpreters also be available to Families SA, DECS, Nganampa, ALRM and CRJ in the management and implementation of restorative justice on the Lands.</p>	<ul style="list-style-type: none"> • Interpreter training is being offered through the Diploma of Interpreting, which is a joint initiative of DPC-AARD and TAFE SA. • Trainees are provided with an overview of the medical and criminal justice systems and associated concepts and vocabulary. Child protection issues have not yet been incorporated explicitly. This has not occurred to date due to the sensitive nature of the issues and the need for cultural protocols regarding instruction about these issues, more especially in co-educational teaching contexts. • There are currently 25 students studying for the Diploma at Pukatja, Pipalyatjara, Port Augusta, and Yalata. It is expected that there will be at least 10 graduates from this program by the end of 2009. • The National Partnership Agreement on Remote Service Delivery has allocated further funding to support the

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		development of interpreter training and service provision on the Lands.
43.	That a liaison person be appointed in each case to assist alleged victims and witnesses with police and court processes, independent of police or prosecution. That the NPY Women's Council be requested to make the appointment and that all reasonable costs should be paid by the State Government.	<ul style="list-style-type: none"> There are currently different service providers that offer support to alleged victims and witnesses who find themselves in the criminal justice system and courts processes. These services include those offered by the NPY Women's Council, the Victim Support Service based in Port Augusta, the services provided by SAPOL, and the witness assistance service of the Director of Public Prosecutions. Alleged victims and witnesses are assisted through the provision of court preparation; the sourcing of appropriate court companions; assessments; the sourcing of interpreters; the establishment of linkages and referrals to appropriate services, as required.
44.	That the <i>Children's Protection Act</i> or regulations be amended to add a function of the Guardian for Children and Young People to act as an advocate of an Anangu child or young person who is not in State care but is the subject of a Family Care Meeting Agreement and who has made a disclosure of sexual abuse. That in accordance with section 52B of the Act, the Guardian be provided with sufficient staff and resources to carry out the function.	<ul style="list-style-type: none"> This recommendation has been included in the draft Bill to amend the <i>Children's Protection Act</i> or regulations in order to provide that the Guardian for Children and Young People is enabled to act as an advocate of an Anangu child or young person who is not in State care but who is the subject of a Family Care Meeting Agreement and who has made a disclosure of sexual abuse. A Bill to give effect to the Commission's recommendations has been drafted. The amendments were introduced to Parliament on 16 July 2009 and subsequently released for public consultation which closed on 11 September 2009.
45.	That during the next 12 months the State Government consult with the Courts Administration Authority and interested agencies, to establish what services and facilities are required to enable the courts to operate effectively and efficiently on the Lands and that all reasonable resources be provided for that purpose to enhance safety on the Lands. That court facilities are not established as part of police stations on the Lands.	<ul style="list-style-type: none"> Planning for an Australian Government funded courts administration complex in Umuwa is underway. The Department for Transport, Energy and Infrastructure (DTEI) is consulting with all interested agencies including the Courts Administration Authority (CAA) regarding requirements for the facility.

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		<ul style="list-style-type: none"> • A lease application has been submitted to the APY Executive for what has been renamed the <i>Umuwa Court and Community Safety Centre</i>. • The Magistrates Court will use the Umuwa Centre primarily as a trial facility, and will move non-custodial trials from Marla, where most trials are currently held. Components of custodial trials could also be held at the Umuwa Centre if video-link facilities are provided. • Child protection matters will be dealt with at the stand-alone Court and Community Safety Centre in Umuwa. It is envisaged that the smaller court facilities attached to the police stations will deal with other non-child protection matters. • Leases have been secured for the police complexes, which are being constructed for Pukatja, Amata and Mimili. These are scheduled to be completed in late 2009, early 2010 and will all contain Court facilities. In the interim, the Rural Transaction Centres (PY Ku Centres) have provided facilities for the circuit court.
46.	<p>That a corrections facility be established on the Lands for prisoners on remand on a short-term basis.</p> <p>That prisoners on remand for longer than short-term be removed from the Lands to the corrections facility at Port Augusta or elsewhere, as determined in the usual way by the Department for Corrections.</p> <p>That the State Government arrange air travel for the removal of prisoners from the Lands and their return for court appearances.</p>	<p>[Not supported]</p> <p>Given the significant competing priorities for resources on the Lands it was considered that establishing a remand correctional facility on APY Lands for prisoners on remand would not be the best use of those resources in addressing community safety and the protection of children. However, as proposed in its July 2008 response to the Inquiry's Report, the 12-bed unit for Aboriginal men at Port Augusta Prison was built and officially opened by the Minister for Correctional Services in August 2009. The unit is named "Pakani Aranka" (meaning a good growing place). This facility enables authorities to remove prisoners on remand from the APY Lands to Port Augusta when necessary.</p>

Recommendation 1

That any changes to governance of communities on the lands be implemented promptly so as to reduce the extent of dysfunction and possible corruption in the communities.

That the nature of any change should have regard to the empowerment of Anangu and enhancing confidence in disclosing child sexual abuse and implementing measures to prevent the abuse and address its consequences.

Government Response - July 2008

The South Australian Government supports this recommendation.

In 2007 the State Government and the previous Commonwealth Government recognised the importance of reforming governance and service delivery to improve outcomes for the people on the APY Lands. The two Governments commissioned John Thurtell Consulting Services Pty Ltd to review governance and service delivery arrangements. The State and Commonwealth Governments will now release the report.

The State Government will shortly release a discussion paper outlining the Government's preferred governance and service delivery model for the APY Lands.

The Government will have regard to the empowerment of Anangu, enhancing confidence in disclosing sexual abuse and implementing measures to prevent and address sexual abuse in its deliberations.

Before determining the final model the Government will consult with all interested stakeholders.

Implementation Report - October 2008

The South Australian Government has released the report entitled 'Scoping Study of the Delivery of Municipal and Local Government Services on the APY Lands' that was prepared by John Thurtell Consulting Services Pty Ltd to key stakeholders. An executive summary will be available shortly online.

The South Australian Government has released a discussion paper outlining the Government's preferred service delivery and associated governance model for the APY Lands and will invite comment from stakeholders and interested persons.

A consultation with communities on the APY Lands to discuss the government's response to Thurtell's findings and options, and to engage with communities on the key guiding principles, will commence in October 2008.

In consultation with APY communities and other interested parties, the Government will determine the final model. It is anticipated that this will occur in mid 2009.

First Annual Report - Discussion and progress

The Government's response to Recommendation One is being addressed on two levels – the reform of governance arrangements and service delivery at a regional level, and the strengthening of community-based capacity and governance arrangements.

In response to Recommendation One and the Thurtell Report entitled, *Scoping Study of the Delivery of Municipal and Local Government Services on the Anangu Pitjantjatjara*

Yankunytjatjara (APY) Lands, the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (DPC-AARD) drafted a consultation paper - *Review of Service Delivery and Governance on the APY Lands*. The consultation paper gave consideration to possible options for the improvement of service delivery through the establishment of a local government type body.

The consultation paper was circulated in October 2008 and community consultations with APY Lands communities regarding issues raised were held during October and November 2008. Written submissions responding to the consultation paper were called for and received by 31 March 2009.

Further scoping work is being undertaken regarding a proposed model and the National Partnership Agreement on Remote Service Delivery will provide funding support for further governance reform. It is envisaged that interim arrangements for the establishment of a local government arrangement will be in place during 2010.

Ongoing community-based governance reform and training and capacity building initiatives are underway with the community councils of Iwantja, Kaltjiti, Mimili, Pukatja, Nyapari, Kanpi, Amata, Kalka and Pipalyatjara. This process enables council members to address community management issues in a more comprehensive and effective manner. This programme is being undertaken by two consultancies. These programs are supported by the Department for Families and Housing, Community Services and Indigenous Affairs (FaHCSIA) and DPC-AARD.

DPC-AARD, in conjunction with the Office for the Registrar of Indigenous Corporations (ORIC), delivered the *Building Strong Corporations* program to APY communities in February 2009.

Recommendation 2

That initiatives related to salary and conditions of Families SA staff on the Lands be frequently reviewed to ensure that Families SA is able to attract and retain appropriate professional staff to implement its strategies and programs dealing with child sexual abuse on the Lands.

Government Response - July 2008

The South Australian Government supports this recommendation.

Government agencies on the Lands are required to ensure that appropriate professional staff are available to implement the Government's strategies and programs on the Lands.

Families SA follows the standards for staff recruitment as set by the Commissioner for Public Employment and has recently developed a specific recruitment strategy for staff being recruited for rural and remote work, including for the APY Lands. The strategy has streamlined application processes and targets staff with appropriate skills for this work.

Families SA provides salary and conditions as recommended by the Commissioner for Public Employment for rural and remote work: namely, payment of up to 50% loading on base salary; the payment of a locality allowance for "very remote" areas; and the provision of Government-subsidised housing. Training and induction packages relevant to work on the APY Lands have been developed to introduce new staff to the strategies and programs of Families SA (including those dealing with child sexual abuse), the particular community context and appropriate culturally-inclusive practices.

The Department for Families and Communities has recently undertaken a review of conditions for its staff on the Lands and will continue to do so on an annual basis to ensure that professional staff are available.

Implementation Report - October 2008

The Department for Families and Communities (Families SA) is continuing to follow the standards for staff recruitment as set by the Commissioner for Public Employment. These standards provide payment of up to 50% loading on base salary; the payment of a locality allowance for "very remote" areas; and the provision of Government-subsidised housing.

DFC is also developing and implementing strategies to ensure that professional staff are available to implement the Government's strategies and programs on the APY Lands. These strategies include:

- conducting a national advertising campaign to fill the five social worker positions created in response to the Commission of Inquiry's recommendations. These positions were advertised in papers nationally and promoted in New Zealand;*
- developing material about working on the APY Lands for inclusion on DFC's country employment website. The website provides advice to prospective employees about working in regional centres in South Australia, including a general overview and information about housing, health, education and work options;*
- providing professional support to Families SA staff working on the APY Lands through the Families SA District Centre in Coober Pedy;*
- implementing a targeted classification assessment process to acknowledge and retain experienced social work staff engaged in child protection work. Under the assessment process, social work staff who demonstrate a required level of competence may apply to progress to a higher classification.*

- *The salary and working conditions of individual DFC Families SA staff working on the APY Lands are also subject to regular review. Reviews occur at the end of an employee's contract period, if an employee's job role alters significantly, or at the employee's request. This process supports the retention of professional staff in remote areas, including the APY lands, through providing opportunities for Families SA to recognise and support their work and specific needs.*

First Annual Report - Discussion and progress update

In August 2008, the Department for Families and Communities (DFC) undertook a national recruitment campaign to employ five social work staff on the APY Lands. The positions were advertised across Australia and New Zealand, and were promoted at a career fair in New Zealand.

In addition to the three existing social work positions on the APY Lands based in Amata, Kaltjiti and Iwantja, three new social work and two new child protection positions have been created in response to the Children on the APY Lands Commission of Inquiry. This will bring to six the total number of social workers based in schools. They will deliver early interventions and the two child protection workers will work with children at imminent risk of harm.

The two child protection workers have been appointed and provide a service to the APY Lands via the outreach program from Coober Pedy, using the temporary visitors' accommodation based at Umuwa. The State Government has received funding from the Commonwealth to provide permanent housing for the five new staff on the APY Lands. This construction is scheduled for completion in April 2010.

The recruitment process for two of the school-based social workers will continue until suitable candidates are found.

Families SA staff working on the APY Lands are employed on one to five year contracts. Individual salary and conditions are reviewed at the end of their contract period, if their job role alters significantly or if the employee requests a review. As part of this review, DFC considers the incentives provided to staff as detailed in their contract and in relation to their salary and conditions.

Families SA, in accordance with the Commissioner for Public Employment's Standards, provides benefits and incentives to attract and retain appropriate, skilled staff to positions in the APY Lands including payment of a loading on base salary, the provision of Government subsidised housing and a locality allowance. Training and induction packages relevant to work on the APY Lands have been developed to introduce new staff to the strategies and programs of Families SA (including those dealing with child sexual abuse), the particular community context and appropriate culturally-inclusive practices.

Recommendation 3

That the programs of Families SA to prevent child sexual abuse on the Lands continue to receive sufficient funding and, where possible, those programs be expanded.

That there be regular monitoring on the effectiveness of such programs and a regular review to determine if, and how, they may be improved or better coordinated to reduce the incidence of child sexual abuse on the lands.

Government Response - July 2008

The South Australian Government supports this recommendation.

As identified in the Commission of Inquiry (Children on APY Lands) Report (“the Inquiry Report”), the Government funds a number of programs on the Lands to strengthen families, and identify children and families at risk – including Family Centres, the Homemaker program and the Youth Worker program. These programs will be maintained.

In addition, the Government will increase the number of social workers on the Lands to six, (see also recommendation 5) and place them in the six major schools. Two specialist child protection workers will be placed on the Lands to specifically respond to child protection reports (see also recommendation 34). Two full-time counselling positions will be provided for work in the schools and police numbers will be expanded.

The Government will also establish a Safe House at Umuwa, to provide protection to children specifically at risk of sexual abuse and their carers (see also recommendation 33).

The Government will monitor the impact and effectiveness of these programs on preventing child sexual abuse on the Lands.

Implementation Report - October 2008

The Department for Families and Communities is conducting a recruitment process to place three additional school-based social workers and two additional specialist child protection workers on the APY Lands. The school-based social workers and child protection workers will receive specialised orientation and induction training prior to their placement on the lands, including training about recognising child abuse and neglect. It is anticipated that the new positions will commence in December 2008.

The South Australian Government is establishing a Safe House at Umuwa to provide protection to children at risk of abuse and neglect and their carers. The Safe House will provide protective services and support a safe return to the community for children and their carers (where appropriate) following child protection assessments and medical assistance. It is anticipated that the Safe House will be operational by the end of 2010. This Safe House is in addition to the Safe House already operating in Coober Pedy to help protect Aboriginal women and children who are at risk of family violence.

As advised in its July 2008 response to the Commission of Inquiry Report, the South Australian Government is continuing to maintain programs on the Lands to strengthen families and to identify children and families at risk.

The Department for Families and Communities is working with the Bangala Aboriginal Corporation to prepare a Memorandum of Understanding to facilitate the establishment of 20

traineeships for Anangu on the APY lands. One of the purposes of the traineeships will be to support the Homemaker program.

The Government will monitor the effectiveness of programs in preventing child sexual abuse on the Lands. For example, the Families SA outreach service operating from the Coober Pedy District Centre has recently been restructured to improve service delivery capacity on the APY Lands. The South Australian and Commonwealth Governments have agreed to develop joint youth strategies which will look at current resources and opportunities for better co-ordination of outcomes from the youth programs delivered by a number of agencies. In developing the joint youth strategies, consideration will be given to the lessons learnt from the present youth programs. The Governments will also jointly consider the current homemaker program to ensure that the activities under this program continue to achieve the desired outcomes. As part of this process an agreed service plan and performance measures will be developed.

First Annual Report - Discussion and progress update

The Department for Families and Communities (DFC) is continuing to maintain programs on the Lands to strengthen families, and identify children and families at risk. The Department continues to monitor the effectiveness of these programs on an ongoing basis as part of its existing assessment processes.

Families SA has restructured its outreach service which provides services on the APY Lands from the Coober Pedy District Centre. Planned outreach services to the APY Lands are provided by two teams, in the East and West, every three weeks. This includes the provision of Child Protection, Youth Justice and Anti-Poverty Services.

DFC has entered into a Memorandum of Understanding (MOU) with the Bungala Aboriginal Corporation and is hosting Anangu community support worker trainees who are based in the Family Centres. One of the purposes of the traineeships will be to support the home living skills and family support programs.

The Department of the Premier and Cabinet (DPC–AARD) is developing a Youth Strategy for the APY Lands and will consider available resources to maximise the opportunities and outcomes of the existing youth programs delivered by a number of agencies. A draft strategy has been developed for discussion and an associated Action Plan is being drafted. The goal of the Strategy is to engage young Anangu as active participants in their communities and to enable them to make decisions and choices through access to a learning environment and to comprehensive and high quality youth services that are supported by committed and culturally competent staff.

The three remaining school-based senior social worker positions, to be located in Mimili, Pukatja and Pipalyatjara, were not filled in the first recruitment process due to minimum requirements for positions not being met by applicants. These positions were re-advertised and the interviews were conducted in September 2009. Through this process an appointment was made for the position located in Pukatja. Recruitment to fill the additional two positions in Mimili and Pipalyatjara will continue until suitable candidates are found. The two additional specialist child protection workers on the APY Lands have been employed.

The Ngaanyatjarra Pitjantjatjara Yankunytjatjara (NPY) Women's Council has been contracted by the DPC-AARD to develop and forward options for an APY Safe House service delivery model. The outcome of this process will also provide the State and Commonwealth Governments with advice regarding the appropriateness of such a service for the APY Lands. A draft document entitled, *Proposed Preferred Models for Safe Accommodation Services for Women and Children from the APY Lands* was finalised in October 2009 and will be discussed by the Taskforce in December 2009. Planning for the establishment of the safe house will be undertaken in 2010.

Recommendation 4

That e-notification technology be further developed to allow mandatory notifiers on the Lands to fulfil their statutory obligations other than by use of the telephone.

That Families SA child protection staff be placed on the Lands to receive, assess, and respond promptly to mandatory reports concerning Anangu children as is discussed and recommended in Part IV Chapter 3.

Government Response - July 2008

The South Australian Government supports this recommendation.

Arrangements are currently being finalised to ensure that E-notification technology is available in all schools on the Lands to support school personnel (as mandatory notifiers under the Children's Protection Act 1993) in fulfilling their statutory obligations. All Anangu schools now have the technology to use e-notifications. Training of potential users in schools has been undertaken. Users also need to be registered and this process is under way. Three communities now have registered users – Mimili, Watarru, and Pukatja.

Plans are in place for other service providers on the Lands to have access to E-notification technology. The Aboriginal Lands District office has registered users. The Nganampa Health Council has indicated that it also is keen to use this technology, and technical capability issues will be addressed over time.

Two specialist child protection officers will be placed on the Lands with the specific task of responding to allegations of suspected sexual abuse (see also recommendation 34).

The Government will also increase the number of social workers in schools on the Lands to six (see Recommendation 5). The urgent priority task of these workers is to work with families and children at risk to prevent children's entry into the child protection system.

Implementation Report - October 2008

E-notification technology is now available in all Anangu schools on the APY Lands to support school personnel (as mandatory notifiers under the Children's Protection Act 1993) in fulfilling their statutory obligations. The South Australian Government has provided training to potential users of the E-notification technology in schools on the APY Lands and the registration process for users is continuing. Arrangements with the Aboriginal Lands District office are already under way and a number of potential users are registered.

The South Australian Government is also investigating options for other service providers (such as Nganampa Health Council) to have access to E-notification technology. The Government is consulting with Nganampa Health Council regarding its requirements. Technical capability issues are being addressed as part of this process.

These initiatives are being supported by a new online training program developed by TAFE SA in collaboration with DFC for the reporting of child abuse and neglect. The program was launched on 10 September 2008. The new online training program meets the training requirements in relation to notification of child abuse and neglect imposed by the Children's Protection Act 1993 and will make mandatory notification training more accessible to workplaces, particularly in remote areas (such as the APY Lands). The topics covered include: values and attitude, the discount model, child safe environments, definitions and indicators, responding to the child, and child abuse reporting line procedures. Department for Families and Communities (DFC) staff can already access this resource. The Government will explore options for making this program available to other relevant service providers on the APY Lands.

DFC is conducting a recruitment process to place three additional school-based social workers on the lands (see also recommendation 5). These new positions will commence in December 2008. The urgent priority task of these workers is to work with families and children 'at risk' to prevent children's entry into the child protection system.

DFC is also conducting a recruitment process to employ the two additional specialist child protection workers to respond to allegations of suspected child abuse on the Lands. These new positions will commence in December 2008 (see also recommendation 34).

DFC will continue to provide child protection services to communities on the APY Lands through the outreach service that operates from the Families SA Coober Pedy District Centre.

First Annual Report - Discussion and progress update

The Electronic-notification program was launched in September 2008 and meets the requirements in relation to notification of child abuse and neglect imposed by the *Children's Protection Act 1993*.

All Department of Education and Children's Services (DECS) Anangu schools on the APY Lands have access to E-notification technology to enable school personnel (as mandatory notifiers under the *Children's Protection Act 1993*) to fulfil their statutory obligations. The South Australian Government has provided training to potential users of the E-notification technology in schools on the APY Lands and the registration process for users is continuing.

The DECS Aboriginal Lands District office also has access to E-notification technology and a number of potential users are registered.

Support has been received for the provision of E-notification technology to the Nganampa Health Council's clinics. The Department for Families and Communities (DFC) has provided training and a registration process for Nganampa Health Council's staff to use this technology and continues to identify and train suitable users of the system.

Online training developed by TAFE SA in conjunction with DFC is making mandatory notification training more accessible to workplaces, particularly in remote areas (such as the APY Lands). The Government is exploring options to make E-notification available to other relevant service providers on the APY Lands.

In its first response to the Commission of Inquiry report, the Government committed to increasing the number of social workers on the Lands to six, with workers being aligned with the six major schools on the Lands. DFC has recruited three additional social workers and sourced suitable accommodation. The three remaining school-based senior social worker positions, to be located in Mimili, Pukatja and Pipalyatjara, were not filled in the first recruitment process due to minimum requirements for positions not being met by applicants. These positions were re-advertised and the interviews were conducted in September 2009. Through this process an appointment was made for the position located in Pukatja. Recruitment to fill the additional two positions in Mimili and Pipalyatjara will continue until suitable candidates are found.

Families SA has restructured its outreach service operating from Coober Pedy and provides outreach services on the APY Lands from Coober Pedy District Centre. Planned outreach services to the APY Lands are provided by two teams - East and West - every three weeks. This includes the provision of Child Protection, Youth Justice and Anti-Poverty Services.

Recommendation 5

The initiative to place social workers on the Lands be expanded from the proposed three to at least six and some of them to be female.

That each of the six social workers be aligned to one school, so that each of the six major schools on the Lands has one dedicated social worker involved in early prevention strategies/training to help prevent child sexual abuse and to minimise its effects in the communities.

Government Response - July 2008

The South Australian Government supports this recommendation.

In January 2008 the Government appointed two social workers to work within schools at Indulkana and Amata. A third social worker was subsequently appointed to work at Fregon School.

In its immediate response to the Inquiry Report, the Government committed to increasing the number of social workers on the Lands to six, with workers being aligned with the six major schools on the Lands. The three additional social worker positions have been advertised and the process of appointment is underway. The Department of Education has also created two full-time equivalent positions for school counsellors to provide support to children and families.

In its immediate response to the Inquiry Report, the Commonwealth Government committed \$15 million for infrastructure on the Lands, which includes accommodation for the additional social workers.

The prevention of child sexual abuse will be a priority for these workers. The workers will work with families and children at risk to prevent their entry into the child protection system.

This work will complement other key initiatives such as the establishment of an Early Childhood Centre, and programs already underway to develop parenting and "homemaker" skills (through the DFC Homemaker Service) and engage with young people (through the DFC Youth Worker program).

Implementation Report - October 2008

The Department for Families and Communities is conducting a recruitment process to place three additional school based social workers on the lands. Long-term accommodation is also being sourced to accommodate these new workers. It is anticipated that these new positions will commence in December 2008.

Once appointed, the social workers will receive specialised orientation and induction training prior to their placement on the lands, including training about recognising child abuse and neglect.

The Department of Education and Children's Services also provides two full-time equivalent school counsellor positions to provide support for children and families on the APY Lands.

First Annual Report - Discussion and progress update

In its first response to the Commission of Inquiry Report, the Government committed to increasing the number of social workers on the Lands to six, with workers being aligned to the six major schools on the Lands.

The existing three senior social work positions on the APY Lands are located in Amata, Kaltjiti and Iwantja. The three remaining school-based senior social worker positions, to be located in Mimili, Pukatja and Pipalyatjara, were not filled in the first recruitment process due to minimum requirements for positions not being met by applicants. These positions were re-advertised and the interviews were conducted in September 2009. Through this process an appointment was made for the position located in Pukatja. Recruitment to fill the additional two positions in Mimili and Pipalyatjara will continue until suitable candidates are found.

The two additional specialist child protection workers on the APY Lands have been employed and are currently providing an outreach service from Coober Pedy, while awaiting permanent accommodation to be built.

Permanent housing for the five new staff on the APY Lands is currently under construction and scheduled to be completed by April 2010.

Recommendation 6

That Nganampa Health Council and the State Government reach agreement to ensure that Nganampa Health Council provides to Families SA all information about a child who is the subject of a mandatory notification pursuant to the *Children's Protection Act 1993* to enable Families SA to discharge its function under the Act.

That if such agreement is not possible the State Government consider legislation to achieve that objective.

Government Response - July 2008

The South Australian Government supports this recommendation.

The Government has initiated discussions with the Nganampa Health Council, and intends to negotiate a Memorandum of Understanding to better ensure that all information required under the Children's Protection Act 1993 is provided to enable Families SA to discharge its obligations under the Act. The MOU will seek to address the following areas:

- *Information sharing between agencies to ensure the protection of children, including:*
 - *sufficiency of information in reports made to Families SA by the Nganampa Health Council staff*
 - *the reporting of, and response to reports of, children diagnosed with sexually transmitted infections (see also recommendation 19)*
 - *Confidentiality obligations for all agencies in respect of that shared information*
- *Provision of training to Nganampa health workers regarding mandatory reporting obligations (see also recommendation 20)*
- *Nganampa Health Council's procedures and guidelines for health workers regarding the reporting of indicators of sexual abuse to Families SA (see also recommendation 20), and the mandatory reporting of any activity that may indicate sexual activity (see also recommendation 24).*

The Government is finalising new Information Sharing Guidelines for Government agencies and key non-government organisations and these guidelines will be a key reference source in the development of the MOU.

The MOU will be subject to regular review.

As outlined in the Government's response to Recommendation 28, multi-agency meetings are being established which will assist in developing more collaborative working relationships between agencies on the ground and also help to clarify information sharing in respect of child protection and children at risk.

Implementation Report - October 2008

The South Australian Government has established a steering group comprising senior officers from the Australian and State Governments and relevant non-government organisations (including Nganampa Health Council and NPY Women's Council) to develop the Memorandum of Understanding. The MOU will support an interagency response to child protection, service delivery and information sharing on the Lands. A sub-group is reviewing and developing service protocols, with a second sub-group developing a whole-of-government community education strategy.

A key reference source for the MOU will be the newly developed Information Sharing Guidelines (applicable to all State Government agencies and relevant non government organisations). Cabinet approved the Guidelines on 13 October 2008. The appointment

process for an information sharing officer to oversee the implementation of the guidelines has commenced and will be finalised by the end of December 2008. It is anticipated that the guidelines will be operational in all major agencies and organisations by mid 2009.

The South Australian Government will also ensure that the Interagency Code of Practice: Investigation of Suspected Child Abuse and Neglect is amended to set out interagency specific to child protection on the APY Lands as work in this area continues to progress.

The Interagency Code of Practice will provide consistent guidance to agencies operating on the APY Lands (including Nganampa Health Council) regarding the interagency process for investigating suspected child abuse or neglect.

The Government will introduce legislation in the forthcoming session of Parliament to amend the Children's Protection Act 1993 to ensure that people wanting to notify the suspected sexual abuse of children are not prevented from doing so because of intimidation and duress (see also recommendation 21).

First Annual Report - Discussion and progress update

Families SA has been chairing the *Child Protection on the APY Lands Working Group* which has responsibility for developing protocols regarding the way in which child protection matters are responded to on the APY Lands. This group includes the Nganampa Health Council, NPY Women's Council, Department of Education and Children's Services, Child and Adolescent Mental Health Services, Children's Youth and Women's Health Service Child Protection Services, Families SA and SAPOL. After extensive consultation and input from all agencies involved, a final draft protocol has been circulated to all agencies for feedback.

A Bill to give effect to the Commission's recommendations, including the recommendation that section 11 of the Children's Protection Act be amended to make it an offence to prevent, obstruct or interfere with a person discharging or attempting to discharge the obligation of mandatory reporting pursuant to section 11(1) of that Act, has been drafted. The Minister for Families and Communities introduced the amendments to Parliament on the 16 July 2009; they were subsequently released for public consultation which closed on 11 September 2009.

Recommendation 7

That CAMHS and Families SA review the protocols that govern their working relationship with a view to providing better assistance to children who have been, or may have been, sexually abused on the Lands.

Government Response - July 2008

The South Australian Government supports this recommendation.

The Government has commenced a review of the existing protocols that govern the relationship between CAMHS and Families SA to ensure the effectiveness and efficiency of the collaborative work between the agencies. Protocols relating to work on the APY Lands will be updated as part of the review process.

Collaboration between the two agencies will also be supported by the establishment of a broader, integrated framework for the protection of children on the APY Lands – work that is currently underway.

The Government is finalising Information Sharing Guidelines in relation to Children at Risk (see also the response to Recommendation 6). These guidelines will assist all agencies and service delivery workers on the Lands to clarify questions about an agency's ability to share information on case management matters and will support more effective multi-agency approaches to child protection.

Implementation Report - October 2008

The South Australian Government is reviewing the existing protocols that govern the relationship between CAMHS and Families SA to ensure the effectiveness and efficiency of the collaborative work between the agencies. Protocols relating to work on the APY Lands are being updated as part of the review process. The review will be completed in early 2009.

Work towards a broader integrated framework for the protection of children on the APY lands is also underway. A significant focus of this work is establishing an appropriate governance and service delivery model for the APY Lands. The Government will shortly release a discussion paper outlining its preferred governance and service delivery model for the APY Lands and will invite comment from stakeholders and interested persons (see recommendation 1).

The South Australian Cabinet approved the newly developed Information Sharing Guidelines (applicable to all State Government agencies and relevant non-government organisations) on 13 October 2008. The appointment of an information-sharing officer to oversee the implementation of the guidelines will be finalised by the end of December 2008 and the guidelines are expected to be operational in all major agencies and organisations by mid 2009.

The South Australian Government will also ensure that the Interagency Code of Practice: Investigation of Suspected Child Abuse and Neglect are amended to document interagency protocols specific to child protection on the APY Lands as these protocols are progressively developed.

The Interagency Code of Practice will provide consistent guidance to agencies operating on the APY Lands (including Nganampa, an APY governed agency) regarding the interagency process for investigating suspected child abuse or neglect.

First annual report – discussion and progress

The Child and Adolescent Mental Health Services (CAMHS) has contributed to the review undertaken by Families SA regarding the working relationships, current policies, protocols and guidelines relating to agency roles and responsibilities with regard to work being undertaken on the APY Lands.

CAMHS participates in the protocol sub-group to develop and review protocols and practices arising from the recommendations of the Commission of Inquiry. Once this work has been completed, relevant interagency processes will be included in the *Interagency Code of Practice: Investigation of Suspected Child Abuse and Neglect*. Strategies to overcome barriers to information sharing identified by the review are under consideration.

On 13 October 2008, Cabinet approved the newly developed Information Sharing Guidelines for promoting the safety and wellbeing of children, young people and their families. An information-sharing officer has been appointed to oversee the state-wide implementation of the guidelines and is based at the office of the Guardian for Children and Young People. It is planned that eventually all government agencies will become involved in information sharing. This will commence in a staged manner starting in 2009. The Department for Families and Communities and SA Health are developing appendices to these guidelines.

Recommendation 8

That the necessary long-term funding be provided to allow Families SA to provide the required therapeutic services to children and young people on the Lands who have been sexually abused.

Government Response - July 2008

The South Australian Government notes this recommendation.

Therapeutic services to children and young people in South Australia who have been sexually abused are provided by SA Health. The Child and Adolescent Mental Health Services (CAMHS) at the Children's, Youth and Women's Health Service (CYWHS) currently provides ongoing therapeutic counselling services through visits by a team of four mental health workers, including psychiatry and Aboriginal consultants, to the APY Lands on a regular basis. Week long visits are undertaken 8-10 times per year.

The CAMHS clinical response on the Lands includes individual referrals from Nganampa Health Council, schools and community. These referrals are for children and young people with a range of mental health and abuse-related issues.

CAMHS has been consulting a number of community members and service providers to assist the communities on the Lands to develop community-based responses to issues of sexual abuse of children and young people, sexualised behaviours in children, and sexual abuse by adolescents. This work is sensitive and complex and requires the permission and support of each community.

In responding to the Inquiry Report, the Government is significantly increasing its intervention in child protection on the Lands. The Government believes that securing the safety of the community and restoring confidence in child protection services is critical to the success of all other measures addressing sexual abuse of children on the Lands, and must be prioritised. It is likely that the Government's priority actions will increase demand for services, including therapeutic services. The Taskforce of State and Commonwealth officers, established to respond to the Inquiry Report, will evaluate the level of need, and the capacity of existing services to meet that need, and will give further consideration to this recommendation.

Implementation Report - October 2008

Therapeutic services to children and young people in South Australia who have been sexually abused are provided by SA Health. Child and Adolescent Mental Health Services (CAMHS) at the Children's, Youth and Women's Health Service (CYWHS) are continuing to provide ongoing therapeutic counselling services to the APY Lands through regular visits by a team of four mental health workers, including psychiatry and Aboriginal consultants.

CAMHS is providing a consultancy to assist the community in Pukatja to develop community-based responses to issues of sexual abuse of children and young people, sexualised behaviours in children, and sexual abuse by adolescents. This is contributing to the development of a short-term response model being delivered by the NPY Women's Council in this community. Subject to the support and permission of each community, CAMHS will continue to provide consultancy to communities and service providers on the APY Lands.

This recommendation will remain under review as services are provided.

First annual report – discussion and progress

The Child Adolescent and Mental Health Services (CAMHS) provides mental health therapeutic services to children and young people on the APY Lands, including to some children who have been sexually abused. Under the present arrangement, CAMHS is providing a visiting service to the APY Lands comprising three staff visiting eight times a year for one week at a time. Four visits are made to western communities and four visits are made to eastern communities each year, but with Pukatja visited each time.

A model has been developed by Health SA to expand the therapeutic services that are provided by CAMHS through the establishment of a permanent team on the APY Lands. Funding has been obtained through the COAG National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes in order to implement this proposed model (see Recommendation 16).

From August 2009, CAMHS is providing a twelve-month supportive response to the Pukatja community in the development and delivery of a short-term intensive response model in conjunction with the NPY Women's Council in relation to disclosures of allegations of sexual abuse.

Recommendation 9

That the staff of the Children's Protection Services at the Women's and Children's Hospital be increased to enable timely and effective investigation of allegations of sexual abuse of young children on the Lands.

That resources be provided to enable the training of sufficient Aboriginal medical practitioners, psychologists and social workers to undertake forensic assessments of Anangu children alleged to have been sexually abused.

Government Response - July 2008

The South Australian Government notes this recommendation.

Child Protection Services of the Children's, Youth and Women's Health Service (CYWHS) is responsible for the provision of forensic psycho-social and forensic medical services to the northern metropolitan and northern country region of South Australia.

Child Protection Services provides an expert forensic medical and psycho-social assessment, forensic interviewing and therapeutic service for children who have been abused. Child Protection Services works closely with Families SA and SA Police and responds to the referral requirements established by Families SA field staff and investigating officers of the South Australia Police.

Service enhancements are currently being developed to facilitate more timely responses in individual situations. A new referral process has been agreed at an initial strategy discussion under a new Interagency Code of Practice (2008). This will involve Families SA field staff, investigating police officers, senior psycho-social and consultant medical staff from Child Protection Services, and APY Lands based professionals (for example, health workers and staff of DECS).

In responding to the Inquiry Report, the Government is significantly increasing its intervention in child protection on the Lands. The Government believes that securing the safety of the community and restoring confidence in child protection services is critical to the success of all other measures addressing sexual abuse of children on the Lands, and must be prioritised. It is likely that the Government's priority actions will increase demand for services, including forensic medical and psycho-social services. The Government will evaluate the level of need, and the capacity of existing services to meet that need, and will give further consideration to this recommendation.

Training in forensic child protection services requires expert and highly specialised skills and knowledge. These services need to be delivered in a closely managed and supervised environment due to the combination of the forensic requirements and cultural issues. The Children's, Youth and Women's Health Service undertakes this training to ensure high quality services within the Child Protection Services setting.

Implementation Report - October 2008

The South Australian Government is finalising the new referral process involving Families SA field staff, investigating police officers, senior psychosocial and consultant medical staff from Child Protection Services, and APY Lands based professionals. Once finalised, the referral process will be included in the Interagency Code of Practice: Investigation of Suspected Child Abuse and Neglect (see also recommendation 7). The new referral process will provide consistent guidance to agencies operating on the APY Lands (including Nganampa)

regarding the interagency process for investigating suspected child abuse or neglect and will assist in achieving a more timely service response.

Senior representatives from government agencies met with key non-government organisations providing services on the APY Lands (including NPY Women's Council and Nganampa) in Alice Springs in September 2008. An outcome of these meetings was that all agencies agreed to work collaboratively to support timely and effective investigation of allegations of sexual abuse of young children on the Lands.

Training, education, consultancy and support is continuing to be provided by Children's, Youth and Women's Health Service to relevant health service providers (including Nganampa) in forensic health services.

First annual report – discussion and progress

A model for the expansion of therapeutic services provided by the Children's, Youth and Women's Health Service (CYWHS) Child Protection Services has been developed by SA Health.

CYWHS Child Protection Services are prioritising resources as required to meet demand. This includes an increase during this financial year of 2.0 FTE staff who contribute to the overall demand of the service and enable timely and effective investigation of allegations of sexual abuse of young children on the Lands.

CYWHS Child Protection Services is working with Country Health SA to provide training for Emergency Department nurses in country hospitals. Yarrow Place provides training for country General Practitioners on responding to adult victims of rape and sexual assault.

CYWHS Child Protection Services are developing a general strategy to increase the Aboriginal workforce.

Recommendation 10

That a review to evaluate the effectiveness of a 'multi-disciplinary' team approach involving Families SA and other service providers on the Lands to disclose and detect child sexual abuse be undertaken by an independent consultant after such teams have been in place for 12 months.

Government Response - July 2008

The South Australian Government supports this recommendation.

The foundations for the development of a multi-disciplinary approach involving Families SA and other service providers on the Lands is occurring through the establishment of regular meetings between the Nganampa Health Council, NPY Women's Council, DPC-AARD, DECS, SA Health, SAPOL and DFC (including Families SA and the Aboriginal Services Unit). The multi-disciplinary approach will occur on three levels – with operational staff on the ground to more effectively develop responses to individual children and families; between operational managers to ensure a coordinated approach; and between senior managers to develop strategic directions and ensure problems are identified and appropriately managed.

Early in 2008, the Minister for Aboriginal Affairs and Reconciliation requested DPC-AARD to convene and chair a multi-agency group of senior officers to oversight and report on child protection on Aboriginal lands. The group is currently working collaboratively to develop an appropriate community education process on child protection for Aboriginal lands.

The Government has commissioned the Australian Centre for Child Protection to develop a framework for reviewing the effectiveness of all child protection initiatives on the APY Lands. The Government will develop appropriate measures of effectiveness following advice from the Centre.

Implementation Report - October 2008

The South Australian Government has established a steering group to provide a comprehensive response to issues raised by the Commission of Inquiry about an effective multi-disciplinary approach and to oversee action towards implementation. The steering group will also oversight work on appropriate community education regarding child protection in Aboriginal communities. Work is underway on a Memorandum of Understanding between government and non-government organisations providing services on the Lands. A sub-group is reviewing and developing service protocols, with a second sub-group developing a whole-of-government community education strategy.

The steering group is also working on a framework for a multi-disciplinary approach to services on the Lands, as recommended by the Commission of Inquiry. As described in the South Australian Government's response of July 2008, the multi-disciplinary approach is occurring on three levels – with operational staff on the ground to more effectively develop responses to individual children and families; between operational managers to ensure a coordinated approach; and between senior managers to develop strategic directions and ensure problems are identified and appropriately managed.

As was also announced in July 2008, the South Australian Government has commissioned the Australian Centre for Child Protection to develop a framework for reviewing the effectiveness of all child protection initiatives on the APY Lands. The Australian Centre for Child Protection will provide its advice to the Government by May 2009. The Government will develop appropriate measures of effectiveness following receipt of this advice.

First Annual Report - Discussion and progress

Government's response to the recommendations of the Commission of Inquiry, and more specifically with regard to enabling the disclosure and detection of child sexual abuse, is being articulated through a range of multi-disciplinary bodies - these include the *Children on the APY Lands Commission of Inquiry Taskforce* which is comprised of senior officers from both State and Commonwealth agencies that provide services on the Lands, as well as representatives from the Nganampa Health Council and the NPY Women's Council. The Taskforce was established as a multi-agency body to co-ordinate Government's response to the Inquiry's recommendations.

The work of the Taskforce is complemented by the multi-disciplinary work being undertaken through the *Inter-Departmental Working Group*, established in April 2009 and comprising senior officers of relevant State agencies responsible for reporting on progress regarding Government's response. In addition, the *Child Protection on the APY Lands Working Group* includes the Nganampa Health Council, NPY Women's Council, Department of Education and Children's Services, Child and Adolescent Mental Health Services, Children's Youth and Women's Health Service Child Protection Services, Families SA and SAPOL, and is responsible for reviewing and developing Child Protection service protocols.

These various bodies co-ordinate inter-agency processes and a multi-disciplinary response to issues raised by the Commission of Inquiry, including those which enable the disclosure and detection of child sexual abuse.

The Australian Centre for Child Protection (ACCP) has been commissioned to develop an evaluation framework for reviewing the effectiveness of child protection initiatives on the APY Lands. A series of consultations involving the ACCP and the multi-agency *Inter-Departmental Working Group*, as well as bi-laterals with individual agencies have been undertaken. A conceptual overview for the development of a framework to be used to conduct evaluations of 'multi-disciplinary' approaches to addressing child protection and the disclosure and detection of child sexual abuse has been developed. A case study approach will be followed and will initially focus on Pukatja and agencies working in that community. A draft Evaluation Framework has been developed and will be circulated for discussion prior to the next Inter-Departmental Working Group and Taskforce meetings in November and December 2009. The Framework will be finalised by 31 December 2009 and the Government will develop appropriate measures of effectiveness in response to the framework

Recommendation 11

That adequate treatment and services, accommodation, supervision, and support for children removed from the Lands to Adelaide for child protection reasons and their parents or carers, be established and provided.

Government Response - July 2008

The South Australian Government notes this recommendation.

The Department for Families and Communities provides accommodation for children (and parents or carers) where there is emergency removal from the Lands for child protection reasons. The department also provides social work and other supports for children and adults in those circumstances.

Subject to the clinical and emotional needs of a child removed from the Lands to Adelaide for child protection reasons, SA Health currently provides medical treatment, therapeutic services and sexual assault services via the Children's, Youth and Women's Health Service and mental health support through Child and Adolescent Mental Health Services.

In responding to the Inquiry Report, the Government is significantly increasing its intervention in child protection on the Lands. The Government believes that securing the safety of the community and restoring confidence in child protection services is critical to the success of all other measures addressing sexual abuse of children on the Lands, and must be prioritised. It is likely that the Government's priority actions will increase demand for services, including services for children removed to Adelaide and their carers. The Government will evaluate the level of need, and the capacity of existing services to meet that need, and will give further consideration to this recommendation.

Implementation Report - October 2008

The Department for Families and Communities and the Department of Health are continuing to provide treatment and services, accommodation, supervision, and support for children removed from the Lands to Adelaide for child protection reasons and to their parents or carers as required. The departments are also exploring opportunities to streamline processes to support the adequate treatment and services, accommodation, supervision, and support for children removed from the Lands to Adelaide for child protection reasons.

First annual report – discussion and progress

Relevant government agencies have been meeting on a regular basis to discuss the provision of treatment and services, accommodation, supervision and support to children who have been removed from the APY Lands to Adelaide for child protection reasons, as well as to their parents or carers as required.

These meetings have led to documented roles and responsibilities that provide further clarification for staff regarding the roles of agencies and staff in responding to situations where a child and their carer has been removed from the APY Lands to Adelaide for child protection reasons.

SA Health is negotiating for an appropriate cultural and clinical response in respect of forensic examinations and the need to maintain the chain of evidence guidelines.

The Children's, Youth and Women's Health Service Child Protection Services responds within current resources by making practitioners available to travel where appropriate and has done this on a small number of occasions this year.

Recommendation 12

That Families SA and NPY Women's Council establish closer co-operation and develop an understanding as to the role which the Council is to play in supporting children who have been sexually abused, or are identified as at risk from sexual abuse.

That DFC develops relationships with elder men in the communities to exercise their cultural authority in condemning the sexual abuse of children on the Lands.

That DFC increases funding to NPY Women's Council to enable increased support and advocacy for children who have been sexually abused.

Government Response - July 2008

The South Australian Government supports this recommendation.

Families SA are meeting with the NPY Women's Council to establish closer cooperation and to develop an understanding of the role that the Council will play in supporting children who have been sexually abused or are identified as at risk from sexual abuse.

DFC will provide funding to the Council to enable it to perform any agreed role in supporting children who have been sexually abused.

Preliminary discussions to establish links with the senior men's Law and Culture Committee for the APY are underway. It is anticipated that out of these discussions, appropriate programs and forums will be developed that will have the cultural authority of the senior men and will help prevent sexual abuse of children on the Lands and promote a culture of child protection.

Implementation Report - October 2008

The NPY Women's Council is represented on the Government's steering group developing the Memorandum of Understanding and the sub-group responsible for reviewing and developing services (see also recommendation 6). This process will help identify the potential role the NPY Women's Council may perform in supporting children who have been sexually abused.

The Government is also meeting with the senior men's Law and Culture Committee to establish a collaborative approach to educating the community on ensuring children's safety and wellbeing. It is anticipated that out of these discussions, a proposal for appropriate programs and forums will be developed that will have the cultural authority of the senior men and will help prevent child abuse and neglect of children on the Lands and promote a culture of child protection.

First Annual Report - Discussion and progress update

Representatives from State Government agencies met with the NPY Women's Council and the Nganampa Health Council in September 2008 regarding the Government's response to the Inquiry's recommendations. The NPY Women's Council and the Nganampa Health Council were subsequently invited to participate on the Taskforce responsible for responding

to the Commission of Inquiry's recommendations and are involved in the sub-committee, chaired by Families SA, which is aimed at improving collaborative protocols and working relationships in the reporting, investigation and management of child protection notifications.

In addition, the NPY Women's Council has been contracted by DPC-AARD to develop and forward options for an APY Safe House service delivery model. This will also provide State and Commonwealth Governments with advice regarding the appropriateness of such a service for the APY Lands. A draft document entitled, *Proposed Preferred Models for Safe Accommodation Services for Women and Children from the APY Lands* was finalised in October 2009 and will be discussed by the Taskforce in December 2009. Planning for the establishment of the safe house will be undertaken in 2010.

Families SA staff has held meetings with the Directors and Service Managers of the NPY Women's Council. Families SA and the NPY Women's Council have an undertaking to meet (or teleconference) on a six-weekly basis in order to improve communication and undertake joint planning around case matters. Families SA will provide Child Safe Environment training to NPY Women's Council staff in November 2009.

The importance of engaging the senior traditional owners and elder men in setting the boundaries for appropriate sexual behaviour from a cultural view point is essential in ensuring that all people and children are treated with respect. Agencies continue to promote the role senior men can play through discussion in appropriate forums.

Recommendation 13

That as a matter of urgency the housing construction program, with the assistance of Commonwealth Government funds, begins as soon as possible to construct houses that are appropriately designed for Anangu families and for houses to be built to be used by appropriate personnel of service providers on the Lands.

Government Response - July 2008

The South Australian Government supports this recommendation, and the Commonwealth Government has provided \$25 million for housing.

The State and Commonwealth Governments have been consulting with communities regarding the housing offer.

The offer is conditional upon leases being granted over the land on which the houses will be built. Secure long-term tenure over the housing is essential to the Governments' capacity to provide long-term tenure to Anangu, and to properly manage and maintain the housing.

The State Government has applied to the APY Executive for 50-year leases for the first tranche of houses, and understands that the APY Executive will make a decision on this application in late August. Following the granting of leases by APY Executive, a comprehensive program of construction and associated training and employment will be progressed. In principle agreement has been reached in respect of the second tranche of houses.

A Memorandum of Understanding is currently being drafted for negotiation, regarding the leases, the public housing model which is to apply in respect of the houses, and cyclical maintenance.

Implementation Report - October 2008

As previously noted, the Commonwealth Government has committed \$25 million for the construction of housing on the APY Lands. This is a one-off payment to South Australia to fund new housing, repairs to and replacement of existing sub-standard housing and associated infrastructure works on the APY Lands.

The Minister for Aboriginal Affairs and Reconciliation attended a special general meeting with the APY Executive on 20 August 2008 to discuss the lease agreement for the Commonwealth's \$25 million housing package on the Lands. The lease agreement was approved at a subsequent meeting on 3 October 2008.

A Memorandum of Understanding is currently being drafted for negotiation, regarding the leases, the public housing model which is to apply in respect of the houses, and cyclical maintenance.

The Government has commenced audits of assets, asset condition and tenancies to inform investment of the \$25m one-off payment. The Audit will be completed by December 2008.

It is anticipated that building works will be contracted for commencement from mid 2009.

First Annual Report - Discussion and progress update

The funding allocations and associated undertakings regarding community housing as set out above have changed as a result of the Council of Australian Governments (COAG) process. COAG agreed to a new National Partnership Agreement on Remote Indigenous Housing on 29 November 2008 (the Agreement). Supporting the Agreement is an Implementation Plan, which details the funding and commitments in South Australia for housing in remote communities. The Implementation Plan was agreed between the Commonwealth and the State in May 2009.

The National Partnership Agreement on Remote Indigenous Housing is a ten year agreement which will provide South Australia with \$291.494m to fund the construction of new properties in remote communities, the capital upgrade of existing dwellings in remote and non-remote communities, and the implementation of public housing-like property and tenancy management across Aboriginal communities in South Australia. The \$291.494m funding includes the \$25m previously committed for APY Lands. This includes the APY Lands communities, along with other remote and regional communities in South Australia. A Capital and Upgrade Plan is currently under development which will confirm the planned capital activity on the APY Lands over the life of the agreement and how the funding will be apportioned to deliver the programmed activity.

To confirm South Australia's commitments to housing on the APY Lands, a Memorandum of Understanding (MOU) between the Minister for Housing and the APY Council was signed on 31 August 2009. The MOU details Housing SA's commitment to a service delivery presence on the APY Lands, the implementation of property and tenancy management and the asset strategy. Housing SA already operates a programmed repairs and maintenance service for properties located on the APY Lands, and this will be integrated into the property and tenancy management model.

A Regional Manager for APY housing, Mr Gary Oxford, has been appointed, will be located in Umuwa, and will coordinate the delivery of housing across the APY Lands.

Asset and Tenancy Audits have been conducted in all APY Lands communities. The audits provide valuable snapshot data about property condition and household details, including where dwellings are overcrowded. This data will inform the allocation of new properties to those in greatest need.

Recommendation 14

That sufficient funds are provided to DFC to ensure that adequate temporary or permanent accommodation can be provided to Aboriginal people seeking medical, therapeutic and respite care who have left the Lands on account of child sexual abuse.

Government Response - July 2008

The South Australian Government notes this recommendation.

The Government has in place mechanisms for the allocation of permanent accommodation for high priority groups through its usual Housing SA processes.

As set out in Recommendation 33, the Government will build and operate a safe house at Umuwa, to provide safe temporary accommodation to children at risk of abuse and their carers, who need to be removed from their communities.

The Government also provides temporary accommodation for Aboriginal people seeking assistance, who have left the Lands on account of child sexual abuse. These persons may be accompanied by other family members (children and adults) who are unable to remain on the Lands. At present, the Department for Families and Communities through Families SA finds appropriate temporary accommodation on a case by case basis.

Until now, the need for accommodation in these circumstances has been infrequent. However, it is likely that the need for accommodation will increase as a result of the Government's increased intervention in child protection matters on the Lands. DFC will evaluate the level of need, and the capacity of existing services to meet that need, and will give further consideration to this recommendation.

Implementation Report - October 2008

The South Australian Government is continuing to ensure that high priority groups (such as children specifically at risk of sexual abuse and their carers) are allocated accommodation through usual Housing SA processes.

As announced in July 2008, the South Australian Government is establishing a Safe House at Umuwa to provide protection to children at risk of abuse and neglect and their carers. The Safe House will provide protective services and support a safe return to the community for children and their carers following child protection assessments and medical assistance (where necessary). It is anticipated that the Safe House will be operational by the end of 2010.

This Safe House is in addition to the Safe House already operating in Coober Pedy to help protect Aboriginal women and children who are at risk of family violence.

The Department for Families and Communities will continue to monitor the need for accommodation in these circumstances and will review its capacity to meet that need as required.

First Annual Report - Discussion and progress update

The Government will build and fund the operation of a safe house specifically for children at risk of abuse. The safe house will provide children and their family members (where available) who need to be removed from the community with safe accommodation and support while other protective action is taken. This facility will also have the capacity to provide transitional

accommodation, support and a safe return to community for children following child protection assessments and medical intervention.

The NPY Women's Council has been provided with funds to research and consider possible models and recommend a preferred model and location for safe accommodation for women and children in their care from the APY Lands who are escaping violence or the threat of violence, and safe accommodation for children and their carers from the APY Lands in instances of suspected child abuse. The NPY Women's Council provided a draft discussion document in October 2009 entitled, *Proposed Preferred Models for Safe Accommodation Services for Women and Children from the APY Lands*. The Department for Premier and Cabinet will facilitate discussion on the options presented by the NPY Women's Council and recommend an appropriate service model and location. The draft document will be discussed at the forthcoming Inter-Departmental Working Group and Taskforce meetings in November and December.

Housing SA will manage the tender process for the service operation of the safe house. It is anticipated that a non-government agency will be contracted to manage the operation of the safe house, once established.

The APY Lands safe house is in addition to the safe house services at Coober Pedy and Ceduna, joint Commonwealth and State Government initiatives to help protect Aboriginal women and children who are at risk of domestic and family violence. The Coober Pedy safe house commenced operating in a temporary building on 1 July 2008, pending construction of two purpose-built safe houses. The Ceduna safe house has been operational since September 2007. A new service model and built form is currently being developed in consultation with Ceduna service providers and community.

Children and families required to attend Adelaide for emergency child protection assessments are supported to do so by either SAPOL and/or Families SA. In these cases, short-term emergency accommodation is provided.

Recommendation 15

That Nganampa Health Council receive increased funding so that the number of general medical practitioners based on the Lands can meet the professionally accepted ratio of doctors to patients.

That the increased funding to Nganampa Health Council enables medical practitioners and nurses to receive salary and financial incentives sufficient to recruit such staff and retain them in service on the Lands.

Government Response - July 2008

The South Australian Government notes this recommendation.

The Nganampa Health Council is a health agency primarily funded by the Commonwealth Government (with the South Australian Government providing some funds for particular projects). Nganampa Health Council provides primary health care services to all people living on the APY Lands. Its operations are controlled by the Anangu community.

Issues of funding and staffing of Nganampa Health Council will be considered by the Taskforce of State and Commonwealth officers, established to respond to the Inquiry Report, in consultation with Nganampa Health Council.

Implementation Report - October 2008

Preliminary meetings have been held between Nganampa Health Council, NPY Women's Council and government agencies providing services on the APY Lands to discuss the South Australian Government's response to the Commission of Inquiry's Report. An outcome of these meetings is that Nganampa Health Council and the NPY Women's Council have been invited to join the task force responsible for implementing the Government's response to the Commission of Inquiry's recommendations.

The South Australian Government is also in close communication with the Commonwealth Government with the objective of responding to this recommendation of the Commission of Inquiry.

First Annual Report - Discussion and progress

The South Australian Government had noted this recommendation.

Preliminary meetings were held in late September 2008 with the Nganampa Health Council to discuss the Government's response to the Commission of Inquiry's report. An outcome of these meetings was that the Nganampa Health Council was invited to join the Taskforce responsible for responding to the Commission of Inquiry's recommendations.

The Nganampa Health Council is a health agency primarily funded by the Commonwealth Government (with the South Australian Government providing some funds for particular projects). Nganampa Health Council provides primary health care services to all people living on the APY Lands. Its operations are controlled by the Anangu community.

The Health Council has indicated that there is no benchmark for contexts such as the APY Lands regarding the ratio of professional medical practitioners to patients. The Council currently has 2.25 clinical doctors and requires an additional full-time practitioner. The Council has recently advertised and is attempting to recruit for such a position. In general, the clinics on the APY Lands are staffed by registered nurses, with the support of medical officers as required.

While it is recognised that the Nganampa Health Council, in conjunction with its funders and other relevant professional associations, is responsible for negotiating and structuring its salary and benefits arrangements, the South Australian Government also communicates with the Commonwealth Government with the objective of responding to this recommendation of the Commission of Inquiry. The South Australian and Commonwealth Governments will continue to examine the issue of the funding and staffing of the Nganampa Health Council.

Recommendation 16

That there be a substantial increase in services on the lands for persons with mental health issues and for persons who have been sexually abused as children who require therapeutic services.

Government Response - July 2008

The South Australian Government notes this recommendation.

In its immediate response to the inquiry Report, the Commonwealth Government committed \$1.3 million over three years under the Personal Helpers and Mentors Program which will aid the recovery of people on the APY Lands severely affected by mental illness, and help connect them to essential services.

In addition, Country Health SA Hospital Inc currently provides a range of Aboriginal mental health services to the APY Lands in collaboration with Nganampa which is funded to provide primary health care services, including mental health services, by the South Australian and the Australian Governments. These services include:

- The provision of funding for the Northern and Far Western Aboriginal Social and Emotional Wellbeing Coordinator position of the Regional Aboriginal Integrated Social and Emotional Wellbeing Program (RAISE) to promote the mental health and wellbeing of the community.*
- The Rural and Remote Aboriginal Mental Health Liaison position at Glenside Hospital which aims to improve the treatment and management of Aboriginal people needing to be transferred from Country regions to Adelaide for care, including from the APY Lands.*

The Government has also funded specific initiatives on the APY Lands. These include direct funding of \$270,000 to Nganampa to employ two mental health practitioners, with one based on the Lands full-time and the other based in Alice Springs fifty per cent of time.

It is likely that the Government's increased intervention in child protection matters on the Lands will change the nature of, and demand for, therapeutic services for people sexually abused as children. The Taskforce of State and Commonwealth officers, established to respond to the Inquiry Report, will evaluate the level of need, and the capacity of existing services to meet that need, and will give further consideration to this recommendation.

Implementation Report - October 2008

The South Australian Government, in collaboration with Nganampa Health Council, is continuing to maintain current service and funding levels for Aboriginal mental health services to the APY Lands.

As announced the July 2008 response to the Commission of Inquiry Report, the Commonwealth Government has committed \$1.3M over three years under the Personal Helpers and Mentors Program to aid the recovery of people on the APY Lands severely affected by mental illness, and to help connect them to essential services. Discussions are underway between the Commonwealth and the South Australian Government regarding the planning and implementation of this initiative.

The response of July 2008 also advised of direct funding of \$270,000 to Nganampa Health Council to employ two mental health practitioners. This funding has been provided to Nganampa Health Council to expand their mental health service. The funding has been

directed to employ an additional mental health nurse and an Aboriginal health worker to support mental health services on the APY Lands.

This recommendation will remain under review as services are provided.

First annual report – discussion and progress

After further assessment, it is understood that the allocation of funding was provided to NT Health to employ two mental health practitioners. A mental health nurse and an Aboriginal health worker have been employed, based in the Northern Territory (Alice Springs Mental Health Team) at this time. These workers conduct regular trips around the APY Lands under the existing joint state/territory agreement with visiting consultant psychiatrists. Currently mental health services on the APY Lands are being reviewed by Country Health SA to consider the most appropriate services into the future.

Discussions have occurred between the Commonwealth and State Governments regarding implementation of the additional funding for the Personal Helpers and Mentors Program. Centacare NT has successfully tendered to deliver the program to communities across the APY Lands over the next three years.

Funding has been obtained through the COAG Indigenous National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes to expand the mental health service provision to children and young people provided by Child and Adolescent Mental Health Services on the APY Lands (see Recommendation 8).

Recommendation 17

That the protocols of the Drug Rehabilitation Centre at Amata be altered to allow children access to the drug and rehabilitation program.

That the Drug Rehabilitation Centre at Amata be adequately funded in the long-term so as to allow appropriate services for children who require rehabilitation.

Government Response - July 2008

The South Australian Government supports this recommendation.

The South Australian Government and the Commonwealth Government have established the Amata Drug Rehabilitation Centre to provide a range of support services, including assessment, referral to hospital, in-patient and outreach services.

Children and young people are able to access these programs. The protocols of the centre will be reviewed to make sure there are no practical barriers to children and young people's access to the Centre.

The Centre receives \$1.4M recurrent funding from the State Government.

Implementation Report - October 2008

The South Australian Government has undertaken a review of the protocols of the Amata Drug Rehabilitation Centre and amended the centre's protocols to ensure that there are no practical barriers to children and young people accessing the centre or its services. The review was completed in late September 2008.

Children and young people are able to access the centre's services. The centre receives \$1.4 million recurrent funding from the South Australian Government.

First annual report – discussion and progress

The Drug and Alcohol Service of South Australia's (DASSA) APY Lands Substance Misuse Facility has been operational for inpatient referrals since June 2008.

DASSA has undertaken a review process and, where appropriate, the development of the Amata Drug Rehabilitation Centre protocols to ensure there are no practical barriers to children and young people attending the centre should they need drug rehabilitation.

The importance of family support is recognised and the facility is family friendly. Camping facilities on site are available for family members to stay and support those in residential stay. There is no age limit to access the facility; however a responsible adult family member or carer is required for the duration of a stay for any clients under the age of 16 years.

Currently the team on the APY Lands are engaging regularly with children through school drug and alcohol education programs.

It is recognised that every intake into the residential facility requires a 'lead in' period to identify the relevant clients, liaise with their family/community elders and ensure that the clients and the program are compatible. During this preparation time, any specific requirements or services identified as being required for the client will be addressed. For example, this could be access to a child/adolescent psychologist for children and young people.

While occupation of the facility by clients has been low to date, the facility's mobile outreach program continues to respond to significant demand through referrals from a variety of sources including SAPOL, Nganampa Health Council and Community Corrections. This outreach service interacts with individuals and families within the different communities by providing assessment, advice, counselling, education, advocacy and referral. As at 4 September 2009, the service had 145 people referred to the APY Lands Mobile Outreach and Treatment Facility Programs (comprising of 107 males and 38 females). Of these, the Mobile Outreach Program has made contact with 97 persons and is making considerable efforts to locate and engage the remaining 48 persons. Of the 97 outreach contacts, 21 have sought treatment and been registered as DASSA clients. In addition, DASSA continues to work in collaboration with the Department of Education and Children's Services Anangu schools in providing alcohol, tobacco and other drugs education to students. Since March 2009, 125 students have participated in these education sessions.

The mobile outreach program is also making important contacts and building trust within the Aboriginal communities on the APY Lands. The development of these relationships is critical for the long-term success of this service.

Recommendation 18

That in the case of babies born to children resident on the Lands, the payment of the Baby Bonus be given in instalments.

That in the case of a baby being removed from the mother, who is a child resident on the Lands, the balance of the Baby Bonus payment unpaid at the time of removal follow the baby and be paid to the person or persons who provide the care for the baby.

That the State and Commonwealth Governments consider whether these arrangements can be implemented.

Government Response - July 2008

The South Australian Government supports this recommendation.

The Commonwealth Government has announced that from 1 January 2009, there will be a number of improvements to the way Baby Bonus is paid. The Baby Bonus will be paid in 13 fortnightly instalments to eligible claimants for births or adoptions after that date.

In addition, the legislation will be changed so that a person may receive part of the Baby Bonus if:

- *the child is entrusted to the care of the individual or the individual's partner within the period of 26 weeks starting on the day of the child's birth; and*
- *the child continues, or is likely to continue, in that care for not less than 26 weeks.*

The claim period will also be extended from 26 to 52 weeks.

The State Government is also working with the Commonwealth Government on the most effective approach for ensuring that the financial assistance provided by the Baby Bonus and other Centrelink payments supports families and children on the Lands.

The State Government has established a Financial Literacy and Consumer Awareness project for a 12 month period. This initiative will encourage budget planning by parents and reduce food insecurity among children. It will involve small groups, including young mothers, young men, and high school students, using experiential, problem-solving approaches.

The project will be hosted by Aboriginal Legal Rights Movement and will be initially trialled in Pipalyatjara, Pukatja and Amata communities. The program will be evaluated at the end of the 12 month period, with a view to extending the program if it is assessed as successful.

This initiative supports the work already undertaken by the Financial Counsellor based at Aboriginal Legal Rights Movement and the Anti Poverty Outreach Service from the Families SA Coober Pedy office.

Implementation Report - October 2008

As described in the South Australian Government's response of July 2008 to the Commission of Inquiry Report, the Commonwealth Government has announced that from 1 January 2009, there will be a number of improvements to the way the Baby Bonus is paid.

The South Australian Government is continuing to work with the Commonwealth Government on the most effective approach for ensuring that the financial assistance provided by the Baby Bonus and other Centrelink payments supports families and children on the Lands.

Work has commenced on the first stage of the Financial Literacy and Consumer Awareness project. Materials for the implementation of this project are currently being developed.

Once the development of training materials is completed, the project will be trialled in Pipalyatjara, Pukatja and Amata communities over a 12-month period. The program will be evaluated at the end of the 12-month period, with a view to extending the program if it is assessed to be successful.

First Annual Report - Discussion and progress

As of 1 January 2009, the Commonwealth Government implemented improvements to the way the Baby Bonus is paid, with thirteen fortnightly instalments being paid to eligible claimants.

Work has commenced on a financial literacy and consumer awareness project. The DFC has undertaken to enter into an agreement with the ANZ Bank in order to deliver a financial literacy program tailored to the needs of Anangu participants. The program, entitled *MoneyBusiness*, has been co-ordinated by the Department for Families and Communities' Coober Pedy Anti-Poverty Team and is sponsored by the Department of Families and Housing, Community Services and Indigenous Affairs. The program will be trialled in three communities on the APY Lands over twelve months.

This program has been complemented by the production of a booklet and CD by the Office of Consumer and Business Affairs entitled, "Talk about Shopping" which provides information on consumer awareness and managing money. This CD has been translated into Pitjantjatjara and is available through a number of service agencies on the APY Lands.

Recommendation 19

That every positive result of a screening test for a sexually transmitted infection of a child on the Lands should be immediately notified to Families SA even if the person reviewing the result has not formed the relevant suspicion under section 11 of the *Children's Protection Act*.

That every such result also be immediately notified to the Department of Health.

That upon receipt of such a notification Families SA assess whether there is evidence that the child may have been sexually abused and refer the matter to the Child Protection Services of the Women's and Children's Hospital for assessment, investigation and if required, appropriate therapy.

If there is evidence that the child has been sexually abused Families SA must take whatever action is in the best interests of the child which may include referring the matter to SCIB of SA Police and informing Nganampa of what decisions have been made.

Government Response - July 2008

The South Australian Government supports this recommendation.

South Australian Government agencies are working to ensure that agency roles and responsibilities with respect to child protection matters are clarified and effective in their operation.

As set out in the response to Recommendation 6, the Government has initiated discussions with Nganampa, and intends to negotiate a Memorandum of Understanding to better ensure that all information required under the Children's Protection Act 1993 is provided to enable Families SA to discharge its obligations under the Act, including the appropriate reporting of sexually transmitted infections, and the appropriate response to any such reports.

As outlined in the Government's response to Recommendation 28, multi-agency meetings are being established which will also help to clarify information sharing in respect of child protection and children at risk. Protocols between Families SA, the Child Protection Services of the Women's and Children's Hospital and SAPOL will be reviewed and strengthened.

Implementation Report - October 2008

The South Australian Government has established a steering group of senior officers from the Commonwealth and South Australian Governments and from relevant non-government organisations (including Nganampa Health Council and NPY Women's Council) to develop a Memorandum of Understanding (MOU). The Memorandum of Understanding will clarify respective roles, responsibilities and information flows. Two sub-groups have the tasks of developing protocols between agencies and developing a whole-of-government community education strategy on child protection in Aboriginal communities.

The protocol sub-group will review and develop protocols to support consistency of approach for the investigation and dissemination of information regarding STD notifications where there are child protection concerns. Protocols between Families SA, the Child Protection Services of the Women's and Children's Hospital, SAPOL, Nganampa and NPY Women's Council relating to STD notifications will be reviewed and clarified as part of this process.

Given the respective responsibilities of the West Australian Government, the Northern Territory Government and the South Australian Government towards APY communities, the

South Australian Government will work to ensure that, wherever possible, processes for reporting positive results are consistent across the jurisdictions. There were a range of stakeholder meetings last year but the issue is still being resolved. The next step will be discussions between key staff in SA Health and Department for Families and Communities engagement with Nganampa Health Council. Part of the consideration will include the NT Government's decision in August this year to modify the mandatory reporting requirements regarding children and identified sexual activity.

The South Australian Government will also introduce legislation in the forthcoming session of Parliament to amend the Children's Protection Act 1993 to ensure that people wanting to notify the suspected sexual abuse of children are not prevented from doing so because of intimidation and duress (see also Recommendation 21).

First annual report – discussion and progress

Current Department of Health (SA Health) and Families SA policy and procedures regarding STD notification do not specifically address child protection investigation requirements. Investigation and information sharing policies and procedures regarding STD notification are contentious and require sensitive handling.

These issues have been discussed in a number of Taskforce and stakeholder meetings and are currently still being resolved. Detailed discussions involving key staff in Health SA and the Department for Families and Communities were held in October 2009. Further discussions are planned and will be followed by an engagement with the Nganampa Health Council. Due consideration will be given to the Northern Territory Government's decision in August this year to modify the mandatory reporting requirements regarding children and identified sexual activity.

Recommendation 20

That Nganampa Health Council develop its own guidelines and procedures to ensure that all indicators of child sexual abuse are reported to Families SA.

That all Nganampa Health Council health workers receive regular training regarding their South Australian Mandatory reporting obligations.

Government Response - July 2008

The South Australian Government notes this recommendation.

Under its governance arrangements, Nganampa Health Council Incorporated is accountable to its Anangu-controlled governing body. It is accountable to the Commonwealth Government through its funding agreement.

As set out in the response to recommendation 6, the Government intends to negotiate a Memorandum of Understanding with Nganampa Health Council that addresses the issues raised in the report of the Commission of Inquiry.

The Government also believes that improved collaboration and multi-disciplinary approaches on the ground (see also responses to recommendations 10 and 28) will assist agencies to work more effectively together and provide opportunities for staff development.

Implementation Report - October 2008

The Nganampa Health Council and the NPY Women's Council are represented on the steering group responsible for developing the Memorandum of Understanding and the sub group reviewing and developing service protocols (see also recommendation 6).

It is expected that this work will address issues raised by the Commission of Inquiry and contribute to improved interagency responses and collaboration on the ground. In particular, this work will support consistency of guidelines and procedures for reporting indicators of child sexual abuse.

The Government will also introduce legislation in the forthcoming session of Parliament to amend the Children's Protection Act 1993 to ensure that people wanting to notify the suspected sexual abuse of children are not prevented from doing so because of intimidation and duress (see also recommendation 21).

First Annual Report - Discussion and progress update

Under its governance arrangements, the Nganampa Health Council is accountable to its Anangu-controlled governing body and is accountable to the Commonwealth Government through its funding agreement.

The Nganampa Health Council and the NPY Women's Council are represented on a number of bodies responsible for addressing the recommendations of the *Children on the APY Lands Commission of Inquiry*; these bodies include the Taskforce established in response to the Children on the APY Lands Commission of Inquiry, and the sub group for reviewing and developing Child Protection service protocols known as the *Child Protection on the APY Lands Working Group* (see also recommendation 6).

Since September 2008, Families SA has been chairing the *Child Protection on the APY Lands Working Group*, which has responsibility to develop protocols for the way in which child

protection matters are responded to on the APY Lands. This Group includes the Nganampa Health Council, NPY Women's Council, Department of Education and Children's Services (DECS), Child and Adolescent Mental Health Services, Children's, Youth and Women's Health Service Child Protection Services, Families SA and SAPOL. After extensive consultation and input from all agencies involved, a final draft protocol has been circulated to all agencies for feedback, prior to its release in October 2009. It is anticipated the protocol will be launched in November 2009 and an implementation plan will be developed for the document's release across the sector.

The Inter-agency Code of Practice provides consistent guidance to agencies operating on the APY Lands regarding the inter-agency process for investigating suspected child abuse or neglect. Families SA provides regular *Child Safe Environment Training* on the APY Lands. This includes an initiative in partnership with Relationships Australia, NPY Women's Council and DECS to deliver *Child Safe Environment Training* on the APY Lands, and includes the Nganampa Health Council workers regarding their South Australian mandatory reporting obligations.

Recommendation 21

That section 11 of the Children's Protection Act be amended to provide that it is an offence to prevent, obstruct or interfere with a person discharging or attempting to discharge the obligation of mandatory reporting pursuant to section 11(1) of that Act.

Government Response - July 2008

The South Australian Government supports this recommendation.

The Government will introduce legislation to amend the Children's Protection Act 1993 to ensure that people wanting to notify the suspected sexual abuse of children are not prevented from doing so because of intimidation or duress. The recommendation will be implemented as part of the package of legislation to be introduced to give effect to the legislative reforms proposed by the Commission of Inquiry (Children in State Care and Children on APY Lands).

In addition, the importance of promoting a positive and safe environment for the reporting of suspected abuse or neglect will be promoted within relevant Government agencies and services funded by Government, supported by service agreements and protocols where appropriate.

Implementation Report - October 2008

The South Australian Government will introduce legislation to give effect to the reforms proposed by the Commission of Inquiry (Children in State Care and Children on APY Lands) and agreed to by the Government in its responses of June 2008 (children in state care) and July 2008 (children on APY Lands).

As part of this response, the Government will amend the Children's Protection Act 1993 to ensure that people wanting to notify the suspected sexual abuse of children are not prevented from doing so because of intimidation or duress.

The promotion of a positive and safe environment for reporting neglect and abuse is also being assisted by deployment of professional staff (including police and child protection workers), better levels of community safety, enhanced staff training, the development of clearer working protocols between agencies, and the development of community education strategies regarding child protection in Aboriginal communities (see recommendation 6).

First Annual Report - Discussion and progress update

The Minister for Families and Communities introduced the *Children's Protection (Implementation of Report Recommendations) Amendment Bill 2009* into Parliament on 16 July 2009. The Bill was then released for a period of public consultation.

The Bill creates a new offence of preventing a person from discharging the obligation of mandatory reporting through threat or intimidation, or by causing damage, loss or disadvantage to a person.

This clause will provide additional protection to people subject to mandatory notification requirements under the Act and ensure that they are confident to provide Families SA with the necessary information to make an appropriate response in cases of suspected abuse or neglect without fear of threat, intimidation or unfavourable treatment.

In addition, the importance of promoting a positive and safe environment for the reporting of suspected abuse or neglect is being advocated within relevant Government agencies and services funded by Government.

Recommendation 22

That Families SA be adequately resourced to respond effectively and in a timely manner to all mandatory reports from the Lands.

Government Response - July 2008

The South Australian Government supports this recommendation.

The Government has committed to placing two child protection workers on the Lands to specifically respond to allegations of suspected child sexual abuse (see also recommendation 34).

The work of the two specialist child protection officers will be supplemented by the Families SA child protection's outreach service from Coober Pedy, which currently responds to mandatory reports from the Lands. Pending the appointment of officers to the new positions, child protection workers from the Families SA Coober Pedy office are continuing to respond to reports of suspected child abuse or neglect from APY Lands.

It is likely that the Government's increased intervention in child protection matters on the Lands will increase mandatory notifications on the Lands. Families SA will regularly review the capacity of its child protection services to respond effectively and in a timely manner to all mandatory reports from the Lands.

Implementation Report - October 2008

As announced in July 2008, the South Australian Government will place two specialist child protection workers on the Lands to help ensure that Families SA are adequately resourced to respond effectively and in a timely manner to mandatory reports. The role of the specialist child protection workers will be specifically to respond to allegations of suspected child sexual abuse.

DFC is also recruiting three additional school-based social workers to be placed in Anangu schools. The prevention of child abuse and neglect of children will be a priority for the social workers. The workers will work with families and children at risk to prevent their entry into the child protection system.

The child protection workers and social workers will receive specialised orientation and induction training prior to their placement on the lands, including training about recognising child sexual abuse. It is anticipated that the new positions will commence in December 2008.

DFC will also continue to provide child protection services to communities on the APY Lands through the outreach service that operates from the Families SA Coober Pedy District Centre. This service has recently been restructured to provide a more effective response to communities on the APY Lands.

DFC (Families SA) is monitoring the capacity of its child protection services to respond effectively and in a timely manner to all mandatory reports from the Lands.

First Annual Report - Discussion and progress update

In 2007/08, Families SA appointed three school-based senior social workers to be located in the Amata, Iwantja and Kaltjiti Department of Education and Children's Services (DECS) Anangu schools.

In response to the recommendations of the *Children on APY Lands Commission of Inquiry*, the State Government committed funding for an additional three school-based senior social workers to be located at the DECS schools in Mimili, Pukatja and Pipalyatjara to work with families and children at risk as well as two child protection officers in Umuwa in order to respond to child protection notifications. An additional school-based social worker has recently been appointed in Pukatja, with recruitment for Mimili and Pipalyatjara continuing. The two child protection officers have been appointed.

In addition to this, Coober Pedy Families SA has restructured its outreach service from one trip every three weeks to two trips every three weeks. These outreach trips are utilised to undertake core child protection services across the APY Lands.

Families SA regularly reviews the capacity of its child protection services to respond effectively and in a timely manner to all mandatory reports from the APY Lands.

Recommendation 23

That the Nganampa Health Council, DECS, Families SA and SA Police establish appropriate protocols, policies and guidelines for the management of disclosure, or detection of child sexual abuse, including what information is to be provided to the family and carers of the child and by whom.

Government Response - July 2008

The South Australian Government supports this recommendation.

The Government and South Australian Government agencies are working to ensure that agency roles and responsibilities with respect to child protection matters are clarified and effective in their operation.

As set out in the response to recommendation 6, the Government intends to negotiate a Memorandum of Understanding with Nganampa Health Council that addresses the issues raised in the report of the Commission of Inquiry.

Protocols will be developed or strengthened between DECS, Families SA, SA Police and the Child Protection Services of the Women's and Children's Hospital to ensure streamlined and effective responses on child protection matters. The Government is finalising new Information Sharing Guidelines, which will guide the development of those protocols.

The Government also believes that improved collaboration and multi-disciplinary approaches on the ground (see also responses to recommendations 10 and 28) will assist agencies to work more effectively together.

As advised in the Government's response to recommendation 34, Families SA will also review its policy about the provision of information to mandated notifiers.

Implementation Report - October 2008

As described at Recommendation 6, the South Australian Government has established a steering group to develop the Memorandum of Understanding. A sub-group is reviewing and developing service protocols, with a second sub-group developing a whole-of-government community education strategy.

An outcome of this work will be to strengthen the existing protocols between DECS, Families SA, SA Police and the Child Protection Services of the Women's and Children's Hospital and to support streamlined and effective responses to child protection matters. Where appropriate, the protocols and procedures of Nganampa Health Council and NPY Women's Council will also be reviewed.

A key reference source for the Memorandum of Understanding will be the newly developed Information Sharing Guidelines (applicable to all State Government agencies and relevant non government organisations). The Guidelines were approved by Cabinet on 13 October 2008. The appointment of an information sharing officer to oversee the implementation of the guidelines will be finalised by the end of December 2008 and the guidelines are expected to be operational in all major agencies and organisations by mid 2009.

The South Australian Government will also ensure that the Interagency Code of Practice: Investigation of Suspected Child Abuse and Neglect is amended to set out interagency processes specific to child protection on the APY Lands, as work in this area continues to progress.

APY Lands Child Protection Protocol, to be released developed as an addendum to The Interagency Code of Practice provide consistent guidance to agencies operating on the APY Lands (including Nganampa Health Council) regarding the interagency process for investigating suspected child abuse or neglect.

First Annual Report - Discussion and progress update

A steering group (now referred to as the Taskforce), chaired by DPC-AARD, was established and comprises senior officers from the Australian and State Governments and relevant non-government organisations (including the Nganampa Health Council and the NPY Women's Council). It was established to address key issues raised in the report of the Commission of Inquiry.

The Child Protection on APY Lands Working Group has been operational since September 2008 and is chaired by Families SA and has responsibility for developing protocols for the way in which child protection matters are responded to on the APY Lands. The group includes the Nganampa Health Council, NPY Women's Council, Department of Education and Children's Services, Child and Adolescent Mental Health Services, Children's, Youth and Women's Health Service Child Protection Services (CPS), Families SA and SAPOL. This Working Group has considered the existing protocols between DECS, Families SA, SAPOL and the CPS to ensure that they facilitate streamlined and effective responses on child protection matters, including the nature of the information to be provided to the family and carers of the child and by whom.

The Protocols are governed by the Code of Fair Information Practice which sets out the Privacy Principles governing the collection, use, disclosure and handling of personal information for all Department for Families and Communities staff and agencies. Staff of funded service providers, contractors and volunteers are also bound by this code.

The APY Lands Child Protection Protocol document is to be read in conjunction with the *Inter-agency Code of Practice* and these provide consistent guidance to agencies operating on the APY Lands (including Nganampa Health Council) regarding the inter-agency process for investigating suspected child abuse or neglect. After extensive consultation and input from all agencies involved, a final draft protocol has been circulated to all agencies for feedback.

Recommendation 24

That the Nganampa Health Council develop policies and guidelines that address mandatory reporting of any activity that may indicate sexual activity of children, including STIs, requests for contraception, injuries, as well as underage pregnancy.

Government Response - July 2008

The South Australian Government notes this recommendation.

Under its governance arrangements, the Nganampa Health Council Incorporated is accountable to its Anangu-controlled governing body. It is accountable to the Commonwealth Government through its funding agreement.

As set out in the response to recommendation 6, the Government intends to negotiate a Memorandum of Understanding with the Nganampa Health Council that addresses the issues raised in the report of the Commission of Inquiry.

Implementation Report - October 2008

The South Australian Government has established a steering group to develop a Memorandum of Understanding to address issues raised by the report of the Commission of Inquiry. A sub-group has been established to review and develop supporting service protocols. The Nganampa Health Council (a non-government organisation) is now represented on this steering group.

The policies and guidelines of Nganampa Health Council regarding the mandatory reporting of any activity that may indicate sexual activity of children will be reviewed and strengthened as part of this process.

First Annual Report - Discussion and progress update

As noted in the Government's first response, Nganampa Health Council is accountable to its Anangu controlled governing body and is accountable to the Commonwealth Government through its funding agreement. As such, the South Australian Government is not in a position to require that Nganampa develop policies and guidelines regarding the mandatory notification of any activity that may indicate sexual activity of children.

The Nganampa Health Council participates in the Children on the APY Lands Commission of Inquiry Taskforce (responsible for responding to the Commission of Inquiry's recommendations) as well as in the *Child Protection on APY Lands Working Group* which has been operational since September 2008 and is chaired by Families SA and has responsibility for developing protocols for the way in which child protection matters are responded to on the APY Lands. After extensive consultation and input from all agencies involved a final draft protocol has been circulated to all agencies for feedback.

Current Department of Health (SA Health) and Families SA policy and procedures regarding STI notification do not specifically address child protection investigation requirements. Investigation and information sharing policies and procedures regarding STI notification are contentious and require sensitive handling.

A range of stakeholder meetings have been held to discuss the issue of mandatory reporting but the issue of reporting any activity that may indicate sexual activity of children, including STIs, requests for contraception, injuries, as well as underage pregnancy is still being resolved. Further discussions between key staff in SA Health and the Department for Families and Communities have been held and engagement with the Nganampa Health Council is being planned. The Northern Territory Government's decision of August 2009 to modify the mandatory reporting requirements regarding children and identified sexual activity will be given due consideration.

Recommendation 25

That as a matter of urgency DECS continue to assess ways and means of ensuring that all children on the Lands of compulsory school age attend school and that adequate resources are provided for that assessment.

That DECS and DFC with the support of Anangu leaders in communities engage parents and carers as well as children, in activities to enable the provision of information to the communities about the value and importance of school for children including as a way of reducing the incidence of child sexual abuse.

Government Response - July 2008

The South Australian Government supports this recommendation.

In its immediate response to the Inquiry Report, the Commonwealth Government committed \$2.8 million for 30 additional places for secondary students in the APY Lands to go to the successful Wiltja Residential Program, linked to Woodville High School in Adelaide, to provide broader educational opportunities and help address school retention issues.

The State Government will continue to put in place programs to enhance school retention and improvements in literacy, numeracy and other skills. In doing so, the Government will have particular regard for the Commission of Inquiry's concerns that factors in some children's environments may reduce their participation in school: for example transience, limited parental supervision, and food insecurity.

The Government will ensure that issues like transience, limited parental supervision and food insecurity are addressed as part of the Government's overall framework to provide an adequate child protection service strategy on APY Lands. School attendance is a major priority in DECS Aboriginal Lands District 3 Year Strategic Plan.

The Government reviews the responsiveness of schools to children on APY Lands by:

- *Regular site visits by the district director of the Department of Education and Children's Services (DECS)*
- *Information sharing between DECS and the Department of Families and Communities Social Workers*
- *Regularly reviewing attendance data through the Indigenous Student Support System*
- *Regularly bringing the importance of regular attendance at school to the attention of school governing councils and the PYEC*
- *Schools following up with families where students have a long period of non-attendance*
- *Requiring attendance information to be provided in every school's annual report.*

Implementation Report - October 2008

The Department of Education and Children's Services (DECS) has begun work on the expansion of the Wiltja Residential Program for APY Lands students. Places for an additional 30 APY secondary students to attend the program have been provided by \$2.8M in funding from the Commonwealth Government, as part of its response to the Commission of Inquiry Report. The successful Wiltja Residential Program is linked to Woodville High School in Adelaide. It aims to provide broader educational opportunities to APY students and help address school retention issues. DECS has established a steering group to oversee the development of the expanded program and the tender process for the design and development of the residential centre has commenced. It is anticipated that the residential centre and additional student places will be operational for the 2010 school year.

The Department of Education and Children's Services and the Department for Families and Communities (Families SA) are working collaboratively to develop strategies to enhance information sharing to monitor and support school attendance of school-age Anangu children on the APY Lands. Regular meetings are being held to track students at three of the major schools on the Lands and to improve interagency responses. An Improvement Coordinator at the Aboriginal Lands District office is responsible for regularly monitoring student absences, contacting schools and ensuring strategies are in place to increase attendance.

In its July 2008 response to the Commission of Inquiry Report, the South Australian Government committed to increasing the number of social workers on the Lands from three to six, with workers being aligned with the six major schools on the Lands. A special focus of the work of the six social workers will be to provide information to the communities about the value and importance of school for children. The three additional social worker positions will commence in December 2008.

The importance of monitoring school attendance is also being raised with the governing councils of schools on the Lands and with the Pitjantjatjara Yankunytjatjara Education Committee (PYEC), which is responsible to the APY Lands Council for the strategic directions, development and monitoring of APY Lands' preschool and school education.

The Government is also continuing to review the responsiveness of schools to children on APY Lands as described in its first response.

First annual report – discussion and progress

The Department of Education and Children's Services (DECS) and the Department for Families and Communities (DFC) Families SA are working collaboratively to develop strategies to enhance information sharing to monitor and support school attendance of school-aged Anangu children on the APY Lands. Regular meetings are being held to track students at three of the major schools on the Lands and to improve inter-agency responses. An Improvement Coordinator at the Aboriginal Lands District office is responsible for regularly monitoring student absences, contacting schools and ensuring strategies are in place to increase attendance. The Anangu Schools Improvement Coordinator is working with governing councils to develop action plans regarding school attendance. Protocols with Families SA regarding chronic non-attendance have been established and implemented. The Indigenous Student Support System DECS attendance program is used regularly to identify students who have been absent for 10 days or more. Each case is followed up at the local school level.

The importance of monitoring school attendance is also being raised with the governing councils of schools on the Lands and with the Pitjantjatjara Yankunytjatjara Education Committee (PYEC), which is responsible to the APY Lands Council for the strategic directions, development and monitoring of APY Lands' preschool and school education.

The monitoring of school attendance is also raised through the local school governing councils, which are a second tier of Anangu governance in all Anangu communities. This governing council model is made up of one representative from each family group and is also inclusive of Anangu decision-making processes. Representatives from the Anangu teachers, Anangu Education Workers and Anangu Coordinators are also on the governing council as the local cultural experts.

The Government reviews the responsiveness of schools to children on the APY Lands on an ongoing basis. It does this through:

- Regular site visits by the Assistant Regional Director of DECS
- Information sharing between DECS and DFC social workers
- Regularly reviewing attendance data through the Indigenous Student Support System
- Regularly bringing the importance of regular attendance at school to the attention of school governing councils and PYEC
- Schools following up with families where students have a long period of non-attendance
- Requiring attendance information to be provided in every school's annual report.

In its July 2008 response to the *Children on the APY Lands Commission of Inquiry* report, the South Australian Government committed to increasing the number of social workers on the Lands from three to six, with workers being aligned with the six major schools on the Lands. A special focus of the work of the six social workers is to provide information to the communities about the value and importance of school for children.

Work by DECS on the expansion of the Wiltja Residential Program for APY Lands students has commenced. Places for an additional 30 APY secondary students to attend the program have been provided by funding from the Australian Government, as part of its response to the *Children on the APY Lands Commission of Inquiry* report. DECS established a steering group to oversee the development of the expanded program and the tender process for the design and development of the residential centre has commenced. It is anticipated that the residential centre and additional student places will be operational for the 2010 school year. The construction of the building is in progress and anticipated to be completed by the required date.

The Wiltja Secondary Program offers supported mainstream secondary education programs for up to 60 Anangu students each year. There are currently 57 students enrolled in the program, including five students who live external to the Wiltja Residence. Thirty students from the program have completed their SACE in the past eight years.

Recommendation 26

That DECS assess extending the school curriculum on the Lands to include increased study of information technology and appropriate computer based courses which can be accessed by children and young persons on the Lands to develop computer skills.

That consideration of the teaching of numeracy and literacy in a manner suitable to Anangu children continue to be assessed and implemented.

That DECS assess whether appropriate pre-vocational training for trade, home and family management skills should be introduced into the curriculum of the schools on the Lands.

That the principals and teachers at the schools on the Lands consult with senior Anangu and consider whether traditional Anangu skills and law should be introduced into the curriculum

That adequate resources be provided to DECS for this purpose.

Government Response - July 2008

The South Australian Government supports this recommendation.

The Government will continue to provide information technology and computer-based courses, such as the Digital Education Revolution program. Seven APY Lands schools are involved with the IBM Kidsmart/Digital Learning Bank project.

The Government is working to ensure that literacy and numeracy rates continue to improve on the Lands and LAN testing shows some improvement in numeracy for APY Lands students. The Accelerated Literacy Program is mandated across sites in APY Lands. The Pitjantjatjara Literacy Project has been producing high-quality Pitjantjatjara literacy material and resources. Eighty-nine APY Lands students completed the Premier's Reading Challenge (PRC) challenge in 2007. Maths 300 global best practice examples in maths are taught in all APY Lands schools.

The Government will continue to provide SACSA and SACE Frameworks for the delivery of pre-vocational skills and will continue to deliver pre vocational training focussing on home and family skills. There are existing programs to link skills to vocational pathways, for example "Doorways to Construction" and prevocational work placements on lands to gain accreditation in Certificate 1(Retail).

The Government will also maintain Anangu Cultural Domain as a priority for both the curriculum and as a framework for measuring effectiveness.

The Government will seek advice regarding the teaching of Anangu law from Anangu Elders through PYEC.

Implementation Report - October 2008

The South Australian Government is continuing to provide and support information technology and computer-based courses. The Government is maintaining the Anangu Cultural Domain as a priority for both the curriculum and as a framework for measuring effectiveness. The APY schools have sufficient bandwidth and computer hardware to begin the delivery of curriculum online.

The Department for Education and Children's Services (DECS) employs an e-teacher who is based at Ernabella, to develop online events that specifically target the needs of APY students and teachers. The e-teacher facilitates training sessions in terms 1 and 3 of every year and provides support to teachers in the provision of information technology and computer-based

learning programs for students. A wide range of digital resources is also available for teachers to use with students through the DECS Digital Learning Bank.

The 'Accelerated Literacy Program' has been implemented in all APY Lands schools. Two full-time literacy officers are based at the Aboriginal Lands District Office to support the program. These officers work collaboratively with all schools on the Lands, as well as at Yalata and Maralinga Tjarutja Lands.

The 2008 Premier's Reading Challenge was taken up by all schools on the APY Lands. This has resulted in 85% completion rate of the program. In June 2008, an event featuring the Premier's Reading Challenge ambassador, Mr Che Cockatoo-Collins, involved four schools on the Lands. Following this successful event, further events have been held, with high levels of student participation.

DECS has also established an interactive whiteboard in every classroom and has provided training to teachers and Anangu Education Workers on strategies to incorporate whiteboard use into the classroom. A research project conducted by the Indigenous Learning Federation has involved five schools sites. The research project supported teaching strategies linking concrete objects and interactive whiteboards use in mathematics programs.

DECS' education policy does not support the teaching of traditional lore in schools. Cultural perspectives and Pitjantjatjara language are incorporated in the programs of all schools on the APY Lands.

First annual report – discussion and progress

The Government has continued to provide information technology and computer-based courses, such as the Digital Education Revolution program and the IBM Kidsmart/Digital Learning Bank project. The APY Lands Anangu schools have sufficient bandwidth and computer hardware to begin the delivery of curriculum online. Aspects of the existing regional priorities of literacy, numeracy and VET are all appropriate for online delivery. What is now required is an intensive professional development program to increase leaders' and teachers' confidence and competence in online delivery so that they are able to integrate it into their classroom practice.

The Government is working to ensure that literacy and numeracy rates continue to improve on the APY Lands, and testing has shown some improvement in numeracy amongst APY Lands students. A highly effective literacy program - *the Accelerated Literacy Program* - has been implemented in all APY Lands schools. This program is designed to accelerate the literacy skills of learners through a systematic teaching sequence. It also helps to support students to understand how to use words appropriately. Two full-time Literacy Project Officers are based at the Aboriginal Lands District office. These officers work collaboratively with all schools on the APY Lands, as well as in Yalata and the Maralinga Tjarutja Lands, to support and develop the Accelerated Literacy Programs. In addition, the Pitjantjatjara Literacy Project has been producing high-quality Pitjantjatjara literacy materials and resources.

The Government will continue to provide SACS and SACE Frameworks for the delivery of pre-vocational skills and will continue to deliver pre-vocational training that focuses on home and family skills. There are existing programs to link skills to vocational pathways, for example "Doorways to Construction" and pre-vocational work placements on the APY Lands to gain accreditation in Certificate 1(Retail).

The Government has maintained the Anangu Cultural Domain which is considered by the Pitjantjatjara Yankunytjatjara Education Committee (PYEC) to be an important part of student learning at each school site. The Anangu Cultural Domain incorporates the Pitjantjatjara and Yankunytjatjara languages, food gathering, traditional cultural music and dance as a priority for both the curriculum and as a framework for measuring effectiveness.

The Government sought advice regarding the teaching of Anangu law from Anangu elders through PYEC. This is a challenging cultural issue and is one that the communities wish to deal with themselves. In general, communities are encouraging the young initiated men to continue with their education.

Recommendation 27

That priority be given to remedial teaching at schools on the Lands for Anangu who have missed education as children.

That the benchmark testing of years 3, 5, 7 and 9 be monitored closely and that sufficient funding be provided to achieve the goal of bringing the results of children on the Lands up to the respective averages of mainstream South Australian schools.

That making education more relevant to Anangu students and recognising the importance of Anangu culture continue to be assessed.

Government Response - July 2008

The South Australian Government supports this recommendation in principle.

Funds of \$36,000 have been directed to schools on the APY lands with students in the lower skills bands in years 3 and 5. The Government will continue to closely monitor the results of benchmark testing on APY Lands.

The Aboriginal Lands District Disability and Well Being Team continue to provide student assessment and guidance services to teachers, Aboriginal Education Workers and students. The Government is currently considering how best to provide remedial tutoring in smaller communities by skilled staff.

All education programs are delivered taking into consideration Anangu cultural perspectives. The Government will also maintain Anangu Cultural Domain as a priority for both the curriculum and as a framework for measuring effectiveness.

Implementation Report - October 2008

As announced in the July 2008 response to the Commission of Inquiry Report, the South Australian Government has directed funds of \$36,000 to schools on the APY lands to support students in the lower skills bands in years 3 and 5. The Government is continuing to closely monitor the results of benchmark testing on the APY Lands.

The Department of Education and Children's Services (DECS) is considering options for the delivery of remedial tutoring in smaller communities.

All education programs are delivered taking into consideration Anangu cultural perspectives. DECS continues to consider its teaching methodologies for cultural relevance, for example, a recent research project supported teachers in incorporating objects from the environment with the use of digital resources in their teaching.

First annual report – discussion and progress

A focus on remedial teaching in schools on the APY Lands for Anangu who have missed education as children has been made through the use of the *Accelerated Literacy Program*, using age appropriate texts. As indicated above, the South Australian Government directed funds of \$36,000 to schools on the APY lands to support students in the lower skills bands in years three and five. The Government is continuing to closely monitor the results of benchmark testing on the APY Lands. The Department of Education and Children's Services (DECS) is considering options for the delivery of remedial tutoring in smaller communities.

All education programs are delivered taking into consideration Anangu cultural perspectives. DECS continues to reflect on its teaching methodologies for cultural relevance.

Funds received have been used to employ additional Aboriginal Education Workers to provide support for working intensively with students in a one-on-one setting. Further implementation of the remedial teaching program will be carried out in the future.

Recommendation 28

That there be regular meetings of all staff of Nganampa Health Council, DFC including Families SA, DECS and SA Police working on the Lands to receive continuing education about child care and protection, to discuss the needs and problems of sexually abused children and the problems encountered by those service providers.

That such meetings should be held at least three times each year.

That they be initiated and managed by AARD rather than any one of the particular agencies.

Government Response - July 2008

The South Australian Government supports this recommendation.

Regular meetings between Nganampa Health Council, NPY Women's Council, DPC-AARD, DECS, Health SA, SAPOL and DFC (including Families SA) are currently being established. These meetings will be at least three times a year as proposed by the Commission of Inquiry and will involve clinical staff as well as agency managers. The meetings will provide a forum for general discussion of the best ways for achieving inter-agency collaboration, common approaches to problems and continuing education of service providers.

Implementation Report - October 2008

Initial meetings of government agencies with NPY Women's Council and Nganampa Health Council were held in September 2008 to discuss the recommendations of the Children on APY Lands Commission of Inquiry report.

The South Australian Government will continue to initiate meetings between relevant agencies providing child protection services on the APY Lands (including Nganampa Health Council and NPY Women's Council) at least three times each year as proposed by the Commission of Inquiry. These meetings will involve clinical staff as well as agency managers and will provide a forum for general discussion of the best ways for achieving inter-agency collaboration, common approaches to problems and continuing education of service providers.

This work is being supported through the development of an Interagency Communication Framework. The Framework will further strengthen communication between agencies and encourage increased collaboration and interagency responses. The following three levels of communication will be addressed through the framework:

- *Case Focused Discussions*
- *At Risk Focussed Discussions*
- *Strategic Interagency Discussions*

First Annual Report - Discussion and progress

The Department of the Premier and Cabinet (DPC-AARD) established initial meetings with the Nganampa Health Council, NPY Women's Council, Health SA, Department for Families and Communities (DFC), Service Coordinators and Office for Aboriginal and Torres Strait Islander Health. The meetings focused on discussing the Commission of Inquiry's Report and its recommendations and enabled discussion regarding the nature and efficacy of service provision on the APY Lands.

The Nganampa Health Council and NPY Women's Council are members of the Taskforce overseeing the implementation of the recommendations. They also participate in the *Child*

Protection on the APY Lands Working Group, which brings together the key agencies working on child protection on the APY Lands including the Department of Education and Children's Services, Child and Adolescent Mental Health Services, Children's Youth and Women's Health Service Child Protection Services, Families SA and SAPOL. This working group is focused on establishing protocols for inter-agency information-sharing regarding child safety and protection issues.

The APY Lands Cross-border Tri-State mental health meetings also provide an opportunity for relevant agencies to discuss child protection issues in relation to mental health.

Families SA and the NPY Women's Council hold regular meetings with identified members of NPY Women's Council to improve communication and undertake joint planning around case matters.

A range of other meetings involving agencies working on the APY Lands occur on an ongoing or ad-hoc basis as required and provide opportunities for exchange and discussion regarding child protection issues. These meetings provide forums for general discussion on maximising inter-agency collaboration, developing common approaches to problems and continuing education of service providers. Inter-agency collaboration is being enhanced by the discussion held during these meetings.

Recommendation 29

That a program to educate members of the communities on the Lands as to what is inappropriate sexual conduct, and its consequences, and the supports which are available for victims of sexual abuse (including children) be designed and implemented.

Government Response - July 2008

The South Australian Government supports this recommendation.

In the first instance, all agencies, both government and non-government working in the field, will contribute to raising awareness among clients and their families of the primacy of keeping children safe.

At a strategic level, the Minister for Aboriginal Affairs and Reconciliation has requested DPC-AARD to convene and chair a multi-agency group of senior officers to oversight and report on child protection on Aboriginal lands. A priority for the group is community education. The working group is currently working collaboratively to develop an appropriate community education process on child protection for Aboriginal lands.

The six social workers attached to the six major schools on the Lands will have as part of their role the development and delivery of community education to children and their parents and carers on appropriate behaviours and the supports available for victims of sexual abuse. Where appropriate, the education will also be delivered to members of the broader Lands communities as part of the outreach activity of the schools. The social workers will be supported in the development of the program by Families SA and DECS and will be informed by the work of the multi-agency group of senior officers, established by the Minister for Aboriginal Affairs and Reconciliation.

Other initiatives include the development of links with the senior men's Law and Culture Committee for the APY. This initiative is aimed at developing suitable programs and forums that will have cultural authority and will contribute to the education of the community and promote a culture of child protection (see also recommendation 12). Similar work is being undertaken in conjunction with the NPY Women's Council.

Implementation Report - October 2008

All agencies, both government and non-government working in the field, are contributing to raising awareness among clients and their families of the primacy of keeping children safe. This is occurring during the provision of services to key groups on the lands, such as through Families SA Outreach Services and school-based social workers, the Homemaker and Youth programs, DECS counsellors and CAMHS services.

As described in recommendation 6, a whole-of-government community education strategy about child protection in Aboriginal communities, is being developed in collaboration with key non-government stakeholders (such as Nganampa Health Council and NPY Women's Council) for delivery on the APY Lands. The strategy will include appropriate community education about caring and protecting children.

One focus of the work of the six social workers attached to the major schools on the APY Lands will be the development and delivery of community education to children and their parents and carers on appropriate behaviours and the supports available for victims of sexual abuse. The three additional social worker positions will commence in December 2008.

The importance of engaging the senior traditional owners and elder men in setting the boundaries for appropriate sexual behaviour from a cultural view point is essential in ensuring that all people and children are treated with respect. Agencies continue to promote the role senior men can play through discussion in appropriate forums.

First Annual Report - Discussion and progress update

All relevant agencies, both government and non-government, are contributing to raising awareness among clients and their families about the primacy of keeping children safe. This is occurring during the provision of services to key groups on the APY Lands, and is being implemented through the Families SA Outreach Services, the programs run by the school-based social workers, Youth programs, the Department of Education and Children's Services (DECS) counsellors, Child and Adolescent Mental Health Services, the establishment of the Community Safety Committees by SAPOL, and programs facilitated by the NPY Women's Council, amongst others.

In February 2009 Families SA, in partnership with Relationships Australia and the NPY Women's Council ran *Child Safe Environment Training* to identified members of Pukatja, Kenmore Park and Kaltjiti. This training constitutes the updated version of the Mandated Notifier Training. Similar training has since been run in Iwantja and workshops are also being planned for other APY communities throughout the year.

To ensure continued program development and continuous professional development, Families SA in partnership with DECS are reviewing the *Child Safe Environment Training* for Anangu. The training is scheduled on an ongoing basis to ensure it is delivered to all APY communities and service providers on the APY Lands. As part of this schedule, the training will be delivered to the NPY Women's Council staff in November 2009.

The NPY Women's Council has developed an initiative to create awareness about child sexual abuse. It has involved the production of publicity, printed T-shirts, key rings and a booklet entitled, "*Speak Up: Speak Against Child Sexual Abuse*" which provides educative information about child sexual abuse and the avenues available for reporting abuse.

Families SA and SAPOL have been regularly reviewing their joint service delivery on the APY Lands, with a view to further improving ways to respond to child protection and sexual abuse issues.

Recommendation 30

That more resources be focused on education measures to better advise children, their parents and carers and the community on appropriate sexual behaviours, the law and their rights.

Government Response - July 2008

The South Australian Government supports this recommendation.

All government agencies will ensure advice and education on child protection and child sexual abuse is part of day-to-day operations. Services such as schools, health services and police have specialist educative roles. For example, programs such as the "homemaker" program and the youth program will be an appropriate context in which to deliver messages on the care of children and child safety.

As outlined in the Government's response to recommendation 29, the six social workers attached to the six major schools on the Lands will have as part of their role the development and delivery of community education to children and their parents and carers on appropriate behaviours and the supports available for victims of sexual abuse. Where appropriate, the education will also be delivered to members of the broader Lands communities as part of the outreach activity of the schools. The social workers will be supported in the development of the program by Families SA and DECS and will be informed by the work on community education for Aboriginal lands being developed by the multi-agency group of senior officers.

Implementation Report - October 2008

The South Australian Government is continuing to educate children, their parents and carers and the community on preventing child abuse and neglect, the law and their rights. This is occurring through existing services, such as Families SA Outreach Services, school-based social workers, DECS counsellors, DFC Homemaker and Youth programs and CAMHS services.

As described in recommendation 6, the Government is leading the development of a whole-of-government community education strategy regarding child protection in Aboriginal communities, in collaboration with key non-government stakeholders (such as Nganampa Health Council and NPY Women's Council). A focus of this work is to develop appropriate community education for delivery on the APY Lands, which will include key messages about the care and protection of children, appropriate sexual behaviours and the law.

The six social workers attached to the six major schools on the APY Lands will have as part of their role the development and delivery of community education to children and their parents and carers on appropriate behaviours and the supports available for victims of sexual abuse. This work will be informed by the whole-of-government community education strategy currently being developed. The recruitment process for the three new school-based social workers is currently under way and it is anticipated that the new positions will commence in December 2008.

The importance of community education regarding appropriate sexual behaviours, the law and legal rights will be included as a standing item at the community safety meetings that are held regularly in all major communities on the APY Lands. This will ensure that strategies for ongoing community education are considered and addressed on an ongoing basis in all major communities on the APY Lands.

The Government is also meeting with the senior men's Law and Culture Committee to establish a proposal for a collaborative approach to educating the community on ensuring

children's safety and well-being. It is anticipated that out of these discussions, a proposal for the provision appropriate programs and forums will be developed that will have the cultural authority of the senior men and will help prevent child abuse and neglect and promote a culture of child protection (see also recommendation 12).

First Annual Report - Discussion and progress update

The South Australian Government is continuing to create awareness amongst children, their parents and carers and the broader community about preventing child abuse and neglect, the law and children's rights. This is occurring through a range of services, including those provided by the Families SA Outreach Services, school-based social workers, Department of Education and Children's Services school counsellors, Youth programs, Child and Adolescent Mental Health Services and the Community Safety Committees established by SAPOL.

The importance of engaging the senior traditional owners and elder men in setting the boundaries for appropriate sexual behaviour from a cultural view point is essential in ensuring that all people are treated with respect.

The importance of community education regarding appropriate sexual behaviours, the law and legal rights are also included as a standing item at the community safety meetings that are held regularly in all major communities on the APY Lands.

The development of a Youth Strategy for the APY Lands will include the issue of the safety of youth and children in communities.

Recommendation 31

That meetings with men and boys in communities with male Anangu elders and men from the agencies on the Lands regarding sexual conduct of men involving children and the consequences of such conduct be held without delay.

That such meetings be co-ordinated and managed by AARD.

Government Response - July 2008

The South Australian Government supports this recommendation.

As provided in its response to recommendation 12, discussions have begun to establish links with the senior men's Law and Culture Committee for the APY on the issue of the safety of children on the Lands. It is essential that meetings with men and boys in communities take place under the auspices of the Law and Culture Committee to ensure that the cultural authority of the senior men supports the purpose of such meetings.

Implementation Report - October 2008

The South Australian Government has initiated discussions with the senior men's Law and Culture Committee for the APY on the issue of the safety of children on the Lands.

Out of these discussions, a proposal for the provision of appropriate programs and forums will be developed that will have the cultural authority of the senior men. These programs will help prevent child abuse and neglect and promote a culture of child protection (see also recommendation 12).

First Annual Report - Discussion and progress update

The South Australian Government initiated discussions with the senior men's Law and Culture Committee for the APY on the issue of the safety of children on the Lands. The importance of engaging the senior traditional owners and elder men in setting the boundaries for appropriate sexual behaviour from a cultural view point is essential in ensuring that all people are treated with respect. However, the issues being addressed are complex and require sensitive treatment and the building of relationships of trust and open communication.

As part of the Government's community report-back meetings undertaken on the APY Lands in September 2009, discussion was held on this subject and it is envisaged that a more coherent strategy and approach will be developed that will, over time, come to enjoy the cultural authority of the senior men.

While discussions with the senior men's Law and Culture Committee have not proceeded as planned, there are a number of other forums and programs through which men are engaged in discussions about their sexual conduct involving children, domestic violence, and the role of men in families and community, and the consequences of their conduct. An example is the Cross-border Offenders' Program which conducts its programs in APY communities and provides men with opportunities to discuss the impact of violence and inappropriate behaviour on their families, children and themselves.

Recommendation 32

That strategies to restrict access to pornographic material, by children in particular, be investigated.

That there be a community education campaign on the dangers of exposing children to pornography

Government Response - July 2008

The South Australian Government supports this recommendation. The Government is committed to restricting access to pornographic material by children on the APY Lands.

As an immediate response to the Inquiry Report, SAPOL has included a focus on pornographic material as part of operational duties and lawful searches on APY Lands.

SAPOL is also investigating the extent of pornographic material on APY Lands.

In addition, the Government is reviewing the strategies to restrict access to pornographic material recently adopted in the Northern Territory as part of the Commonwealth Government's Northern Territory Emergency Responses.

The results of these enquiries will determine the next steps in addressing the restriction of access to pornographic material.

New approaches to raising awareness about the dangers of exposing children to pornography will also be considered in developing the plan to restrict access to pornography.

Implementation Report - October 2008

In response to this recommendation, South Australia Police (SAPOL) is placing a strong focus on restricting access to pornographic material by children on the APY Lands. SAPOL is undertaking an intelligence probe to identify the depth of pornography in the APY Lands. It is also coordinating a review of computer filtering to ensure inappropriate access is not gained to the internet through computers funded or located within public or government buildings. Police will continue to include a focus on pornographic material as part of operational duties and lawful searches on Lands.

The information gathered through the intelligence probe will provide valuable data to inform SAPOL's review and gap analysis of the Northern Territory strategies to restrict access to pornographic material. The results of these enquiries will determine the next steps in addressing the restriction of access to pornographic material on the APY Lands and will inform the development of further strategies to disrupt any criminal activity.

Awareness training about the dangers of exposing children to pornography is being developed through SAPOL's Sexual Crime Investigations Branch for delivery to communities throughout the APY Lands.

Cultural and other relevant training on pornography issues is also being provided to members of the Sexual Crime Investigation Branch and to other SAPOL members currently serving within the APY Lands. SAPOL's staff training courses on child protection and child-safe environments have been reviewed and modified to include a greater focus on traditional Aboriginal content.

First annual report – discussion and progress

SAPOL is committed to restricting access to pornographic material by children on the APY Lands and, as an immediate response to the *Children on the APY Lands Commission of Inquiry* report, SAPOL included a focus on pornographic material as part of its operational duties and lawful searches on the APY Lands.

SAPOL has undertaken an intelligence probe to identify the depth of pornography across the APY Lands and, based on the information gathered, will implement further strategies to uncover any criminal activity.

In addition, SAPOL is co-ordinating a review of computer filtering to ensure that inappropriate access is not gained to the Internet through computers funded or located within public or government buildings. Policy and codes of practice are in place regarding the accessing of pornographic matter through the Internet.

The results of these enquiries coupled with the intelligence probe will determine the next steps in addressing the restriction of access to pornographic material and will provide SAPOL with a base to undertake a comparison and gap analysis.

Awareness training about the dangers of exposing children to pornography is being developed through the Sex Crime Investigations Branch (SCIB). This training will be delivered to communities on the Lands.

The *Child Protection Behaviour Course* has been developed to incorporate a module that focuses on contemporary issues in communities and is currently awaiting formal approval.

Cultural and other relevant training in relation to pornography issues is being provided to members of SCIB and other members currently serving within the APY Lands. SAPOL Child Protection Courses and Child Safe Environment Courses have been modified to include a greater focus on traditional Aboriginal content.

A program is currently being designed in coordination with SCIB and will serve as a resource for all staff operating on the APY Lands. The program will have specific focus on procedures relating to child protection.

Recommendation 33

That AARD, with the assistance of DFC, establish safe houses for Anangu, particularly children who need short-term sanctuary from abuse, after consultation with Anangu leaders in communities, Families SA, Nganampa Health Council, DECS staff and SA Police.

That the State Government adequately resource the safe houses with suitable staff, services and facilities.

Government Response - July 2008

The South Australian Government supports this recommendation.

The Government will build and operate a safe house at Umuwa specifically for children at risk of abuse. The safe house will provide children and their family members who need to be removed from the community with safe accommodation and support while other protective action is taken.

This facility will also have the capacity to provide transition accommodation, support and a safe return to community for children following child protection assessments and medical intervention.

The Umuwa safe house is in addition to the safe house service at Coober Pedy, a joint Commonwealth and State Government initiative to help protect aboriginal women and children who are at risk of domestic and family violence. The safe house commenced operating in a temporary building on 1 July 2008, pending construction of 2 safe houses.

Implementation Report - October 2008

As announced in August 2008, the South Australian Government is establishing a Safe House at Umuwa to provide protection to children at risk of abuse and neglect and their carers (where appropriate). The Safe House will provide protective services and support a safe return to the community for children who are subject to child protection notifications (and their carers) following child protection assessments and medical assistance. It is anticipated that the Safe House will be operational by the end of 2010.

This Safe House is in addition to the Safe House already operating in Coober Pedy to help protect Aboriginal women and children who are at risk of family violence. This Safe House will also be able to provide transition accommodation, support and a safe return to the community for children following child protection assessments and medical intervention.

First Annual Report - Discussion and progress update

In August 2008, the South Australian Government announced that it would establish a safe house at Umuwa to provide protection for children who are at risk of abuse and neglect, and also for their carers (where appropriate). The safe house will provide protective services and support a safe return to the community for children (and their carers) who are subject to child protection notifications following child protection assessments and medical assistance.

The NPY Women's Council has been contracted by the Department of the Premier and Cabinet's Aboriginal Affairs and Reconciliation Division to develop and forward options for an APY Lands safe house service delivery model and appropriate location. This will also provide the State and Commonwealth Governments with advice regarding the appropriateness of such a service for the APY Lands. A feasibility study for a safe house has been undertaken by the NPY Women's Council. A draft document entitled, *Proposed Preferred Models for Safe Accommodation Services for Women and Children from the APY Lands* was finalised in

October 2009 and will be discussed by the Taskforce in December 2009. Planning for the establishment of the safe house will be undertaken in 2010.

The Department for Families and Communities (DFC) is exploring options for the ongoing management and operation of the safe house. DFC's preferred model is to fund an appropriate non-government organisation to manage the safe house. However, if an appropriate organisation is not identified the Department will consider undertaking the ongoing management and operation of the safe house.

The APY Lands safe house is in addition to the safe house services at Coober Pedy and Ceduna, joint Commonwealth and State Government initiatives to help protect Aboriginal women and children who are at risk of domestic and family violence. The Coober Pedy safe house commenced operating in a temporary building on 1 July 2008, pending construction of two purpose-built safe houses. The Ceduna Safe House has been operational since September 2007. A new service model and built form is currently being developed in consultation with Ceduna service providers and community.

Recommendation 34

That Families SA place two social workers on the Lands to respond to mandatory notifications of suspected sexual abuse of Anangu children on the Lands.

That Families SA review any policy about whether mandatory notifiers should be informed of the action which is taken following the making of the report.

Government Response - July 2008

The South Australian Government supports this recommendation.

In its immediate response to the Inquiry Report, the Government committed to placing two child protection officers on the Lands specifically to respond to mandatory reports alleging child sexual abuse.

Recruitment is currently occurring for the two specialist child protection workers to be based on APY Lands. The child protection workers will be based at Umuwa.

In its immediate response to the Inquiry Report, the Commonwealth Government committed \$15 million for infrastructure on the Lands, which includes accommodation for the child protection workers.

The Commonwealth Government is providing demountable buildings and is currently upgrading them to make them suitable as temporary staff housing for the child protection workers at Umuwa, pending the construction of the permanent accommodation.

Families SA will review its policies regarding the information to be provided to mandatory notifiers in respect of any action which is taken following the making of a mandatory report.

As advised in its responses to other recommendations, the Government is finalising new Information Sharing Guidelines for Government agencies and key non-government organisations. These guidelines will also be a key reference source in determining questions of information exchange about actions taken following the making of reports.

Implementation Report - October 2008

The Department for Families and Communities (DFC) is conducting a recruitment process to employ the two additional specialist child protection workers to respond to allegations of suspected child abuse on the Lands. The Commonwealth Government is providing temporary and long term accommodation for the two new child protection workers. It is anticipated that the new positions will commence in December 2008.

The Department for Families and Communities (DFC) is also conducting a recruitment process to place three additional school based social workers on the lands (see also recommendation 5). These new positions will commence in December 2008. The urgent priority of these workers is to work with families and children at risk to prevent children's entry into the child protection system.

DFC (Families SA) will continue to respond to mandatory notifications of suspected child sexual abuse of Anangu children on the lands through the outreach service that operates from the Families SA Coober Pedy District Centre. The district centre will also provide professional support for the child protection staff based on the lands.

DFC has undertaken a review of its policies regarding the information which should be provided to mandatory notifiers about action which is taken following the making of a mandatory report. The review determined that, taking into account the issue of child and

notifier safety, current Families SA policies and procedures are appropriate. DFC will continue to monitor its policies regarding the information to be provided to mandatory notifiers so that action is taken in the child's best interests and practices support maximum collaboration.

First Annual Report - Discussion and progress update

The Department for Families and Communities (DFC) has placed two new child protection officers on the Lands who play a critical role in investigating and responding to mandatory notification. The Australian Government committed funding for infrastructure on the Lands, which includes accommodation for the child protection workers and has provided temporary accommodation at Umuwa for the workers until the permanent housing is completed. Child protection investigations are also conducted by the Outreach Program from the Coober Pedy District Centre.

DFC has also increased its commitment of school-based social workers on the Lands, with responsibility for working with children and families at risk, to six.

Recommendation 35

That appropriate health, mentoring and counselling services be established for teaching and other education staff resident on the Lands.

That DECS arrange and resource adequate respite for teachers and other school staff resident on the Lands

The principals of the schools on the Lands consider and report to DECS as to what is needed to enhance recruitment of teaching staff and retention rates.

Government Response - July 2008

The South Australian Government supports this recommendation in principle.

The Government will continue to provide a range of supports for teaching and other education staff on the Lands including:

- *Comprehensive staff development opportunities*
- *An external phone counselling service*
- *The services of an Organisational Health Consultant*
- *Training in occupational health and safety*
- *Regular respite periods*

The Department of Education and Children's Services will investigate any other "respite" schemes applicable to other Government employees working in the APY Lands and, given the outcome of such investigation, consider the feasibility of developing improved arrangements.

The support for staff is regularly reviewed as part of each principal's performance management plan, which is in turn regularly reviewed by the Coordinating Principal and District Director.

An intensive eight-day staff induction program is provided for all new staff to enable them to better adjust to teaching in a remote and culturally sensitive area.

Implementation Report - October 2008

The Department of Education and Children's Services will continue to provide a range of supports for teaching and other education staff on the Lands, as described in the South Australian Government's response of July 2008.

The Department of Education and Children's Services also promotes the professional development and retention of staff on the Lands through:

- *support from a designated senior officer in the first year of their placement;*
- *one term's professional development when they have completed two years of service in the Lands;*
- *financial incentives including rent free housing, a one-off "permanency bonus", a locality allowance and country incentives payments;*
- *Yearly teaching practicum blocks conducted on school sites on the APY Lands.*

The Department of Education and Children's Services regularly promotes its Employee Assistance program to teaching and other education staff on the APY Lands. This program is formally reviewed on an annual basis. The program is also regularly assessed through regular client feedback and identified improvements are implemented as required.

The Department of Education and Children's Services is investigating "respite" schemes applicable to other Government employees working in the APY Land. Once the investigation is complete, the Department will consider the feasibility of developing improved arrangements.

First annual report – discussion and progress

The Department of Education and Children's Services (DECS) has continued to provide a range of supports for its teaching and other education staff on the Lands, as described in the South Australian Government's response of July 2008.

DECS also promotes the professional development and retention of staff on the Lands and regularly promotes its Employee Assistance Program to its teaching and other education staff on the APY Lands. This program is formally reviewed on an annual basis. The program is also regularly assessed through regular client feedback and identified improvements are implemented as required.

DECS is investigating "respite" schemes applicable to other Government employees working in the APY Lands. Once the investigation is complete, the Department will consider the feasibility of developing improved arrangements.

Teachers currently receive on site support from the school site principal and receive Training and Development opportunities such as a Graduate Certificate in Accelerated Literacy qualification. The District-based School Improvement Coordinator assists teachers with student behaviour, as do the school based Anangu Coordinator and the school-based School Counsellors. After two years of permanent service, teachers are eligible to take one full term of paid study leave to further develop their professional skills and link with mainstream schools to assist in their transitioning out of schools on the APY Lands.

In addition to the on-site, school-based induction of new teachers, there is an intensive Induction Program that is carried out each year in January prior to teachers taking up their appointments at the school sites on the Lands. Attendance at the Induction Intensive program in January is compulsory and forms part of the conditions under which teachers are offered employment.

In the past it has been a struggle to get teachers to work in the APY Lands. This situation is changing and teachers are being recruited and retained well beyond their two-year appointments, due in part to the specialised training and a generous incentives program that is made available to them.

The Organisational Health Consultant and the Health and Safety Adviser keep regular contact with sites so they can respond as necessary. Training for Health and Safety Representatives is advertised annually and is regularly accessed by staff from the APY Lands. The promotion of the online OHSW management training occurs regularly and is supported by the relevant Health and Safety Advisor.

Recommendation 36

That there be night patrols in each community on the Lands, initially in the presence of sworn police.

That people with cultural authority, sworn police and community professionals and residents assist in the training of people to participate in the patrols as is appropriate.

Government Response - July 2008

The South Australian Government supports this recommendation in principle.

In 2004 night patrols were initiated in a number of APY communities, but were not successful and formally ceased in 2006.

From that experience it became clear that, in order for night patrols to be successful, there must be substantial community support for such a method of policing.

SAPOL has initiated a Community Safety Project based on the Lands with specific responsibility for establishing a range of crime prevention activities. SAPOL has established Community Safety Committees in Indulkana, Fregon, Mimili, Amata, Pukatja, Watarru, Nyapari, Kanpi/Murputja and Pipalyatjara/Kalka. These committees will consider the re-introduction of night patrols in conjunction with other strategies already identified as enhancing community safety.

SAPOL has also initiated a Community Liaison Project with the aim of employing Anangu to liaise with community members and groups, police staff and other agencies on the Lands and to assist with policing services in the community. Part of the responsibilities of Community Liaison Officers will be to refer on issues and initiatives to improve the safety of vulnerable members of the community.

Implementation Report - October 2008

The increased police presence on the APY Lands and flexible rostering arrangements is allowing for police patrols to be deployed on the Lands at night as operational requirements dictate.

The re-introduction of night patrols and other community safety strategies are being considered by the Community Safety Committees in Indulkana, Fregon, Mimili, Amata, Pukatja, Watarru, Nyapari, Kanpi/Murputja and Pipalyatjara/Kalka. These committees meet every two months to work together to identify key issues and problems and to develop crime prevention responses for ensuring community safety.

SAPOL is continuing its Community Liaison Project throughout the APY Lands. SAPOL has a community constable coordinator position at the rank of senior sergeant. The coordinator provides support to all community liaison officers and community constables across South Australia, including those on the APY Lands. The coordinator is responsible for recruiting community liaison officers and organising and delivering training.

First annual report – discussion and progress

The increased police presence throughout the APY Lands coupled with flexible rostering arrangements, allows for police patrols to be deployed anywhere within the APY Lands as incidents arise.

Community Safety Committees in Iwantja, Kaltjiti, Mimili, Amata, Pukatja, Watarru, Nyapari, Kanpi/Murputja and Pipalyatjara/Kalka meet to consider, develop and implement community safety initiatives including but not restricted to the re-introduction of night patrols. The Committees meet every two months to work together to identify key issues and problems and to develop crime prevention based responses that make the community a safer place.

SAPOL is continuing the Community Liaison Project throughout the APY Lands. This project is supported within the SAPOL Community Constable framework.

Recommendation 37

That a process of restorative justice for the resolution of disputes in communities on the Lands be developed, implemented and periodically assessed.

Government Response - July 2008

The South Australian Government supports this recommendation in principle.

In its response to recommendation 37 of the Commission of Inquiry (Children in State Care) Report (tabled in Parliament on 17 June 2008), the Government advised –

Restorative justice is a model of justice that focuses on the harms that are caused by offending conduct and seeks to restore or repair damage caused by the offender's conduct. For example, one of the components of restorative justice may comprise a meeting between an abuser and a victim. There is considerable debate amongst experts and the community regarding the circumstances in which a restorative justice model may be appropriate, including whether it is appropriate at all in cases of child sexual offences.

At that time, the Government also committed to establish a panel of suitably qualified persons to consider the issue of restorative justice for victims of sexual abuse and the appropriateness of an arrangement of restorative justice for victims of sexual abuse (and if so in which cases and in what circumstances). The panel would also address the possible extension of the scope of a restorative justice model to other cases of child sexual abuse and provide advice on a suitable model for restorative justice (if appropriate).

The Government will request that the panel consider the issue of restorative justice for victims of child sexual abuse on the APY Lands, and will consider the report of the panel when it is presented.

Implementation Report - October 2008

In response to recommendation 37 of the Children in State Care Commission of Inquiry Report, the South Australian Government is establishing a panel of suitably qualified persons to consider the issue of restorative justice for victims of sexual abuse whilst in State care and the appropriateness of an arrangement of restorative justice for victims of sexual abuse (and if so in which cases and in what circumstances). The Panel will also be asked to consider whether restorative justice is an appropriate arrangement for victims of child sexual abuse on the APY Lands.

Given the complexity of these issues, it is anticipated that the panel will take at least twelve months to consider this issue and report back to the Government.

The Government will consider the report of the panel when it is presented.

First annual report – discussion and progress

The Government established a Restorative Justice Reference Group in late 2008. Membership of the Group includes representatives from the Attorney General's Department, Department for Families and Communities, SAPOL, Department of the Premier and Cabinet, Courts Administration Authority, Department for Correctional Services and the Commissioner for Victims' Rights.

The Group has met with a number of key people, who have provided information on existing arrangements within the South Australian criminal justice system (including restorative justice practices) and views on the appropriateness of a restorative justice approach for victims of sexual assault. To date, the Group has received information from Commissioner Mullighan as well as representatives from the Sexual Crime Investigation Branch (SAPOL), Office of the Director of Public Prosecutions, Department for Families and Communities, Child Protection Services (Department of Health), Courts Administration Authority, Department for Correctional Services, NPY Women's Council, the Aboriginal Affairs and Reconciliation Division (Department of Premier and Cabinet), Owenia House (formerly known as Sexual Offenders Treatment Assessment Program (SOTAP)), Mary Street Adolescent Sexual Assault Prevention Program, Yarrow Place Rape and Sexual Assault Service, Relationships Australia SA, the Centre for Restorative Justice and the Victim Support Service.

The Group has conducted an extensive literature review on this topic, including information on relevant practices, processes and legislation in other jurisdictions. The Group will deliver a report to the Attorney General for consideration by Cabinet by the end of 2009.

The Courts Administration Authority have been funded by the Commonwealth Government to develop a program to offer restorative justice, victim focused conferences for adults on the APY Lands, based on the current Port Lincoln Aboriginal Conferencing program.

Recommendation 38

That all allegations of sexual abuse of children on the Lands, including the names and identifying particulars of alleged victims and perpetrators, the date, place and nature of the alleged abuse, any corroborating or confirming evidence and action taken, be accurately recorded.

That all such information be provided to the Sexual Crime Investigation Branch of SA Police.

Government Response - July 2008

The South Australian Government supports this recommendation.

SAPOL's current practice is to record all available information in relation to all allegations of child sexual abuse. To ensure accurate records, all principal Police locations are connected to SAPOL computer systems, and the SAPOL case management system. The case management system is audited regularly at the Local Service Level.

Implementation Report - October 2008

SAPOL's current practice is to record all available information in relation to allegations of child sexual abuse.

The Sexual Crime Investigation Branch (SCIB) has been involved in child sexual abuse investigations relating to APY lands since its establishment in 2004. SCIB searches the police computer system (PIMS) on a daily basis to collect data relating to sexual offences reported to SAPOL and assesses all sexual offences (including child sexual abuse) using a tiered classification system.

The case management system is audited regularly at the Local Service Level. Any issues that may arise through the audit process will be appropriately addressed as part of this process.

First annual report – discussion and progress

All allegations of child sexual abuse reported to police are recorded on a Police Incident Report (PIR), which is entered onto the Police Incident Management System (PIMS). All suspected abuse and neglect must also be reported to the Child Abuse Report Line.

In October 2004, the Sexual Crime Investigation Branch was established as a specialist investigation branch to investigate and manage all reported sexual assaults. The Branch introduced a tiered approach to investigational responsibility based on solvability factors, degrees of complexity, resource demands and the nature and circumstances of the crime.

The Sexual Crime Investigation Branch (SCIB) searches PIMS every day to collect data relating to sexual offences reported to SAPOL. SCIB assesses all sexual offences and then offers consultancy and support as required, to ensure matters are properly investigated. To ensure accurate records, all principal police locations are connected to the SAPOL computer system and the SAPOL case management system. The case management system is audited regularly at the Local Service Area level.

SCIB has been involved in child abuse investigations relating to the APY Lands from SCIB's commencement.

Recommendation 39

That fully operational police stations with an adequate number of personnel be established at all of the main communities on the Lands, namely Pipalyatjara or Kalka, Amata, Pukatja (Ernabella), Kaltjiti (Fregon), Mimili and Iwantja (Indulkana).

In the alternative that police stations be established at Amata, Pukatja and either Mimili or Iwantja.

That the police stations be established as a matter of urgency.

That the safety of communities where there is not a police station with a permanent police presence be kept under review and such police stations be established as is required to maintain safety in the communities.

Government Response - July 2008

The South Australian Government supports this recommendation. (Alternative)

In its immediate response to the Inquiry Report, the Commonwealth Government committed \$15 million for infrastructure on the Lands, which includes funding for the construction of an additional police station, together with accommodation for additional police. This was on top of its previous commitment of \$7.5 million for two police stations.

In conjunction with the Commonwealth Government, the State Government is to establish police stations at Amata, Mimili, and Pukatja, in addition to the existing police stations at Umuwa and Murputja. Accommodation for the police officers at Amata, Mimili and Pukatja is also being built.

It is expected that the new police stations will be fully operational by the second half of 2009. Four officers will be at each location.

SAPOL currently has eight full time police officers living on APY Lands at Murputja and Umuwa. To ensure an immediate increase in police patrols, SAPOL will from August 'fly in and fly out' additional police to ensure there are 12 uniform police officers on the Lands at any one time. These police will be provided with temporary accommodation at Amata, Murputja and Umuwa (see also recommendation 40).

Implementation Report - October 2008

SAPOL currently has eight full-time police officers living on APY Lands at Murputja and Umuwa. In August 2008, SAPOL introduced an additional 'fly in and fly out' police presence to ensure that there are 12 uniform police officers on the Lands at any one time. These police officers are being provided with temporary accommodation at Amata, Murputja and Umuwa (see also recommendation 40).

Planning is underway for the establishment of new police stations at Amata, Mimili, and Pukatja. Temporary demountable accommodation for staff is expected to be in place in January 2009. Tendering and construction for the new police stations are expected to commence by early 2009. It is expected that the new police stations will be fully operational by the second half of 2009. Four officers will be at each location.

SAPOL will continue to monitor the safety of communities on the APY Lands where there is not a police station with a permanent police presence.

First annual report – discussion and progress

Police complexes are to be constructed at Pukatja, Amata and Mimili and include a police station, courts and cells, carport and storage facilities and accommodation for police staff.

Construction on the Amata and Mimili complexes commenced in September 2009 with completion in December 2009. Construction in Pukatja will commence in October 2009 and be completed by March 2010.

Once the construction of the complexes and accommodation is completed, four police officers will be stationed at each location.

SAPOL currently has eight full time police officers living on the APY Lands, based at Murputja and Umuwa. To ensure that there are 12 uniform police officers on the Lands at any one time, SAPOL introduced an additional 'fly in and fly out' police presence in August 2008. These police officers are being provided with temporary accommodation at Amata, Murputja and Umuwa (see also recommendation 40).

SAPOL will continue to monitor the safety of communities on the APY Lands where there is not a police station with a permanent police presence. Community safety meetings are held regularly in most communities and provide a forum for identifying and addressing community safety concerns.

There are nine Community Safety Community Committees across the APY Lands. Bi-monthly meetings are held in each community. Each community is focusing on developing a Community Safety Action Plan. Four communities have completed their Plans and have prioritised the issues in the community, with particular reference to domestic violence and personal health, with particular reference to the well being of children.

Between October 2007 and June 2009, there were a total of 57 Safety Meetings held in communities across the APY Lands. A total of 1092 people attended and there have been 181 actions formulated as a result of these meetings.

Recommendation 40

That at least four sworn police officers be placed in each of the new police stations to be established on the Lands.

That the police officers be selected not only because of experience and ability but also because of suitability of personality and attitude.

That all police officers positioned in the permanent placements of the Lands, or otherwise working on the Lands, undertake cultural training specifically designed to facilitate their working with Anangu.

Government Response - July 2008

The South Australian Government supports this recommendation.

As advised in its response to recommendation 39, the South Australian Government, in conjunction with the Commonwealth Government, is establishing police stations at Amata, Mimili, and Pukatja. Four officers will be at each location. SAPOL will then have 19 police officers on APY Lands. With the input from Community Constables, Police Aboriginal Liaison Officers and project staff, there will be a total of 31 SAPOL staff providing services to APY Lands with additional support from Marla Police.

SAPOL currently has eight full-time police officers living on APY Lands at Murputja and Umuwa. They are supported by four Community Constables and 3 Police Aboriginal Liaison Officers. A further six police officers provide assistance and support from Marla.

To ensure an immediate increase in police patrols, SAPOL will from August 'fly in and fly out' additional police to ensure there are 12 uniform police officers on the Lands at any one time. These police will be provided with temporary accommodation at Amata, Murputja and Umuwa. In addition, one detective and one child and family violence/crime prevention officer are based at Marla; another position of child and family violence/crime prevention officer will join this team in early August. Once the new police stations are built, these officers will be relocated to Umuwa on the APY Lands.

The Commonwealth Government is providing demountable buildings and is currently upgrading them to make them suitable as temporary staff housing and office accommodation for police officers. The State has requested leases from the APY Executive to enable the demountables to be placed at Umuwa on serviced blocks. This request will be considered by the APY Executive in late August. Temporarily unoccupied State Government staff housing has been identified to enable police officers to live on a temporary basis in communities whilst permanent accommodation is being constructed.

The Government understands the importance of all service providers on the Lands having appropriate skills and attitudes as well as appropriate levels of cultural awareness. Currently all officers working on APY Lands are provided with cultural awareness training. SAPOL is currently enhancing this training to be more encompassing of traditional issues. SAPOL is also examining a range of initiatives to ensure that officers selected to work on APY Lands have the necessary experience and suitability.

Implementation Report - October 2008

The South Australian Government, with assistance from the Commonwealth Government, is in the process of establishing police stations at Amata, Mimili, and Pukatja. The stations are expected to be operational in the second half of 2009. The stations will include cells and a court, and each station will provide accommodation for four officers.

As reported in the South Australian Government's response to the Commission of Inquiry Report in July 2008, there will eventually be a permanent police presence of 19 officers on the APY Lands. With the input from Community Constables, Police Aboriginal Liaison Officers and project staff, there will be a total of 31 SAPOL staff providing services to APY Lands, with additional support from six members stationed at Marla.

To ensure an immediate increase in police patrols, SAPOL introduced a 'fly-in and fly-out' additional police presence in August 2008. This strategy provides that there are 12 uniform police officers on the Lands at any one time. These police have temporary accommodation at Amata, Murputja and Umuwa. In addition, one detective and two Child and Family Violence/Crime Prevention Officers have been established at Marla. Upon completion of the new police stations and residences, these officers will be relocated to Umuwa on the APY Lands.

Work is underway to upgrade demountable buildings provided by the Commonwealth Government for temporary staff housing for police officers. The South Australian Government has been granted leases from the APY Executive to enable the demountables to be placed at Umuwa on serviced blocks. The demountables are planned to be in place in January 2009.

SAPOL is examining a range of initiatives to ensure that officers selected to work on the APY Lands have the necessary experience and suitability, as well as appropriate levels of cultural awareness. Currently all officers working on the APY Lands have been provided with cultural awareness training. This training, along with 'mandatory notification' training is currently under development to make it more encompassing of traditional issues.

SAPOL staff will be encouraged and supported to perform their duties to an optimum level on the Lands through effective human resource management practices. SAPOL has developed a comprehensive Individual Performance Management (IPM) system to ensure that employees have clear understanding of their individual accountabilities and responsibilities and how they are expected to achieve them. This corporate performance management system will continue to monitor staff performance and directly contribute to the identification of any deficiencies within SAPOL selection processes for these sensitive roles.

First annual report – discussion and progress

Police stations are being built at Amata, Mimili, and Pukatja. It is anticipated that the facilities at Amata and Mimili will be completed in December 2009, and in Pukatja by March 2010. The stations will include cells and a court as well as accommodation for four permanent police officers.

Four officers will be at each police station. This will result in a permanent police presence of 19 officers on APY Lands. With the input from Community Constables, Police Aboriginal Liaison Officers and project staff, there will be a total of 31 SAPOL staff providing services to the APY Lands, with additional support from six members stationed at the Marla Police Station.

To ensure an immediate increase in police patrols, SAPOL commenced a 'fly-in and fly-out' model in August 2008 to ensure that there are 12 uniform police officers on the Lands at any one time. These police are provided with temporary accommodation at Amata, Murputja and Umuwa. In addition, one detective and two child and family violence/crime prevention officers are based at Marla. Upon completion of the new police stations and accommodation these officers will be relocated to the APY Lands.

Demountable buildings have been provided and are currently being used as temporary staff housing for police officers. The demountable accommodation will ensure that staff will be able to be housed within the APY Lands and remove the current reliance on Marla for additional accommodation.

SAPOL acknowledges and supports the importance of all staff serving within the APY Lands having appropriate skills and attitudes, as well as appropriate levels of cultural awareness. Currently all officers working on the APY Lands have been provided with cultural awareness training as part of an ongoing corporate initiative. SAPOL is currently enhancing this training and has made the Child Safe Environment Courses (mandated notification training) more culturally inclusive.

SAPOL is also examining a further range of initiatives to ensure that officers selected to work on the APY Lands have the necessary experience and suitability.

Recommendation 41

That whenever possible all allegations of child sexual abuse on the Lands be investigated by the Victim Management Service, Child Exploitation Investigation Service and Paedophile Task Force of SA Police, or the Far Northern Local Service Areas.

That members of SA Police required to investigate such allegations receive appropriate training regarding cultural, language and other communication matters concerning Anangu and sexual matters, and suitable techniques of investigation.

Government Response - July 2008

The South Australian Government supports this recommendation.

The processes outlined in this recommendation are included in SAPOL Standing Orders.

To ensure accurate records are maintained, all principal SAPOL locations are connected to SAPOL computer systems. Regular auditing of case management occurs at the Local Service Area level.

SAPOL is re-examining staff training to ensure that it is more encompassing of traditional issues. All general duties positions on the APY Lands are covered by a specific Position Information Document that requires demonstrated knowledge and understanding of Aboriginal culture. A review of existing Position Information Documents is also being undertaken, together with a review/amendment of the current induction model for APY positions.

Implementation Report - October 2008

The current practice of the South Australia Police (SAPOL) is to record all available information relating to all allegations of child sexual abuse. All allegations of child sexual abuse reported to police must be recorded on a Police Incident Report, which is entered onto the Police Incident Management system (PIMS). All suspected abuse and neglect must also be reported to the Child Abuse Report Line, managed by Families SA.

SAPOL's Sexual Crime Investigation Branch search PIMS each day to collect data relating to sexual offences reported to SAPOL. The branch assesses all sexual offences and then offers consultancy and support as required to ensure that matters are properly investigated by local police. All principal police locations are connected to SAPOL computer systems, and to the SAPOL case management system. The case management system is audited regularly at the Local Service Area level.

SAPOL is currently reviewing its cultural awareness training for staff. Its staff training courses on child protection and child-safe environments have been modified to include a greater focus on traditional Aboriginal content. Induction information has been reviewed and modified to provide a broader level of information for all staff deployed within the APY Lands. This information is now available to all SAPOL staff through the internal intranet.

A final review of APY Lands Position Information Documents will coincide with the completion of new police station and the subsequent appointment and expansion of permanent staff numbers onto the Lands. Position Information Documents describe position requirements and essential criteria against which staff are selected. The finalisation of such documents will form the basis for selection of appropriate staff for the positions on the Lands.

First annual report – discussion and progress

SAPOL's current practice is to record all available information in relation to all allegations of child sexual abuse. This is done using a Police Incident Report, which is entered onto the Police Incident Management system (PIMS). All suspected abuse and neglect is also reported to the Child Abuse Report Line.

The Sexual Crime Investigation Branch (SCIB) searches PIMS each day to collect data relating to sexual offences reported to SAPOL. SCIB assesses all sexual offences and then offers consultancy and support as required to ensure that matters are properly investigated. To ensure accurate records, all principal police locations are connected to the SAPOL computer system and the SAPOL case management system.

A Service Level audit requirement has been established to ensure that the case management system is audited quarterly at the Local Service Area level.

Tier 1 investigations remain the responsibility of police Local Service Areas with oversight by SCIB and Tier 2 investigations are the responsibility of SCIB.

SAPOL's Corporate Cultural Awareness Training is currently under review. SAPOL Child Protection Courses and Child Safe Environment Courses have been modified to include a greater focus on traditional Aboriginal content.

Induction information has been reviewed and modified to provide a broader level of information for all staff deployed within the APY Lands. This information is now available to all SAPOL staff through the internal intranet.

A further review of the APY Lands Position Information Documents will coincide with the completion of the new police stations and the subsequent appointment and expansion of permanent staff numbers on the Lands.

Recommendation 42

That a training program for interpreters be developed by an established tertiary education organisation for Anangu and other persons with knowledge of Pitjantjatjara, Yankunytjatjara, Ngaanyatjarra and other languages used on the Lands as a matter of urgency.

That people undertaking the training also receive information about features of the child protection and the criminal justice system which are relevant to the role of interpreters.

That interpreters also be available to Families SA, DECS, the Nganampa Health Council, ALRM and CRJ in the management and implementation of restorative justice on the Lands.

Government Response - July 2008

The South Australian Government supports this recommendation

The Government will encourage efforts to provide training for interpreters within the tertiary education system. The DFEEST has recently allocated funding of \$120,000 for the continued training of Aboriginal interpreters.

The Government has also allocated \$520,000 over four years in improving Aboriginal interpreter services in South Australian Courts. A focus of this additional resourcing will be the provision of additional interpreters in the APY lands

Implementation Report - October 2008

As announced in July 2008, the DFEEST has recently allocated funding of \$120,000 for the continued training of Aboriginal interpreters within the tertiary education system.

Interpreters are being trained to provide interpreting services on the APY Lands and the Government is exploring opportunities to enhance the coordination of interpreting service delivery on the APY Lands.

The \$520,000 allocated to the Interpreting and Translating Centre over four years to improve Aboriginal interpreter services in South Australian Courts will improve the provision of interpreters to courts circuit held on the APY Lands.

First Annual Report - Discussion and progress

Funding for the training of interpreters and for the Interpreting and Translating Centre has been allocated. Interpreter training is being offered through the Diploma of Interpreting, which is a joint initiative of the Department of the Premier and Cabinet's Aboriginal Affairs and Reconciliation Division (DPC-AARD) and the Department for Further Education, Employment Science and Technology, TAFE SA. Students are learning through participation in intensive workshops and online activities. In March 2008, the first online session involved eleven students at Iwantja, Mimili, Pukatja and Pipalyatjara.

Trainees are provided with an overview of the medical and criminal justice systems and associated concepts and vocabulary. As yet, a specific focus on child protection issues is still to be incorporated into the curriculum. This has not explicitly occurred to date due to the sensitive nature of the issues and the need for cultural protocols regarding instruction about these issues, more especially in co-educational teaching contexts.

There are currently 25 students studying for the Diploma at Pukatja, Pipalyatjara, Port Augusta, and Yalata. It is expected that there will be at least 10 graduates from this program by the end of 2009.

There are currently three trained interpreters who are able to provide interpreting services on the Lands and additional interpreter services are becoming available in Adelaide through independent service providers.

Discussions between TAFE SA and DPC-AARD have commenced regarding the possible future development of and locations for interpreter training.

The National Partnership Agreement on Remote Service Delivery has allocated further funding to support the development of interpreter training and service provision on the APY Lands.

Recommendation 43

That a liaison person be appointed in each case to assist alleged victims and witnesses with police and court processes, independent of police or prosecution.

That the NPY Women's Council be requested to make the appointment and that all reasonable costs should be paid by the State Government.

Government Response - July 2008

The South Australian Government notes this recommendation.

Until now, the need for such services has been infrequent. However, it is likely that the need will increase as a result of the Government's increased intervention in child protection matters and policing on the Lands.

DFC will evaluate the level, type and nature of services required to meet the need, and the capacity of existing services to do so, and will give further consideration to this recommendation. In doing so the Government will consult with relevant stakeholders, including the NPY Women's Council.

Implementation Report - October 2008

As noted in the South Australian Government response of August 2008, until now the need for such services has been infrequent.

The task force established to respond to the recommendations of the Children on APY Lands Commission of Inquiry is giving consideration to the level, type and nature of services required to meet this need and the capacity of existing services to do so.

The task force will consult with relevant stakeholders, including the NPY Women's Council and Nganampa Health Council as part of this process.

First Annual Report - Discussion and progress

There are currently different service providers that offer support to alleged victims and witnesses who find themselves in the criminal justice system and courts processes. These services include those offered by the NPY Women's Council, the Victim Support Service based in Port Augusta, the services provided by SAPOL, and the witness assistance service of the Director of Public Prosecutions. Alleged victims and witnesses are assisted through the provision of court preparation; the sourcing of appropriate court companions; assessments; the sourcing of interpreters; the establishment of linkages and referrals to appropriate services, as required.

It is possible that as a result of the Government's increased intervention in child protection matters and policing on the Lands the need for these services will increase.

As part of its ongoing work to progress the Government's response to the Children on the APY Lands Commission of Inquiry's recommendations, the Taskforce responsible for responding to the Commission of inquiry's recommendations is considering the level, type and nature of services required to meet this need and the capacity of existing services to do so.

Recommendation 44

That the *Children's Protection Act* or regulations be amended to add a function of the Guardian for Children and Young People to act as an advocate of an Anangu child or young person who is not in State care but is the subject of a Family Care Meeting Agreement and who has made a disclosure of sexual abuse.

That in accordance with section 52B of the Act, the Guardian be provided with sufficient staff and resources to carry out the function.

Government Response - July 2008

The South Australian Government supports this recommendation in principle.

The Government accepts the need to ensure that appropriate support and advocacy is provided to an Anangu child or young person who is the subject of a Family Care Meeting Agreement and who has made a disclosure of sexual abuse.

The Government will develop the most appropriate advocacy model and consult with relevant stakeholders prior to its implementation.

Implementation Report - October 2008

The task force established to respond to the recommendations of the Children on APY Lands Commission of Inquiry is responsible for developing an appropriate support and advocacy model for an Anangu child or young person who is the subject of a Family Care Meeting Agreement and who has made a disclosure of sexual abuse. The task force will report to the Government on this issue early in 2009.

Once an appropriate model is determined, the Government will consult with relevant stakeholders prior to its implementation.

First Annual Report - Discussion and progress update

This recommendation has been included in the draft Bill to amend the *Children's Protection Act* or regulations in order to provide that the Guardian for Children and Young People is enabled to act as an advocate of an Anangu child or young person who is not in State care but who is the subject of a Family Care Meeting Agreement and who has made a disclosure of sexual abuse.

A Bill to give effect to the Commission's recommendations, including the recommendation that section 11 of the *Children's Protection Act* be amended to provide that it is an offence to prevent, obstruct or interfere with a person discharging or attempting to discharge the obligation of mandatory reporting pursuant to section 11(1) of that Act, has been drafted. The Minister for Families and Communities introduced the amendments to Parliament on the 16 July 2009. They were subsequently released for public consultation which closed on 11 September 2009. At the time of tabling this report, the Bill was yet to be passed.

Recommendation 45

That during the next 12 months the State Government consult with the Courts Administration Authority and interested agencies, to establish what services and facilities are required to enable the courts to operate effectively and efficiently on the Lands and that all reasonable resources be provided for that purpose to enhance safety on the Lands.

That court facilities are not established as part of police stations on the Lands.

Government Response - July 2008

The South Australian Government notes this recommendation.

The Government, with the Courts Administration Authority and interested agencies, is considering the further services, facilities and practices required to enable the efficient operation of the courts on the Lands.

Such consideration will include assessment of the resources required to provide services and, given the significant competing priorities for resources on the Lands, whether the operation of court facilities on the lands in such a manner is the best use of resources in addressing community safety and the protection of children.

In the interim, facilities suitable for use as courtrooms are being established as part of the new police infrastructure at Mimili, Amata and Pukatja. The Courts Administration Authority is negotiating for the use of the Rural Transaction Centres in the remaining APY communities.

As set out in the response to recommendation 42, a focus of the Government's additional resourcing for Aboriginal interpreter services in courts will be on providing additional interpreters in the APY Lands.

Implementation Report - October 2008

The South Australian Government has established a working group to consider the further services, facilities and practices required to enable the efficient operation of the courts on the Lands.

In the interim, the South Australian Government is establishing facilities for use as courtrooms as part of the new police infrastructure at Mimili, Amata and Pukatja. Planning of these facilities is underway and work will commence in November 2008. It is anticipated that that the three facilities will be completed by the end of 2009.

A focus of the Government's recent funding commitment for Aboriginal interpreter services in courts is on providing additional interpreters in the APY Lands. Interpreters have now been trained to provide interpreting services on the APY Lands.

First annual report – discussion and progress

As required by Recommendation 45, the State Government has consulted with the Courts Administration Authority and interested agencies, to establish what services and facilities are required to enable the courts to operate effectively and efficiently on the Lands and to provide reasonable resources for that purpose, so as to enhance community safety on the Lands.

Given the extent of required resources and the level of use of the proposed court facilities, it was decided that a separate courts administration complex would be built in Umuwa and that

facilities for use as courtrooms would be established as part of the new police infrastructure at Mimili, Amata and Pukatja.

Planning for the Courts Administration Complex in Umuwa is underway. The Department for Transport, Energy and Infrastructure is consulting with all interested agencies including the Courts Administration Authority regarding requirements for the facility.

A lease application has been submitted to the APY Executive for what has been renamed the *Umuwa Court and Community Safety Centre*. Discussions are currently underway regarding this matter.

The Magistrates Court intends to use the Umuwa Centre primarily as a trial facility, and will move non-custodial trials from Marla, where most trials are currently held. Components of custodial trials could also be held at the Umuwa Centre if video-link facilities are provided. Child protection matters will be dealt with at the stand-alone Court and Community Safety Centre in Umuwa. It is envisaged that the smaller court facilities attached to the police stations will deal with other non-child protection matters.

Leases have been secured for the police complexes, which are being constructed for Pukatja, Amata and Mimili. These are scheduled to be completed in late 2009, early 2010 and will all contain Court facilities. In the interim, the Rural Transaction Centres (PY Ku Centres) have provided facilities for the circuit court.

Recommendation 46

That a corrections facility be established on the Lands for prisoners on remand on a short-term basis.

That prisoners on remand for longer than short-term be removed from the Lands to the corrections facility at Port Augusta or elsewhere, as determined in the usual way by the Department for Corrections.

That the State Government arrange air travel for the removal of prisoners from the Lands and their return for court appearances.

Government Response - July 2008

The South Australian Government does not accept the recommendation to establish a corrections facility on the Lands for prisoners on remand.

The Government does not believe that, given the significant competing priorities for resources on the Lands, the significant capital and operational costs of establishing a remand correctional facility on APY Lands for prisoners on remand is the best use of those resources in addressing community safety and the protection of children.

The Government is, however, building 12 beds for traditional Aboriginal men at the Port Augusta correctional facility. These beds will better enable authorities to remove prisoners on remand from the Lands to Port Augusta.

Implementation Report October 2008

Work towards the construction of a twelve-bed unit for traditional Aboriginal men at the Port Augusta correctional facility has commenced. These beds will better enable authorities to remove prisoners on remand from the Lands to Port Augusta. It is expected that these beds will be operational by the end of 2008.

As noted in its response of July 2008, the South Australian Government does not accept the recommendation to establish a corrections facility on the Lands for prisoners on remand.

First Annual Report - Discussion and progress

In its July 2008 response, the South Australian Government indicated that it would not support this recommendation to establish a corrections facility on the APY Lands for prisoners on remand.

The capital and recurrent costs of implementing this recommendation would be significant. Given the significant competing priorities for resources on the Lands it was not considered that establishing a remand correctional facility on APY Lands for prisoners on remand would be the best use of those resources in addressing community safety and the protection of children. However, as proposed in its July 2008 response to the Inquiry's Report, the 12-bed unit for Aboriginal men at Port Augusta Prison was built and officially opened by the Minister for Correctional Services in August 2009. The unit is named "Pakani Aranka" (meaning a good growing place). This facility enables authorities to remove prisoners on remand from the APY Lands to Port Augusta when necessary.

