

Second 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 2010

Children on APY Lands Commission of Inquiry Second 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 Inquiry, with the Hon Ted Mullighan, QC and former Justice of the Supreme Court, as Commissioner, is often referred to as ‘the Mullighan 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 Children on the APY Lands) Act 2004*. The Act requires that the Government provides annual reports on progress of the implementation of the Inquiry’s recommendations for a period of five years. This is the second annual report, with reporting to continue until 2013.

An initial statement from the Government was tabled in Parliament alongside *The Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands Commission of Inquiry – A Report into Sexual Abuse* on 6 May 2008. Of the 46 recommendations made by Commissioner Mullighan, the Government accepted all bar one – Recommendation 46 ‘that a corrections facility to be established on the Lands...’. A Response to each of the Inquiry’s recommendations was tabled in July 2008, and the Implementation Statement in October 2008. The First Annual Report was tabled in December 2009.

This Second Annual Report provides a summary of key achievements in addition to noting progress on each recommendation. A summary of the Government’s Response and Implementation Statement for each recommendation is attached as Appendix A. All tabled documents relating to the Commission of Inquiry are available at www.sa.gov.au/mullighaninquiry

The Department of the Premier and Cabinet, Aboriginal Affairs and Reconciliation Division (DPC-AARD) oversees the Government’s response to the Inquiry recommendations through its role as Chair of a Taskforce and Inter-departmental Working Group (IWG). The across-government Taskforce, which includes senior officers from the State and Commonwealth Governments and key non-government agencies working on the APY Lands, acts as an advisory body. In addition, the IWG is made up of senior officers from the State Government and is responsible for reporting on progress. Each of these bodies meets quarterly.

The State Government’s response to the recommendations of the Commission of Inquiry’s report is making strong progress. Responses to ten recommendations are completed to date, while the remaining 35 recommendations have been addressed to varying degrees. Many responses are close to completion pending appointment of personnel, or have an ongoing component. There has been significant progress on child protection measures, despite difficulties in recruiting and retaining staff, as well as progress on community-wide measures that contribute to the safety and support of families. An increased police presence on the Lands has offered reassurance and safer communities, and local skills are being developed to support better governance. Housing initiatives to alleviate over-crowded and sub-standard living conditions are close to being on schedule despite the complexities associated with remote sites. However, it must be recognised that it may be some years before the full impact of the responses on the communities and children of the APY Lands can be determined and identifiably reflected in their lives.

Summary of Key Achievements

This section provides a summary of achievements on the APY Lands across a number of key areas. Each of these areas may encompass the responses to a number of recommendations or specific clauses within recommendations. Full detail of the response to individual recommendations follows this section.

Infrastructure

Anangu Housing

There has been significant progress towards improving community housing in APY Lands communities. During 2009-10 there were 33 new houses constructed in Amata, Mimili and Kaltjiti and 34 houses upgraded in these communities and Pipalyatjara. There are 28 new houses and 52 upgrades planned for 2010-11. Housing SA will also construct five new dwellings in Umuwa to house Anangu who are employees or trainees based in Umuwa servicing Lands communities.

As new housing construction is completed, properties are allocated to families in greatest need, focussing on the safety of children and overcrowding. A new Home Living Skills program has been established to provide tenants with the skills to maintain their homes, and responsive and programmed maintenance systems have been established for all existing houses.

Government/Staff Housing

Staff housing on the Lands has been augmented with the construction of two duplex units in Pukatja, two duplex units in Pipalyatjara and one in Amata. Two duplex units, one each located in Umuwa and Mimili, are expected to be completed by the end of 2010.

Childhood Centre

The Pukatja Children and Family Centre was built alongside the existing pre-school building with funding from DPC-AARD and opened in October 2009. The Centre provides daily sessions for 0-3 year olds and their parents, supporting numeracy and literacy for children and building parental skills in care and nutrition. Through the Indigenous Early Childhood Development National Partnership (IECDNP), services at Pukatja are being expanded as part of the development of an Aboriginal Children and Family Centre by the Department of Education and Children's Services (DECS) in partnership with the Department for Families and Communities (DFC).

Safe House

In 2009 the Ngaanyatjarra Pitjantjatjara Yankunytjatjara (NPY) Women's Council researched options on behalf of the State Government for safe accommodation for women and children escaping violence or suspected child abuse. Its subsequent report did not support locating a safe house on the APY Lands and there was a preference for provision of safe accommodation and services in Alice Springs; DPC-AARD is working with the Commonwealth and Northern Territory governments to identify funding options to support this option. Meanwhile, the State Government, through DFC, has committed extra funding to increase case management services on the APY Lands, provide transport to enable women and children to leave and return to the Lands, and to augment services at the Coober Pedy Safe House.

Police Stations

South Australia Police (SAPOL) has three new police stations on the APY Lands - at Mimili, Amata and Pukatja - providing reassurance and prompt response for communities.

Courts

Improvements to infrastructure within communities have significantly eased the need for court facilities at Umuwa. Court Officers currently use PY Ku centres and police stations for court matters, with teleconferencing capability being investigated for future use. As a result, the Courts Administration Authority (CAA) is no longer involved in a planned courts/administration facility at Umuwa. Funding for the facility has come from the Commonwealth and negotiation is underway to reconsider the purpose of the planned facility.

Community Governance

Community-based governance reform and capacity building has continued with nine Community Councils. Governance will be further strengthened by the appointment of six Community Council Support Officers; currently being recruited for Amata, Mimili, Iwantja, Pukatja, Kaltjiti and Pipalyatjara.

Resourcing

The injection of a range of workers into the Lands is improving community and child safety, which will lead to better outcomes for children. Recruitment and retention of staff has been a problem but agencies have attempted to address this issue by providing incentives and additional professional and personal support for remote area workers.

Families SA has committed additional resources in the form of two Child Protection Worker and three Lands-based Worker positions (making six in all) and recently created a supervisor position to provide support to workers based on the Lands. Officers are provided with the maximum recruitment and retention benefits allowed under State Government regulations.

Housing SA has located workers on the APY Lands to manage community housing, service delivery, maintenance and assets. There are currently four full time equivalent positions based in Umuwa and servicing the Lands. Housing SA intends to recruit Anangu trainees in a range of housing services subject to construction of employment related accommodation in Umuwa. This has been funded out of the National Partnership on Remote Indigenous Housing and five houses are to be constructed during 2010-11.

DFC-Community Programs employs two senior managers and four program coordinators to deliver youth, aged care and disability programs in seven communities across the Lands. Employment opportunities are available for Anangu in these programs with part time employment available in 19 HACC Worker, 14 Youth Support Worker and seven Family Support Worker positions.

DECS has introduced incentives to help recruit and retain teachers, with some staying on the APY Lands beyond their two year appointments. A full time ICT Support Officer has been appointed to provide technical support and training for staff on the Lands and a full time Project Officer based at Pukatja supports the implementation of an accelerated literacy program.

SAPOL now has 19 permanent sworn officers on the APY Lands. A specialised Detective, two Child and Family/Crime Prevention Officers and the Senior Sergeant Officer in Charge are based at Umuwa. Police on the APY Lands are also supported by six officers and one Administrative Support Officer stationed at Marla. There are three Community Constables on the Lands at this time. Additionally, SAPOL will commit a Detective and two Victim Management Officers for 12 months to an integrated strategy on child sexual abuse and domestic violence.

The Child and Adolescent Mental Health Service (CAMHS) has funding under the COAG *National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes* to provide mental health services to children and young people on the APY Lands, including those who have been sexually abused. A Coordinator is overseeing the Lands-based clinical response. One APY Lands-based CAMHS clinician has been employed since June 2010 and recruitment of a second clinician is underway.

The Commonwealth Government's Department of Health and Ageing (DoHA) has provided Nganampa Health Council with funding from June 2010 for an additional doctor to be based on the APY Lands. The appointment (currently being advertised) will see four full time equivalent Medical Officers providing direct services and/or secondary consultation and support to Registered Nurses on the Lands.

Information Sharing and Reporting Mechanisms

Mandatory Reporting

Since September 2008 DFC has chaired the Child Protection on the APY Lands Working Group which includes Nganampa Health Council, NPY Women's Council, DECS, CAMHS, Child Protection Services (CPS), Families SA and SAPOL. The Group has developed protocols for inter-agency responses to child protection cases on the Lands. *The APY Lands Child Protection Protocols: for the investigation and assessment of suspected abuse and/or neglect* is a working document that is being used to respond to child protection notifications. The protocol has been signed off by the working group and is currently being prepared to be sent to the relevant organisations for their final endorsement. Families SA also has regular discussion meetings with NPY Women's Council to share information and plan services.

An electronic notification system has been operating on the Lands since June 2009 with registered users including DECS and SAPOL officers.

Child protection and mandatory reporting is on the agenda of a number of meetings including Community Safety Meetings, chaired by SAPOL, and held every two to three months across nine communities on the Lands; the Taskforce and IWG meetings, chaired by DPC-AARD; and the Senior Officers Group on Care and Protection of Children meeting, chaired by DFC, which brings together a range of State agencies each month to discuss child protection in general.

Community Safety and Wellbeing

SAPOL has established Community Safety Committees at Iwantja, Mimili, Kaltjiti, Pukatja, Amata, Murputja and Pipalyatjara/Kalka. From October 2009, 19 meetings have been held with 437 attendees and 53 actions raised; 13 more are scheduled through to November 2010. The Far North Local Service Area monitors and reviews daily, crime, statistics and trends as part of the Intelligence Business Process.

Training and Awareness

Agencies on the Lands continue to raise awareness among clients, their families and communities about the importance of keeping children safe and the role each of them can play.

Families SA has provided training on Child Safe Environments in Alice Springs and on the APY Lands, and Information Sharing Protocols training on the APY Lands. Training was delivered to NPY Women's Council at Alice Springs in November 2009, and on the Lands in June 2010 at six communities. Forty-eight workers from DECS, Nganampa Health Council, DFC-Community Programs, SAPOL, DASSA and NPY Women's Council attended overall. This training will be offered annually by Families SA.

Training, education, consultancy and support are provided by the Child, Youth and Women's Health Service (CYWHS), CAMHS to relevant health service providers (including Nganampa Health Council) in forensic health services.

All SAPOL staff members deployed to the APY lands receive Child Safe Environment training as well as access to regionally and culturally specific on-line resources via the intranet. SAPOL has provided awareness training of the APY Lands to all members of the Sexual Crime Investigations Branch (SCIB) and, in turn, a familiarisation with SAPOL services within the APY Lands for all staff from the Child Abuse Report Line. SAPOL has modified its Child Protective Course to include a session on the APY Lands.

DECS conducts a compulsory intensive Induction Program for new teachers at Wiltja (Woodville) each year in January in addition to on-site induction.

Services and Programs

Families SA has two Child Protection Workers and six Lands-based Workers committed to the Lands to respond to child protection issues. In addition DFC-Families SA provides an outreach service to the APY Lands from Coober Pedy with visits to eastern and western communities every three weeks. Outreach trips enable investigation and assessment of child protection matters and case-work activities that may include other agencies such as SAPOL, CAMHS and Drug and Alcohol Services South Australia (DASSA). Youth justice services, financial literacy programs and generic anti-poverty services are also delivered through outreach.

Housing SA provides services based out of its Umuwa office including project management of new housing construction and upgrade programs, housing allocations, rent collection, tenancy support and home visits. Housing SA has also contracted Uniting Care Wesley Port Pirie to deliver Home Living Skills training to

Anangu who are living in new or refurbished housing. The Living Skills training will focus on tenancy rights and responsibilities and healthy living principles.

DFC Community Programs delivers a range of community services for people with a disability, the aged, youth and families. Support is provided in the Family Centres which have become safe learning environments for families and their children. A local disability support program assists people to live independently in their communities and to integrate into community life. The Home and Community Care Program (HACC) provides a daily nutritious meal, blanket washing and some transport assistance for eligible recipients. The Youth Program delivers a range of diversionary activities for youth aged 12-24 years and contracts the NPY Women's Council to deliver school holiday programs.

CAMHS provides mental health services to children and young people on the APY Lands. A coordinator oversees the Lands-based clinical response and one Lands-based clinician has been employed since June 2010.

The DASSA APY Lands Substance Misuse Facility provides both outreach and residential services which are available to children with no age restriction for access. The facility has partnered with detoxification and rehabilitation services in Alice Springs. The involvement of CAMHS staff for periods of 2010 has enabled integrated service delivery to young Anangu with alcohol, drug and mental health issues. Negotiations between DASSA APY Lands staff and DECS Drug Strategy team have resulted in approval to provide alcohol and other drug awareness sessions for schools across the APY Lands.

DECS has expanded the Wiltja Residential Program (located at Northgate) by an additional 40 places, allowing up to 60 students to move between Lands schools and the Wiltja Secondary Program to achieve their SACE Certificate. Through the IECDNP, services at Pukatja are being expanded as part of the development of an Aboriginal Children and Family Centre by DECS in partnership with DFC.

TAFE SA continues to offer interpreter training through the Diploma of Interpreting with seven students graduating in 2009/2010. A current review of interpreter services is expected to produce a recommendation for a new model to better coordinate services and address recruitment and retention issues.

Nganampa Health Council will soon have four full time equivalent Medical Officers providing direct services and/or secondary consultation and support to Registered Nurses on the Lands.

Legislation

The *Children's Protection Act 1993* has been 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 of that Act. Section 11 (6) of the Act commenced on 31 December 2009.

Summary of Finalised Responses

Recommendation No 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 of the Commission's report.

Response

E-Notification System

Set-up of this system began in May 2008 with completion of a trial and training by June 2009. Current registered users have full access to the e-notification technology on the APY Lands; this includes DECS and SAPOL officers.

APY Lands Child Protection Workers

Two Child Protection Workers were appointed in January 2009. Until recently, one had been resident at Pukatja, the other outreaching from Coober Pedy using the temporary accommodation at Umuwa. The person at Pukatja resigned and this position will be advertised soon. Both of these positions will be based at Umuwa when housing construction is finalised in 2010.

Recommendation No 15

That Nganampa Health Council receives 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 the 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.

Response

Nganampa Health Council is a health agency primarily funded by the Commonwealth Government. DoHA has provided the Council with funding from June 2010 for an additional doctor to be based on the APY Lands. The position is currently being advertised. This brings the funded complement of Nganampa Health Council Medical Officers providing direct services and/or secondary consultation and support to Registered Nurses to four full time equivalent.

Recommendation No 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.

Response

DASSA APY Lands Substance Misuse facility provides both outreach and residential services which are available to children with no age restriction for access. The service is funded to an adequate level to provide quality services. The facility has partnered with detoxification and rehabilitation services in Alice Springs. The involvement of CAMHS staff for periods of 2010 has allowed integrated service delivery to young Anangu with alcohol, drug and mental health issues.

Negotiations between DASSA APY Lands staff and DECS Drug Strategy team have resulted in approval to provide alcohol and other drug awareness sessions for schools across the APY Lands. DASSA and CAMHS are currently exploring the feasibility of offering new complementary local health services for young people through the service. A full complement of staff now supports the expansion of the Outreach Service increasing assessment and support for young people and families across APY Lands communities.

Recommendation No 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.

Response

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.

In 2010 DFC entered a licensing agreement with the ANZ Bank to deliver its Money Business Program – a financial literacy program - to Anangu on the Lands. The program builds money management skills and promotes sensible spending to help keep families financially strong. It has been delivered in four communities to date, Pukatja, Iwantja, Amata and Mimili, and is ongoing.

Recommendation No 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.

Response

The *Children's Protection Act 1993* has been 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 of that Act. Section 11 (6) of the Act commenced on 31 December 2009.

Recommendation No 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.

Response

Teachers on the APY Lands are offered support from a senior officer in their first year, one term of professional development when they have completed two years of service, rent-free housing, a locality allowance, country incentive payments and a one-off permanency bonus.

In addition to on-site, school-based induction of new teachers, there is a compulsory, intensive Induction Program delivered at Wiltja (Woodville) each year in January prior to teachers taking up their appointments.

Regular teaching practicum blocks are carried out each year on the APY Lands. The Employee Assistance Program is formally reviewed annually and ongoing performance is assessed through regular client feedback. The Organisational Health Consultant and the Health and Safety Adviser keep regular contact with sites and respond as necessary.

Recommendation No 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.

Response

All information in relation to allegations of child sex abuse is recorded accurately on SAPOL computer systems, including case management. All suspected abuse and neglect must also be reported to the Child Abuse Report Line. Principal police locations are connected to the computer system enabling regular auditing of records at the Local Service Area and SCIB. The SCIB assesses all sexual offences and then offers consultancy and support as required ensuring matters are properly investigated.

Recommendation No 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.

Response

Three new police stations have been built on the APY Lands. SAPOL took possession of Mimili on 18 December 2009, Amata on 20 February 2010 and Pukatja on 30 March 2010. The new stations - each staffed by a Sergeant and three officers - provide reassurance and prompt response for the communities.

Community Safety Committee Meetings have now been established at Iwantja, Mimili, Kaltjiti, Pukatja, Amata, Murputja and Pipalyatjara/Kalka. Thirty six meetings were held between October 2008 and October 2009 with 784 attendees and 75 actions raised. From October 2009 to the end of 2010 a further 32 meetings will have been held. The 19 meetings held between October 2009 to August 2010 attracted 437 attendees with 53 actions raised.

The Far North Local Service Area monitors and reviews daily crime, statistics and trends as part of the Intelligence Business Process and resources are directed to areas where there is no permanent police presence.

Recommendation No 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.

Response

SAPOL now has 19 permanent sworn officers on the APY Lands. A specialised Detective, two Child and Family/Crime Prevention Officers and the Senior Sergeant Officer in Charge are at Umuwa. Mimili, Amata and Pukatja police stations are each staffed by four officers. Three officers are stationed at Murputja, as well as a Sergeant conducting a project on developing Community Safety Committees. Police on the APY Lands are supported by six officers and one Administrative Support Officer stationed at Marla. There are currently three Community Constables on the Lands.

Position Information Documents (PIPs) for the APY Lands sworn uniform positions have been reviewed and amended to ensure regional specificity and cultural awareness. These PIPs, coupled with the corporate performance management system, provide criteria against which staff are selected and will help identify any deficiencies within SAPOL selection processes for these sensitive roles.

Regionally and culturally specific on-line ready resources have been developed and posted onto the SAPOL intranet to support local induction processes and staff in general.

SAPOL will commit another Detective and two Victim Management Officers for 12 months to an integrated strategy on child sexual abuse and domestic violence, to engage the APY Aboriginal communities to break down the barriers to reporting.

Recommendation No 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.

Response

SAPOL continually reviews processes to ensure best practice is maintained in the delivery of its services and in particular the reporting, recording and investigation of any instances of child abuse.

To ensure the improvement of its working partnerships, SAPOL has provided awareness training of the APY Lands to all members of the SCIB and in turn a familiarisation of SAPOL services within the APY Lands for all staff from the Child Abuse Report Line. SAPOL has modified its Child Protection Course to include a session on the APY Lands. An induction education document has been developed for all officers selected for positions on the APY Lands.

Discussion and Progress Update

There has been action in respect to all of the recommendations in this section. Many responses are close to completion pending appointment of personnel, or have an ongoing component.

Recommendation No 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.

Lead Agency: Department of the Premier and Cabinet, Aboriginal Affairs and Reconciliation Division (DPC-AARD)

Discussion and progress update

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

After the release of the Thurtell Report in 2007, DPC-AARD drafted a consultation paper - *Review of Service Delivery and Governance on the APY Lands*. The consultation paper considered options for the improvement of service delivery through the establishment of a local government-type body. The paper was circulated in October 2008 and consultations with APY Lands communities were held during October and November 2008. Written submissions were received up until 31 March 2009.

The need to consider the Council of Australian Government's (COAG) Indigenous Reform process and national partnership agreements, as well as the re-allocation of Municipal Services funding from July 2010, has delayed the release of a proposed new model for service delivery and governance on the Lands.

In considering the possibility of moving away from the governance model delivered under the *Anangu Pitjantjatjara Yankunytjatjara (APY) Lands Rights Act 1981* the APY Executive Committee is currently conducting an organisation-wide review. Due for completion by the end of 2010, the review includes structure, administration and operations. It is overseen by a Steering Committee which includes representatives of the APY Executive Board, APY Administration, DPC-AARD and the Commonwealth through Families and Housing Community Services and Indigenous Affairs (FaHCSIA).

DPC-AARD, in conjunction with the Office for the Registrar of Indigenous Corporations, delivered the Building Strong Corporations program to APY communities in February 2009. Community-based governance reform and training continues with the community councils of Iwantja, Kaltjiti, Mimili, Pukatja, Nyapari,

Kanpi, Amata, Kalka and Pipalyatjara. This program is being undertaken by two consultancies and is supported by FaHCSIA and DPC-AARD. Capacity will be further strengthened with six Community Council Support Officers currently being recruited to assist in Amata, Mimili, Iwantja, Pukatja, Kaltjiti and Pipalyatjara.

Recommendation No 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.

Lead Agency: Department of Families and Communities

Discussion and progress update

Families SA staff who live and work in the APY Lands receive the maximum benefits allowed under State Government regulations. The benefits provided include payment of a loading on base salary, the provision of Government subsidised housing and a locality allowance.

The name of the positions committed to the Lands has been changed from Social Worker to Lands-based Worker which better reflects the range of qualifications appropriate to undertake the duties of the position.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

Outreach Services

An outreach service continues to the APY Lands from Coober Pedy Families SA. Planned trips to the APY Lands occur twice (East and West teams) every three weeks. The regular outreach trips have the primary purpose of follow-up with children and families, case work activities including involvement of other agencies (SAPOL, CAMHS, DASSA etc), re-assessment of risk/safety of children and young people, participation in Family Care Meetings, investigation and assessment of child protection matters, delivery of youth justice services, presentation of financial literacy programs and generic anti-poverty services.

APY Lands Child Protection Workers

Two Child Protection Workers were appointed in January 2009. Until recently one had been resident at Pukatja, the other outreaching from Coober Pedy and using the temporary accommodation at Umuwa. The person at Pukatja resigned and this position will be advertised soon.

Lands-based Workers

Six Lands-based Worker positions are funded for the APY Lands. Currently the Pipalyatjara, Pukatja, Mimili and Iwantja positions are filled. All of the workers in these positions were resident on the Lands at the start of school term four 2010. The position at Amata has been filled and the worker will commence at the start of term one in 2011. The position in Kaltjiti is vacant and recruitment for the position is planned for November 2010. There has been ongoing difficulty in the recruitment of appropriately qualified and skilled persons for such remote area work. Newly appointed staff are given an appropriate Families SA training and orientation package prior to taking residence on the APY Lands. An additional position, a Supervisor for the Lands-based Workers, has also been appointed for 12 months from 30 August 2010.

Training

Families SA has provided Child Safe Environment Training in Alice Springs and on the APY Lands, and Information Sharing Protocols training on the APY Lands. The Alice Springs training was provided to NPY Women's Council in November 2009, while the APY Lands training was provided to staff from DECS, Nganampa Health Council, DFC Community Programs, SAPOL, DASSA, and NPY Women's Council. Training on the Lands occurred from 1 to 9 June 2010, in six communities, Pipalyatjara, Kaltjiti, Mimili, Amata, Pukatja and Iwantja. Overall, 48 participants including Anangu staff attended.

Families SA and Health (CPS) provided formal input on child protection to the TAFE course for the training of Aboriginal interpreters for the APY Lands.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

Lands-based Workers

Six Lands-based Worker positions are funded for the APY Lands. Currently the Pipalyatjara, Pukatja, Mimili and Iwantja positions are filled. All of the workers in these positions were resident on the lands at the start of school term four, 2010. The person for the position at Amata has been recruited and will commence term one 2011. The Kaltjiti position is vacant and recruitment to fill it is planned for November 2010.

There has been ongoing difficulty in the recruitment of appropriately qualified and skilled persons for such remote area work. Newly appointed staff at Pukatja, Mimili, Amata and Iwantja will be undertaking an appropriate Families SA training and orientation program prior to taking residence on the APY Lands. An additional position, a Supervisor for the Lands-based Workers, has also been appointed for 12 months from 30 August 2010.

See Recommendations 3 and 4.

Recommendation No 6

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 *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.

Lead Agency: Department for Families and Communities

Discussion and progress update

Child Protection on APY Lands Protocols

Since September 2008 Families SA has chaired the Child Protection on the APY Lands Working Group which includes Nganampa Health Council, NPY Women's Council, DECS, CAMHS, CPS, Families SA and SAPOL. The group has developed a protocol for inter-agency responses to child protection cases on the APY Lands.

The APY Lands Child Protection Protocols: for the investigation and assessment of suspected abuse and/or neglect is a working document and is being used to respond to child protection notifications on the APY Lands. The protocol has been signed off by the working group and is currently being prepared to send to the relevant organisations for their final endorsement.

See Recommendation 20.

Recommendation No 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.

Lead Agency: Health SA

Discussion and progress update

Over the past few years, CAMHS has been an integral part of the working party involving CPS, Families SA, SAPOL, DECS, Nganampa Health and NPY Women's Council, to develop *The APY Lands Child Protection Protocols: for the investigation and assessment of suspected abuse and/or neglect*.

The protocol has been used as a working document and is being used to respond to child protection notifications on the APY Lands. The protocol has been signed off by the working group and is currently being prepared to be sent to the relevant organisations for their final endorsement.

In addition CAHMS and Families SA staff meet regularly to discuss case matters and referrals.

See Recommendation 6.

Recommendation No 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.

Lead Agency: Health SA

Discussion and progress update

The CYWHS, CAMHS has funding under the COAG *National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes* to provide mental health services to children and young people on the APY Lands. This will include some children and young people who have been sexually abused.

The CAMHS Coordinator APY Lands team is overseeing the visiting and Lands-based clinical response.

One APY Lands-based CAMHS clinician has been employed from June 2010 and is undertaking clinical work. Recruitment of a second APY Lands-based clinician is underway.

See Recommendation 16.

Recommendation No 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.

Lead Agency: Health SA

Discussion and progress update

Training, education, consultancy and support continues to be provided by CYWHS to relevant health service providers (including Nganampa Health Council) in forensic health services. The CYWHS, CAMHS and CPS have developed a model for expanding the forensic assessment and therapeutic services in Amata on the APY Lands. CPS has started consultations with its staff and will continue to develop the policies, procedures and practice guidelines while also considering interagency protocols.

Over the past few years, CPS has been an integral part of the Working Group involving CAMHS, Families SA, SAPOL, Nganampa Health Service and NPY Women's Council, to develop *The APY Lands Child Protection Protocols: for the investigation and assessment of suspected abuse and/or neglect*. A new referral process has been documented within the protocol. Improved investigation of suspected child abuse or neglect will assist in achieving a more timely service response.

In March 2010, CPS and Families SA provided formal input on child protection to the TAFE course for the training of Aboriginal interpreters for the APY Lands.

See Recommendations 6 and 7.

Recommendation No 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.

Lead Agency: Aboriginal Affairs and Reconciliation Division

Discussion and progress update

The report *Working Together: Multi-Agency Collaboration and Child Protection on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands* has been received and tabled at the 11 August 2010 IWG meeting.

The report from the Australian Centre for Child Protection addressed this recommendation in three parts: a literature review to identify best practice for working in multi-agency collaborations; a suggested evaluation framework based on an action research model (a continuous cycle of planning, implementation, observations and reflection); and the identification of possible indicators that may be used to monitor progress towards a best practice model, with scope to adjust the model according to staff and community input as part of the process of evaluation. Adjustment of the proposed evaluation framework will need to be considered by the IWG.

Recommendation No 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.

Lead Agency: Health SA

Discussion and progress update

The CYWHS, CPS responds within current resources by making practitioners available.

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

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

Communication Strategy NPY Women's Council and Families SA

Families SA meets (usually via teleconference) regularly with NPY Women's Council. These meetings are seen to be important opportunities for information sharing and service planning and they will continue to occur at regular intervals.

APY Lands Child Protection Protocol

NPY Women's Council has also been a party to the development of the *APY Lands Child Protection Protocols: investigation and assessment of suspected abuse and/or neglect*. This document details the role and responsibility of various agencies including NPY Women's Council and Families SA in the investigation of child protection matters.

Links with men

Government agencies continue to promote the role senior men can play through discussion in appropriate forums.

Child Safety and wellbeing

Additional funding is being provided through DFC to the NPY Women's Council to provide support to women and children on the APY Lands experiencing family violence. The additional services are due to commence in December 2010.

- Ensure all clients receive comprehensive need and risk assessment that forms an adequate and appropriate response;
- Increase the provision of case management services to women and children on the APY Lands;
- Provide access to transport to leave/return to the Lands;
- Support women and children who access the Coober Pedy Safe House and the Ceduna Safe House through a joint case work approach; and
- Work in collaboration with the Coober Pedy Domestic Violence Service and Ceduna Domestic Violence Service and Domestic Violence services in Port Lincoln, Whyalla, Port Augusta and Adelaide to ensure seamless access to services for women and children moving to these areas.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

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.

There has been significant progress towards improving community housing in APY Lands communities. During 2009-10 there were 33 new houses constructed in Amata, Mimili and Kaltjiti and 34 houses were refurbished in these communities and Pipalyatjara. There are 28 new houses and 52 upgrades planned for 2010-11. Housing SA will also construct five new dwellings in Umuwa to house Anangu who are employees or trainees based in Umuwa servicing Lands communities.

Housing SA has established an APY Lands Regional Office in Umuwa and appointed a Regional Housing Manager, an Operations Manager and a Maintenance Coordinator. There is also a full time Assets Project Manager responsible for supporting the capital works program on the APY Lands. The regional office is the central point of service delivery for housing on the APY Lands. A comprehensive responsive and programmed maintenance system has been established for all existing houses across the APY Lands, and residents now receive a high quality maintenance service.

As new housing construction is completed, the Umuwa office will allocate properties to families in greatest need, with criteria focussing on the safety of children and overcrowding. Households will be signed on to new tenancy agreements with Housing SA, which establish a public housing standard of tenancy rights and responsibilities, including property maintenance and rent collection. A new Home Living Skills program has also been established to provide tenants with the skills they need to maintain their homes.

The Commonwealth Government has funded additional staff housing on the Lands as part of the response to the Inquiry. Two duplex units have been constructed in Pukatja, two in Pipalyatjara and one in Amata. Two duplex units, one each to be located in Umuwa and Mimili, are expected to be completed by the end of 2010.

Recommendation No 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.

Lead Agency: Aboriginal Affairs and Reconciliation Division

Discussion and progress update

In 2009 the State Government commissioned the NPY Women's Council to research possible models and locations for safe accommodation for women and children escaping violence or suspected child abuse. In its report, *Proposed Preferred Models for Safe Accommodation Services for Women and Children from the APY Lands*, the NPY Women's Council did not support a safe house on the APY Lands. However, it did recommend that safe accommodation in Alice Springs be provided.

To help address the issue of safety of women and children on the APY Lands the State Government, through DFC, has committed additional funding to increase case management services on the APY Lands, provide transport to enable them to leave and return to the Lands, and to augment services at the Coober Pedy Safe House so it can better cater for women and children from the Lands.

DPC-AARD is working with the Commonwealth and Northern Territory governments to identify funding options for additional accommodation in Alice Springs.

See Recommendation 33.

Recommendation No 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.

Lead Agency: Health SA

Discussion and progress update

CYWHS, CAMHS has been provided with funding under the *National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes* to provide mental health services to children and young people on the APY Lands.

The CAMHS Coordinator APY Lands team is overseeing the visiting and Lands-based clinical response.

One APY Lands-based CAMHS clinician has been employed from June 2010 and is undertaking clinical work. Recruitment of a second APY Lands-based clinician is underway.

See Recommendation 8.

Recommendation No 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.

Lead Agency: Health SA

Discussion and progress update

Information sharing between Nganampa Health Council, Families SA and SA Health relating to sexually transmitted infections in children continues to be a sensitive and complex issue. SA Health is developing an options paper to be put to the Minister for Health by the end of 2010.

The CYWHS, CPS provides a response to children referred by Families SA.

Families SA has developed a specific protocol for Child Protection Tier rating responses to both sexual abuse allegations and sexualised behaviour of children on the APY Lands. As a result all such notifications are given a high priority response.

As stipulated in the Interagency Code of Practice, CPS is an integral part of the response involving potential investigation and assessment of these children. CPS is involved in strategy discussions which include the CPS intake worker, senior on duty, sexualised behaviour therapist, and medical consultant when required.

Recommendation No 20

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

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

Lead Agency: Department for Families and Communities

Discussion and progress update

Child Protection on APY Lands Protocols

Since September 2008 DFC has chaired the Child Protection on the APY Lands Working Group which includes; Nganampa Health Council, NPY Women's Council, DECS, CAMHS, CPS, Families SA and SAPOL. The Group has developed a protocol for inter-agency responses to child protection cases on the APY Lands.

The APY Lands Child Protection Protocols: for the investigation and assessment of suspected abuse and/or neglect is a working document and is being used to respond to child protection notifications on the APY Lands. The protocol has been signed off by the working group and is currently being prepared for the relevant organisations for their final endorsement.

Information Sharing Guidelines

The Guidelines have been completed and training by Families SA on both Child Safe Environments and the Information Sharing Guidelines was completed in June 2010. Nganampa Health were invited and some staff did attend this training. It is intended that this training will continue to be offered annually by Families SA.

Training

Families SA has provided Child Safe Environment Training in Alice Springs and on the APY Lands, and Information Sharing Protocols training on the APY Lands. The Alice Springs training was provided to NPY Women's Council in November 2009, while the APY Lands training was provided to staff from DECS, Nganampa Health, DFC Community Programs, SAPOL, DASSA and NPY Women's Council. Training on the Lands occurred from 1 to 9 June, 2010, in six communities; Pipalyatjara, Kaltjiti, Mimili, Amata, Pukatja and Iwantja. Overall, 48 participants attended including Anangu staff.

See Recommendation 6.

Recommendation No 22

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

Lead agency: Department for Families and Communities

Discussion and progress update

APY Lands Child Protection Workers

Two Child Protection Worker positions were appointed in January 2009. Until recently, one had been resident at Pukatja, the other outreaching from Coober Pedy and using the temporary accommodation at Umuwa. The person at Pukatja has resigned and this position will be advertised soon. Both positions will be based at Umuwa when this accommodation is finalised in 2010.

Lands-based Workers

Six Lands-based Worker positions are funded for the APY Lands. Currently the Pipalyatjara, Pukatja, Mimili and Iwantja positions are filled. All of the workers in these positions were resident on the Lands at the start of school term four, 11 October 2010. The position in Kaltjiti is vacant and recruitment is planned for November 2010. The worker for Amata has been recruited and will commence at the start of Term one in 2011.

There has been ongoing difficulty in recruiting appropriately qualified and skilled persons for such remote area work. All newly appointed staff undertake an appropriate Families SA training and orientation package prior to taking residence on the APY Lands. An additional position - a Supervisor for the Lands-based Workers - has also been appointed for 12 months from 30 August 2010.

Outreach Services

An outreach service continues to the APY Lands from Coober Pedy Families SA. Planned trips to the APY Lands occur twice (East and West teams) every three weeks.

The regular outreach trips have the primary purpose of follow-up with children and families, case work activities including involvement of other agencies (SAPOL, CAMHS, DASSA etc), re-assessment of risk/safety of children and young people, participation in Family Care Meetings, investigation and assessment of child protection matters, delivery of youth justice services, presentation of financial literacy programs and generic anti-poverty services.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

Child Protection on APY Lands Protocols

Since September 2008 Families SA has chaired the Child Protection on the APY Lands Working Group which includes Nganampa Health Council, NPY Women's Council, DECS, CAMHS, CPS, Families SA and SAPOL. The group has developed protocols for inter-agency responses to child protection cases on the APY Lands.

The APY Lands Child Protection Protocols: for the investigation and assessment of suspected abuse and/or neglect is a working document and is being used to respond to child protection notifications on the APY Lands. The protocol has been signed off by the working group and is currently being prepared for the relevant organisations for their final endorsement.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

Child Protection on APY Lands Protocols

Since September 2008 Families SA has chaired the Child Protection on the APY Lands Working Group which includes Nganampa Health Council, NPY Women's Council, DECS, CAMHS, CPS, Families SA and SAPOL. The group has developed protocols for inter-agency responses to child protection cases on the APY Lands.

The APY Lands Child Protection Protocols: for the investigation and assessment of suspected abuse and/or neglect is a working document and being used to respond to child protection notifications on the APY Lands. The protocol has been signed off by the working group and is currently being prepared for relevant organisations for their final endorsement.

Recommendation No 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.

Lead Agency: Department of Education and Children's Services

Discussion and progress update

The Aboriginal Lands District Office Improvement Coordinator regularly reviews attendance data through the Indigenous Student Support System contacting schools and ensuring appropriate strategies are in place to increase attendance.

The Pitjantjatjara Yankunytjatjara Education Committee (PYEC) is responsible for the strategic directions, development and monitoring of preschool and school education for students on the APY Lands. The PYEC, formed under the umbrella of APY Lands Council, is made up of 45 members from the nine school communities. PYEC has a full time Director funded by DECS at Principal level. Each school is run in a joint management arrangement with a Principal and Anangu Coordinator.

Local School Governing Councils are a second tier of governance in all Anangu communities. This unique Governing Council model is made up of one representative from each family group. Representatives from the Anangu teachers, Anangu Education Workers (AEWs) and Anangu Coordinators are also on the Governing Council as the local cultural experts.

Complementary to the secondary programs on the APY Lands, the Wiltja Secondary Program is a separate but cooperating campus at Woodville High School. It offers supported mainstream secondary education programs for up to 60 Anangu students each year. It provides in-school and out-of-school tutorial support for Anangu students participating in short and long term programs. The Wiltja Residential Program at the Northgate site provides 24-hour, seven days a week accommodation for Wiltja students.

Wiltja Secondary Program provides Anangu students (currently 57 enrolled, five living externally) access to urban secondary schooling to develop the skills and confidence to operate confidently in mainstream education and cultural processes by enabling them to: be immersed in an English language environment; experience and develop an increased understanding of mainstream Australian culture; live confidently outside their own communities and transfer skills and contribute towards building greater self-determination in their home communities.

Students can move between Lands schools and the Wiltja Secondary Program to achieve their SACE Certificate. Thirty students have completed their SACE in the past eight years.

Recommendation No 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.

Lead Agency: Department of Education and Children's Services

Discussion and progress update

The APY schools have sufficient bandwidth and computer hardware to begin the delivery of curriculum online. Aspects of the existing District 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.

A highly effective literacy program called the 'Accelerated Literacy Program' has been implemented in all APY Lands schools. 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 Maralinga Tjarutja Lands, to support and develop the program.

Since the start of the National Assessment Program – Literacy and Numeracy, in 2008, testing results across Years 3, 5, 7 and 9 show an average of a six per cent improvement in grammar and an eight per cent improvement in writing to 2009.

Recommendation No 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 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.

Lead Agency: Department of Education and Children's Services

Discussion and progress update

DECS and DEEWR are jointly funding early childhood initiatives on the APY Lands to develop literacy and numeracy skills in a manner appropriate to Anangu children during their early years. Pukatja Childhood Development Centre was built alongside the existing pre-school building with funding from DPC-AARD and opened in October 2009. The centre provides daily sessions for 0-3 year olds and their parents.

Through the IECDNP services at Pukatja are being expanded as part of the development of an Aboriginal Children and Family Centre by DECS in partnership with DFC.

DECS and DEEWR are working together to establish Early Childhood Centres at Amata and Iwantja Anangu schools. These centres are being constructed by Regional Anangu Services Aboriginal Corporation and the centres are expected to be delivered by mid-2011.

To encourage ICT skills teachers programmed a unit of work which focussed on incorporating Learning Objects and Digital resources. Assessment was an integral part of the unit of work and the teaching and learning activities were designed to ensure that every child could be successful in the tasks. The E-Teacher on the Lands has continued to support teachers in developing this work.

See Recommendation 26.

Recommendation No 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.

Lead Agency: Aboriginal Affairs and Reconciliation Division

Discussion and progress update

Since September 2008 Families SA has chaired the Child Protection on the APY Lands Working Group which includes; Nganampa Health, NPY Women's Council, DECS, CAMHS, CPS, Families SA and SAPOL. The group has developed protocols for inter-agency responses to child protection cases on the APY Lands.

The APY Lands Child Protection Protocols: for the investigation and assessment of suspected abuse and/or neglect have been used as a working document throughout 2010. Families SA is in the process of seeking final endorsement from all organisations.

While implementation of this particular recommendation is complete, child protection remains on the agenda of a number of meetings including Community Safety Meetings, chaired by SAPOL, and held every two to three months across nine communities on the Lands; The Taskforce and IWG meetings, chaired by DPC-AARD; and the Senior Officers Group on Care and Protection of Children meeting, chaired by DFC, which brings together a range of state agencies each month to discuss child protection in general.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

Agencies on the Lands continue to raise awareness among clients and their families about the primacy of keeping children safe. This occurs through: the provision of services to key groups on the APY Lands including Families SA Outreach Services, DECS counsellors, youth programs, CAMHS services; the establishment of Community Safety Committees (chaired by SAPOL); and programs facilitated by the NPY Women's Council.

Families SA has provided Child Safe Environment Training in Alice Springs and on the APY Lands, and Information Sharing Protocols training on the APY Lands. The Alice Springs training was provided to NPY Women's Council in November 2009 and the APY Lands training was provided to staff from DECS, Nganampa Health, DFC Community Programs, SAPOL, DASSA and NPY Women's Council. Training on the Lands occurred in June 2010 in six communities, Pipalyatjara, Kaltjiti, Mimili, Amata, Pukatja and Iwantja. Overall 48 participants, including Anangu staff, attended. This training will be offered annually to the six major APY communities and service providers on the Lands.

The NPY Women's Council has produced printed T-shirts, key rings and a booklet, *Speak Up: Speak Against Child Sexual Abuse*, to raise awareness and provide information about child sexual abuse and mechanisms for reporting.

Information and education resources that may be suitable for communities on the APY Lands are being sought from other jurisdictions, with the intention of assessing their appropriateness for use on the Lands.

Families SA and Health (CPS) provided formal input on child protection to the TAFE course for the training of Aboriginal interpreters for the APY Lands.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

Additional resources have been committed to the provision of services on the APY Lands. Agencies on the Lands continue to raise awareness among clients and their families about the primacy of keeping children safe. This occurs through: the provision of services to key groups on the APY Lands including Families SA Outreach Services, DECS counsellors, youth programs, CAMHS services; the establishment of Community Safety Committees (chaired by SAPOL); and programs facilitated by the NPY Women's Council.

Families SA has provided Child Safe Environment Training in Alice Springs and on the APY Lands, and Information Sharing Protocols training on the APY Lands. The Alice Springs training was provided to NPY Women's Council in November 2009 and the APY Lands training was provided to staff from DECS, Nganampa Health, DFC Community Programs, SAPOL, DASSA and NPY Women's Council. Training on the Lands occurred in June 2010, in six communities - Pipalyatjara, Kaltjiti, Mimili, Amata, Pukatja and Iwantja. Overall 48 participants, including Anangu staff, attended. This training will be offered annually to the six major APY communities and service providers on the Lands.

Families SA and Health (CPS) provided formal input on child protection to the TAFE course for the training of Aboriginal interpreters for the APY Lands.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

There are a number of forums through which men are engaged in discussion about sexual conduct involving children, domestic violence, and the role of men in the community. The Cross-border Offenders' Program is delivered in APY communities, and child protection is an agenda item for Community Safety Meetings. Government and non-government agencies continue to raise awareness through the delivery of their services on the APY Lands.

Recommendation No 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

Lead Agency: South Australian Police

Discussion and progress update

SAPOL will examine Northern Territory Intervention Legislation which prohibits pornography of any type within designated areas. It may be difficult to implement the legislation in SA due to the different ratings of pornographic videos available and different legislation across Australia, States and Territories.

SAPOL has yet to develop a regionally specific child abuse education program, however training is being provided throughout the APY Lands by the NPY Women's Council "Speak Up" Program. This program is delivered in both English and Pitjantjatjara and focuses on child abuse and the identification of abuse in one's peers.

SAPOL wrote to all agencies on the APY Lands requesting that appropriate filters were placed on computers to eliminate access to pornographic material. DoHA funding was provided for pornography filters at all PY Ku Centres on the Lands.

Recommendation No 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, DECS staff and SA Police.

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

Lead Agency: Aboriginal Affairs and Reconciliation Division

Discussion and progress update

In 2009 the South Australian Government commissioned the NPY Women's Council to research possible models and locations for safe accommodation for women and children escaping violence or suspected child abuse. In its report, *Proposed Preferred Models for Safe Accommodation Services for Women and Children from the APY Lands*, the NPY Women's Council did not support a safe house on the APY Lands. However, it did recommend that safe accommodation in Alice Springs be provided.

To help address the issue of safety of women and children on the APY Lands the State Government, through DFC, has committed additional funding to increase case management services on the APY Lands, provide transport to enable them to leave and return to the Lands, and to augment services at the Coober Pedy Safe House so it can better cater for women and children from the Lands.

DPC-AARD is working with the Commonwealth and Northern Territory governments to identify funding options for accommodation in Alice Springs.

See Recommendation 14.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

APY Lands Child Protection Workers

Two Child Protection Worker positions were appointed in January 2009. Until recently one had been resident at Pukatja, the other outreaching from Coober Pedy and using the temporary accommodation at Umuwa. The person at Pukatja resigned and this position will be advertised soon. Both positions will be based in Umuwa once accommodation is finalised in 2010.

Mandatory Reporting

The *APY Lands Child Protection Protocols: investigation and assessment of suspected abuse and/or neglect* provide guidance about how information can be given to mandatory notifiers, after they have provided information to Families SA. It should be noted that often on the APY Lands the person making the notification (usually a mandated notifier) in accordance with the protocol can also be involved in the follow-up response both in the investigative and ongoing services (if required).

Recommendation No 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 policy and community professionals and residents assist in the training of people to participate in the patrols as is appropriate.

Lead Agency: South Australian Police

Discussion and progress update

In 2004, night patrols were established on the APY Lands as a community-based initiative in Iwantja, Pukatja and Mimili. Patrols were staffed by community members who were paid for their time and a vehicle was supplied. The programs were not maintained by the communities, interest waned and vehicles supplied were misused and not maintained. The patrols were considered a failure.

The *National Partnership Agreement on Closing the Gap, Remote Service Delivery* has identified two communities in South Australia at Amata and Mimili to develop Local Implementation Plans. The issue of night patrols has been the subject of discussions between the communities, Commonwealth Government (including the Remote Service Delivery Regional Operation Centre) and SAPOL. Views and ideas from the communities will be sought before moving forward, keeping in mind the increased police presence on the Lands.

Recommendation No 37

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

Lead Agency: Attorney General's Department

Discussion and progress update

In late 2008, the Government established a Restorative Justice Reference Group (RJRG) to consider the potential use of restorative justice processes for victims of child sexual abuse in response to recommendations from the Children on the APY Lands and Children in State Care Commissions of Inquiry.

Membership of the RJRG included representatives from the Attorney-General's Department, DFC, SAPOL, DPC, Courts Administration Authority (CAA), Department for Correctional Services and the Commissioner for Victims' Rights.

The RJRG conducted an extensive literature review, obtaining information on relevant practices, processes and legislation in other jurisdictions. It also met with key people to obtain 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.

The RJRG provided its final report to the Attorney-General in June 2010. The Attorney-General will consider the report's contents and next steps in conjunction with Cabinet.

Recommendation No 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, Ngaanyatjarru 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.

Lead Agency: Aboriginal Affairs and Reconciliation Division

Discussion and progress update

Interpreter training continues to be offered through the Diploma of Interpreting – a joint initiative of DPC-AARD and TAFE SA. Students from across the Lands learn through participation in intensive workshops and online activities. Trainees are provided with an overview of the medical and criminal justice systems and associated concepts and vocabulary. Training on child protection issues was delivered in early 2010 for the seven graduates of the 2009 TAFE course.

Families SA and Health (CPS) provided formal input on child protection to the TAFE course for the training of Aboriginal interpreters for the APY Lands.

A lack of coordination of interpreter services and of support for graduates from the Diploma of Interpreting has prompted a review of interpreter services. A Reference Group has been established and consultation with stakeholders is underway. To be completed in February 2011, it is anticipated that the review will provide a recommendation for a new service model that provides coordinated service provision and addresses recruitment and retention of interpreters.

It is anticipated that the Remote Service Delivery National Partnership will also support interpreter training and service provision on the APY Lands through the development of a National Framework.

Recommendation No 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.

Lead Agency: Aboriginal Affairs and Reconciliation Division

Discussion and progress update

There are a number of service providers that offer support to alleged victims and witnesses involved in court processes, including NPY Women's Council, the Victim Support Service based in Port Augusta, SAPOL and the Witness Assistance Service of the Director of Public Prosecutions.

The Taskforce has had some preliminary discussions about the level, type and nature of services required to adequately respond to this recommendation and has identified it as a priority within the 2010-11 Work Plan.

Recommendation No 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.

Lead Agency: Department for Families and Communities

Discussion and progress update

The current arrangements for advocacy and support of children on the APY Lands have been examined and found to address the intent of this recommendation. These processes are always subject to internal review.

The Care and Protection Unit of the SA Youth Court convenes a Family Care Meeting when Families SA has formed the opinion that a child is at risk of ongoing abuse or neglect. The meeting provides an opportunity for family members to participate in making decisions about the future care and protection of a child.

Section 29(2) of the Child Protection Act 1993 requires that the coordinator of the Family Care Meeting must arrange for a suitable person to act as advocate for the child at the meeting, unless satisfied that the child has made an independent decision to waive his or her right to be so represented. The child advocate is the voice of the child at the meeting and presents the child's views when the child is unable to do so on their own behalf, for example where they are too young to participate or do not wish to attend the meeting. If the child is too young to express their own views about their current situation, the child advocate speaks to the meeting from a developmental perspective.

Cultural representation at the Family Care Meeting is a requirement under Section 31(h) of the Child Protection Act when the child is of Aboriginal or Torres Strait Islander background. The cultural representative attends to assist the Coordinator to facilitate the meeting in a culturally sensitive manner and to ensure that the cultural needs of the child, in the context of their family and community, are represented.

A Family Care Meeting Agreement may be established that outlines the course of action to be taken to secure the safety and protection of the child; it may also outline the support required by the child and family. On the APY Lands all children subject to a Family Care Meeting Agreement have a Families SA worker assigned to them and have the same resources available to them as if they were on a Care and Protection Order including financial support, Rapid Response and an annual review. Once or twice a year an officer from the Office of the Guardian for Children and Young People attends a day of annual reviews undertaken by Families SA; the reviews include children from the APY Lands under Ongoing Family Care Meeting Agreements.

Recommendation No 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.

Lead Agency: Courts Administration Authority

Discussion and progress update

Improvements in facilities within Lands communities have significantly eased the need for court facilities at Umuwa. Court Officers currently use PY Ku centres (a community network for service delivery), and the courtrooms provided in police stations at Amata, Mimili and Pukatja for court matters. Tele and video-conferencing capability is also being investigated for the future. With these improvements in mind, CAA was mainly seeking accommodation for the Court party, which was to be included in the facilities at Umuwa.

DPC AARD has since offered CAA access to accommodation at Umuwa, freed up by the completion of Police accommodation in Mimili, Amata and Pukatja. As a result the CAA is no longer involved in the planned courts/administration facility.

Appendix A - Summary of Response and Implementation Statement

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.

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

- 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.

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.

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.

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.

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).

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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 Governments 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).

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).

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).

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.

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

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.

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.

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 prevocation 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.

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.

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

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.

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).

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).

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.

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.

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.

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.

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.

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.

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.

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

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.

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.

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.

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.

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.

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 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.

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
DEEWR	Department of Education, Employment and Workplace Relations
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
DoHA	Department of Health and Ageing (Commonwealth)
DTEI	Department for Transport, Energy and Infrastructure
FaHCSIA	Commonwealth Department of Families and Housing Community Services and Indigenous Affairs
IECDNP	Indigenous Early Childhood Development National Partnership
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