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**Inquiry into the Child Protection System  
in the Northern Territory**

**NT Police Submission**

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## Summary of Recommendations

Government urgently develops and works to embed a broad reaching child protection framework that makes child protection everyone's responsibility.

Northern Territory Families and Children is established as a 'stand-alone' agency.

That a high level body or agency is established, responsible for coordination and monitoring of responses to child abuse to improve collaboration and effectiveness across sectors.

That Department of Education and Training (DET) formalises a partnership with the Child Abuse Taskforce to adapt the existing DET program to suitable community engagement activities.

Representatives from DET and Remote Health become permanent members of and co-locate with the Child Abuse Taskforce to provide a multi-agency critical response to communities at high risk of child abuse.

Government recognises that staffing of the Child Abuse Taskforce will need to be addressed in light of the withdrawal of AFP officers over the next two years.

The NT Police Reportable Offender Management Unit is adequately resourced to meet the significantly increasing number of child sex offenders required to report under the *Child Protection (Reporting and Registration) Act*.

Child Protection Watch Teams are implemented in the Northern Territory.

In addition to the child death review function, incidents where a child in care has become a victim of a crime should also be independently reviewed.

The *Care and Protection of Children Act* is reviewed in consultation with Police to ensure that NT Police has capacity to manage delegated functions.

That funding is increased to the Safe Places program in all remote communities.



## Introduction

The Northern Territory Police Force and Northern Territory Department of Families and Children have provided a joint agency response to allegations of child abuse for many years under the joint Protocol '*Guidelines and Procedures for a Coordinated Response to Child Maltreatment in the Northern Territory*'. In 2006 this response was strengthened with the formation of the Child Abuse Taskforce which enabled both agencies to focus their resources to address with greater effect, the emerging, widespread, multi-faceted and complex incidence of child abuse; particularly in remote Indigenous communities. The Child Abuse Taskforce remains the primary vehicle for NT Police response to this type of abuse in the Northern Territory.

This submission reflects on the journey since the Taskforce was established and how it has informed the current NT Police response to child abuse allegations, examines perceived gaps in the effectiveness of that response and identifies opportunities to strengthen the capacity of agencies to help keep children safe.

This submission does not update research undertaken with the 2006 NT Police Submission to the Northern Territory Government Inquiry into the Protection against Sexual Abuse of Indigenous Children. NT Police is confident the picture drawn in that submission is still relevant. Rather this submission promotes urgent action to remove or materially reduce administrative and bureaucratic barriers between agencies allowing a synergetic approach to managing key resources – the most important of these being information. Improved information sharing is fundamental to ramping up the response to child abuse and associated risk factors ever present in many Indigenous communities.

## Background

### Formation of the Child Abuse Taskforce

The Child Abuse Taskforce (CAT) was formed in 2006 in response to on-going reports of child abuse in three separate remote communities in the Northern Territory. The initial intention of forming the CAT was to co-locate investigators from NT Police and NT Families and Children (NTFC) to better use resources and enhance outcomes for children and families. The CAT commenced on 15 June 2006 with four detectives, four NTFC investigators with a mandate to investigate the most serious and complex child sexual abuse across the Northern Territory. Police positions were drawn from existing resources.

NT Police and NTFC received funding out of *Closing the Gap* to formally establish a range of positions in the CAT. The Northern Territory Emergency Response (NTER) further supported the CAT with the provision of Australian Federal Police (AFP) officers. A CAT team is also stationed in Alice Springs and is under the control of Alice Springs police management.

## **Submission to the Northern Territory Government Inquiry into the Protection against Sexual Abuse of Indigenous Children**

The NT Police submission<sup>1</sup> to the Wild/Anderson Inquiry in October 2006 examined the agency's responses in the area of child protection and in doing so scoped the police responses to associated risk factors such as alcohol, drugs, family violence, social disorder and crime. The submission was probably the first time that the nature and extent of child abuse and police responses were examined in any detail and provided a good picture of the complexities involved in addressing these significant issues in remote communities. Child abuse is inextricably linked to many other factors that demand a coordinated effort of government agencies, non-government agencies and communities.

The NT Police submission made a number of recommendations to strengthen the response to and prevention of child abuse in the Northern Territory. As one of the key agencies and sometimes the only agency at the front line, NT Police was and remains well positioned to see what works and what needs to be improved on the ground. It is in this context that the submission to the Inquiry was made and was given some credence with several of the recommendations made by Police, echoed in the subsequent *Little Children are Sacred Report* (Little Children Report).

It is heartening to see that since publication of the Little Children Report, many recommendations have been implemented but equally concerning is that whilst agencies including Police have gotten on with the job of delivering initiatives, our collective efforts remain largely uncoordinated at a service delivery level.

### **Strategic Intelligence Assessment Child Abuse 2009-2014**

In late 2008 NT Police commissioned a Strategic Intelligence Assessment of Child Abuse in the Northern Territory<sup>2</sup> for the purpose of tracking our progress since the Little Children Report and to identify future directions for the period 2009-2014.

There are 14 recommendations categorised in five areas: early intervention and prevention; establishing and enhancing standards; increasing responsiveness to victims and reports of child abuse; building our investigative capacity; and a whole of community approach. The assessment reiterated the research by NT Police two years prior; the need for early intervention information and education about protective behaviours and sexual health to children in remote communities. The assessment emphasised the need for agencies to work more effectively and in a coordinated way. With competing priorities across key agencies, this coordination remains a significant challenge.

On 8 September 2009 the Assessment was presented to the Northern Territory Government's Community Safety Working Group by Commander Colleen Gwynne. From that meeting a child protection working group was tasked to develop a child

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<sup>1</sup> NT Police submission to the NT Government Inquiry into the protection against sexual abuse of Indigenous children is at Annexure 1.

<sup>2</sup> Strategic Intelligence Assessment is at Annexure 2.



protection framework for Government which is currently a work in progress. Even this group has difficulty in coordination; meetings are irregular and issues such as information sharing are consistently discussed but never resolved.

#### **Recommendation:**

**Government urgently develops and works to embed a broad reaching child protection framework that makes child protection everyone's responsibility.**

## **Addressing the Gaps**

### **Truly integrated and responsive service delivery**

The NT Police submission to the Wild/Anderson Inquiry recommended a permanent coordination team be established to work with agencies and non-government organisations to identify risk areas and provide relevant responses to child abuse.

The rationale behind this was to ensure all agencies responsible for child protection were doing work that matters; doing it in a coordinated way and were accountable for the outcomes they achieve.

An Interagency CAT Management Group was established to progress CAT investigation outcomes to a higher level and to the broader government community. The group has yet to experience a great deal of success and there are a number of possible reasons for this. Interagency groups exist in several regions across the NT to varying effect. CAT Interagency Group doesn't link well into these regional groups, nor does it have a strong direction in terms of reporting up to a higher level group. The direction and interest from higher level groups could also be improved. It might also be that at interagency level, child protection is not considered as part of the broader 'safety' issues considered by these groups.

A coordinated approach by government and non-government agencies in response to all aspects of child abuse is essential to ensure scarce resources are put to best use. A defined structure capable of clearly articulating measurable outcomes across the board is necessary. Any group or body that cannot in some tangible way demonstrate activity linked to outcomes should not exist.

NT Police believes that under the current structure where NTFC is established within the Health portfolio, child protection is one of a number of competing priorities; we observe that there are levels of bureaucracy that can impede efficiency. For example the CEO of Health is often required to approve governance documents such as memorandum of understanding, information sharing agreements (ISA) instead of the Executive Director of NTFC – the agency to which these agreements specifically apply. A recent example is when arrangements were being made to have NT Police access the NTFC client database. To allow NT Police access to the database, NTFC required amendments to the existing ISA. The amendments were made and agreed upon relatively quickly. Overall however it took six months to get the delegated level of

approval with the document reportedly 'lost' enroute to the CEO. This delay effectively prevented efficiencies within NTFC Intake and the CAT for six months.

**Recommendation:**

**Northern Territory Families and Children is established as a 'stand-alone' agency.**

NT Police believes a newly established agency should accommodate a permanent coordination team to work with government and non-government agencies that can identify risk areas and effective, responsive problem solving to key issues. This coordination responsibility would provide a quality assurance aspect to operations and ensure commitments and outcomes remain aligned. A compressed structure may better link government policy and identified actions sought by stakeholder groups.

Several years ago the Department of the Chief Minister (DCM) was responsible for driving strategies around domestic and family violence including the then Interdepartmental Coordination Committee. NT Police believes this group was able to get traction on a range of issues to address domestic violence because of the high level accountability of the group and the fact that DCM was removed from operational matters that might otherwise affect the energy and focus of the group. This current Inquiry presents an opportunity for Government to extend and coordinate the rich information and resources that exist in many agencies to ensure that responses are positively impacting at the right places and at the right time.

**Recommendation:**

**That a high level body or agency is established, responsible for coordination and monitoring of responses to child abuse to improve collaboration and effectiveness across sectors.**

**Early Intervention**

The Strategic Assessment was presented to the CEO of Department of Education and Training (DET) on 16 September 2009. As a result DET commenced the roll out of protective behaviours education in 40 schools across the NT; urban, rural and remote. Notwithstanding this, there remains a level of frustration within NT Police over what is perceived as an overall lack of urgency in relation to child protection. Protective behaviour education and sexual health information still remain largely inaccessible to many children in remote communities.

Inappropriate sexualised behaviour exhibited by children is widespread in Indigenous communities. This is often a significant portion of CAT investigations. These reports conclude with police providing very basic information sessions to children and families about what is appropriate behaviour. This is a stop gap measure and is clearly not having great effect. There is a need to increase knowledge around the existence of child sexual exploitation and problem sexual behaviour that is event and normalised in Indigenous communities.



Police officers across Territory are taking part in training with DET on the protective behaviours program being rolled out by the department. Police officers are participating to gain an understanding of the program and the key messages it promotes, and to use the opportunity to reinforce these messages with young people with whom they interact. The DET program is a vital and positive one however its audience is limited to children who attend the schools involved. It is recognised that children who are not at school; those who disengaged from school or who aren't old enough to attend are often at most risk and for remote schools, improving attendance is a work in progress. CAT has a significant role to play in helping the key protective behaviour messages to reach disengaged children many of whom it comes into contact with through its investigations and community engagement activities.

#### **Recommendation:**

**That DET formalises a partnership with the Child Abuse Taskforce to adapt the existing DET program to suitable community engagement activities.**

#### **Review of the Child Abuse Taskforce**

Out of the recommendations of the Strategic Intelligence Assessment an independent review of the NT Police role in the CAT was undertaken. Several recommendations to further enhance CAT's effectiveness were made around governance and some operational issues particularly the NT Police involvement in the Northern Territory Families and Children's Central Intake process.

NT Police has made child abuse a strategic priority and is working towards embedding the notion that child protection is everyone's responsibility. This situation is likely improve over the next 12 months when the recommendations of the Strategic Assessment are fully implemented.

#### **Proactive Work of the CAT**

NT Police is of the view that the CAT has made significant progress in term of raising the profile of child protection in remote communities. The CAT is synonymous with children and safety and the enthusiasm with which investigators are welcomed by children and their families in some communities is testament to this. There is increased confidence and trust of the CAT which leads to better communication and better outcomes.

Whilst the core focus of the CAT is an investigative response there remains opportunities to broaden the scope and impact of its work. What has been learned over time is that gaining the confidence of a community through engaging with them on a number of levels is critical to any successful investigation.

Ideally, local police and other key agencies are best positioned to do this however it is not always the case that there is strong understanding or commitment to doing



so and community engagement is still largely a work in progress. In the early days of CAT, *after* an investigation had occurred, CAT spent time with a community explaining what had happened, what the next steps would be, what information about relevant support services may be provided and the CAT would leave.

In 2009 CAT commenced an investigation into complex abuse which was allegedly occurring in a remote community. Intelligence suggested that persons in the community would actively resist police and NTFC involved in the investigation. CAT needed to manage the investigation in a different way. A team was sent in and over several days engaged with the community, elders, parents, children and service providers providing general information about child abuse and the role of the CAT. This engagement successfully facilitated the investigation that occurred over the ensuing weeks.

Since then CAT Intelligence analysts developed a 'Communities at Risk' document<sup>3</sup> which ranks most if not all Indigenous communities in terms of their risk for child abuse to occur. Risk factors include a lack of positive community authority, overcrowding, youth out at night, alcohol, drugs and gambling. The risk is high for most communities however there are some that are significantly high and these communities will become the focus of proactive work of the CAT over the coming years. The plan is to select five communities each year for proactive work. Each community will have a detailed intelligence profile compiled and will have coordinated visits for community engagement and education in an effort to learn more about each community and to address the particular factors preventing children from being safe. CAT hopes that reports and disclosures will result. The success of this work will be measured through a lowering of risk in each community. The document has been distributed to our partners in NTFC and DET where we hope to leverage further support for this important proactive work.

#### **Recommendation:**

**That representatives from DET and Remote Health become permanent members of and co-locate with the Child Abuse Taskforce to provide a multi-agency critical response to communities at high risk of child abuse.**

As previously stated, the CAT was formed in 2006. Since 2008 AFP has contributed eight police and one intelligence officer to the initiative through the Northern Territory Emergency Response (NTER) bringing the total number of police to 20 plus two intelligence officers. AFP involvement with CAT is reported to continue until the conclusion of the NTER by which time NT Police will need to have determined the future arrangements in relation to CAT.

The AFP strategy in relation to *Closing the Gap* contributions indicates it is highly likely to begin reducing members from January 2010, with final drawdown of AFP members occurring by June 2011. By June 2011, only AFP members assigned to the CAT will remain. Furthermore, post June 2011, deployment of new AFP members to CAT or renewal of current contracts will be highly unlikely.

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<sup>3</sup> Communities at Risk document at Annexure 3

#### **Recommendation:**

**Government recognises that staffing of the Child Abuse Taskforce will need to be addressed in light of the withdrawal of AFP officers over the next two years.**

The success of this work by CAT will be enhanced through improving the way agencies and service providers work with Indigenous communities as partners to address child abuse and the factors that we know increase the risks to children's safety. The community engagement undertaken as part of an investigation will remain a temporary measure to get community confidence, without sustainable results until police and other agencies in remote communities fully understand and embrace community engagement. NT Police has a model in draft that makes engagement part of core business in each remote community. It makes the most of existing resources and only requires energy and leadership.

#### **Recommendation:**

**A community partnership problem solving model is developed and implemented.**

### **Managing Registered Child Sex Offenders**

In 2005 legislation was introduced to support management and monitoring of convicted child sex offenders in the Northern Territory. Every jurisdiction has similar legislation. Police are required to keep a registry of all persons who are deemed 'reportable offenders' resulting from a relevant court conviction. These reportable offenders are required to report each year and be monitored by police for 8 years to life. NT Police was not funded to maintain this registry and police officers have managed the registry since it commenced in 2006.

In October 2006 there were 64 reportable offenders, eight of whom were residing in remote communities. In November 2009, there were 192 reportable offenders registered with nearly 60 residing in remote communities across the Northern Territory. More than 90 persons are currently in custody and upon release will become reportable offenders. A unit within NT Police to manage the Register is about to be formally established and systems set up so that reportable offenders can be better managed by police in local communities.

As highlighted in the Strategic Assessment, 28 of the [then] 135 registered offenders were assessed as high risk. Seven high risk offenders have re-offended through the commission of child sex related offences. A further six have re-offended committing violent or sexual related offences unrelated to children. The number of reportable offenders is rising at a significant rate.

Given the serious nature of child sexual assault and the likely impact on community confidence in police with adverse media commentary, ineffective management of these offenders poses a significant risk to NT Police and indeed,



the NT Government. This presents an opportunity for agencies to open up communication channels to better manage these offenders and provide greater protection of children in the Northern Territory.

**Recommendation:**

**The NT Police Reportable Offender Management Unit is adequately resourced to meet the significantly increasing number of child sex offenders required to report under the *Child Protection (Reporting and Registration) Act*.**

**Integrated Management of Reportable Offenders**

Child Protection Watch Teams (CPWT) were trialled in New South Wales in 2005 as a multi-agency team to monitor and case manage high risk reportable offenders who have been released into the community. The CPWT was based on the United Kingdom's Multi Agency Public Protection Arrangements (MAPPA) model for managing high risk offenders. The teams comprise local agency representatives including Police, Probation and Parole, Department of Community Services and Housing, Mental Health, Adult Guardianship, Education and any other agency that may be involved in managing a reportable offender. The approach is based on the premise that a multi-agency approach to case management is more likely to be successful in managing the risk of recidivism.

The functions of such a unit are to:

- provide a forum for sharing relevant information about referred reportable offenders;
- review and update assessments of offender risk;
- develop case management plans for reportable offenders with agreed agency responsibilities and timeframes
- Cases that the team manages are:
  - high risk of re-offending;
  - where a single agency case management strategy was insufficient and required the input of a number of agencies;
  - there were treatment of counselling issues;
  - there were housing issues;
  - the person had a high media profile;
  - multiple victims had been identified requiring DoCS assistance;
  - there were training and education issues.

The NSW Ministry for Police commissioned an independent review of this model in 2008 and determined that the trial had been highly effective<sup>4</sup>. As a result, legislation was quickly amended to support information sharing between agencies about reportable offenders and the scheme was rolled out on a state wide basis.

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<sup>4</sup> Report at Annexure 4.

The scope of information sharing involved in a scheme such as this is significant and would take Northern Territory agencies to a new level of cooperation and collaboration. Importantly it demonstrates how effective information sharing can be in protecting children.

**Recommendation:**

**That Government resources and trials a model similar to the Child Protection Watch Teams, in the Northern Territory.**

**Support Services in the Community including Safe Places for Kids**

Police come into contact with children in the care of the minister in circumstances ranging from missing persons to victims of crime.

The Missing Person Unit is based in Darwin and monitors the status of missing persons across the Northern Territory. Children, who are in the care of the Minister who repeatedly run away from home, comprise a large number of the persons who are reported missing in the Territory. Searching for these children takes up considerable police resources. Issues such as these can be successfully managed through the involvement of other agencies and non-government organisations.

Information sharing between NTFC and Police is quite ineffective on a local basis. For example in October 2009 Police were investigating an incident during which a child was removed from her mother's care and placed in the care of a relative by NTFC. No police checks of relative were carried out prior to the child being placed contrary to NTFC policy.

In November 2009 a young girl in the care of the Minister was sexually assaulted at

All of these children are all extremely vulnerable as are many children in care and are entitled to be safe in their communities.

**Recommendation:**

**In addition to the child death review function, incidents where a child in care has become a victim of a crime should also be independently reviewed.**

There are few if any support services for children in remote communities especially when they have suffered harm or have been subject to family or other violence. Children on their own cannot stay at the women's shelters or safe houses in some communities and despite what the *Care and Protection of Children Act* states,



police stations are not safe places either; there is no supervision or facilities for children to stay longer than a few hours. Yet, police have had children at police stations for many hours awaiting intervention by NTFC.

It is felt that these children could be better protected if a range of agencies became involved in their case management. Police could provide for example, relevant information about out of home carers beyond a criminal conviction including intelligence, information about people and places that they are linked to. Other relevant information held by agencies such as Mental Health, Adult Guardianship, Housing and Education would help develop an informative risk assessment and management strategies for these children.

The NT Police Crime Prevention Division is resurrecting the Safety House concept in urban centres. There may be an opportunity to expand or modify the scheme in remote communities.

#### **Recommendations:**

**The *Care and Protection of Children Act* is reviewed in consultation with Police to ensure that NT Police has capacity to manage delegated functions.**

**That funding is increased to the Safe Places program in all remote communities.**

#### **Conclusion**

The protection of children in the Northern Territory necessarily requires consideration of the risk factors including alcohol abuse, family violence, gambling and other dysfunction within communities. Responsibility for child protection lies beyond NTFC and NT Police and this Inquiry presents opportunities to examine how agencies can work better together and in partnership with Indigenous communities. NT Police hopes that a sense of urgency is generated about this need for agencies to work much more collaboratively to address child abuse and associated risk factors ever present in many Indigenous communities.

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