

PROTECTING CHILDREN TODAY CONFERENCE 2006**Brisbane 6-8th September 2006****REPORT to CEOT**

Ian Hunter

PACT Inc. is a community based not-for-profit organisation best known for its work in aiming to reduce the trauma experienced by children and young people (aged 3-17 years) required to give evidence in the criminal justice system as victims or witnesses.

250+ delegates from every State and Territory of Australia. Government and non-government delegates including: Dept of Justice; Education Queensland; Catholic and Independent schools; Queensland Health; CCYPCG; Dept Child Safety; Qld police; Youth advocacy agencies and groups; community groups; Indigenous community groups.

The program included contemporary keynote addresses from leading experts across the sectors, live panel interaction, provocative hypothetical discussions and conference sessions. The Honourable Chief Justice de Jersey and Her Honour Chief Judge Wolfe as well as Her Excellency Ms Quentin Bryce attended various sessions.

The aim of the this inaugural conference, held during Child Protection Week, was for like-minded and committed professionals and volunteers to strengthen ties between organisations with a similar focus on child protection and to present a strong united presence in Queensland for the benefit of our children.

Conference themes included:

- From little things, big things grow
- Children as witnesses within the Justice System
- Keeping Children safe
- Inter-agency perspectives on child protection
- Children as perpetrators
- Impact of abuse, violence and neglect on children
- Supporting the children and their families
- Soapboxes: Making an impact on the future

SESSIONS ATTENDED INCLUDED:**P1: Keynote address – Is ignorance bliss? Negotiating the legal system (Dr Carolyn Taylor)**

- Children are vulnerable in the legal system with entrenched suspicion of the reliability of children's evidence
- "a fact is not evidence unless the judge decides it is"
- Motive – Why did the child make allegations? eg. revenge, imagination, etc
- Means – How does the child know details? eg. media, coaching, etc
- Court language is complex, intimidating, does not take account of developmental stages in concepts of space and time which leads to confusion in the mind of the child and questioning of the reliability of evidence given
- Many trials re-abuse children who have already been abused
- Some progress made (eg. video conferenced evidence) but much more needed

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- Often rights of adults/parents considered ahead of needs of child victims

C3: What is evidence: different paradigms for different professions (Legal Aid and Psychologists)

- Social Assessment Reports (SAR) are requested by courts from child psychologists so that the court can decide on case planning and types of orders to give child offenders
- Balance of probability only required not proof in children's court
- Rules of evidence applicable: best evidence, hearsay evidence, relevance rule, expert evidence

C4: Choose with care program (Bernadette McMenamin, Child Wise)

- Innovative prevention program aiming to minimise the risk of child abuse within voluntary/professional organisations working with children
- One day training
- Objectives: reduce risk of harm and promote culture change
- Blue Cards/criminal checks only affect 5% of child sex offenders
- UN Convention on Rights of the Child provide legal and moral responsibility to protect children from harm
- Duty of care found in Common Law and based on assessment of what was reasonably foreseeable in relation to harm to children
- Negligence: duty of care; failure to conduct adequate reference checks; not responding to complaints; lack of adequate supervision and guidance
- PLAN – REFLECT – ACT
- Culture change required: Child Protection is central to all and the focus needs to be on Proactive, Preventative and Participatory
- Video: Dynamics of Child Sex Offending (excellent for staff and parents; available from Child Wise)

C8: Child Protection in the Indigenous community (Jodie Currie, Alf Davis)

- Local Indigenous Community Justice Group is vital contact for dealing with child abuse incidents
- Blue Card requirements a real problem for Indigenous foster care providers (Blue Card also required for every household member)
- Community development approach needed – the resources and answers are in the community
- Recognised Aboriginal Entities in place in some communities (including Toowoomba)

C11: Caught in the criminal justice system (Simone Baine – Public Prosecutor, Ross Barnett – Detective Superintendent)

- Understanding the process from complaint to arrest to verdict

P3: Keynote Address: Stamping out child sexual abuse (Barbara Biggs – Journalist/author/survivor/campaigner)

- Barbara told her life story of sexual abuse as a child to recovery
- 10 point plan available on website

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P4: Keynote Address: Why victims become offenders (Freda Briggs OA)

- Normal sexual curiosity amongst children is normal (equality of relationship)
- Some young victims may become offenders (power over relationship)
- 44% of boys report abuse
- Male offenders
- Female offenders
- Child offenders – comfort from acting out when abused themselves
- Institutional offenders – 250,000 abused whilst in care of the state
- Huge need for boys’ education (victim and offender perspectives)
- Adolescent offenders represent one third of cases
- Students with special education needs at high risk
- II students more likely to become offenders (male and female)
- Males have a much harder time getting help than females

C12: Pathways from child maltreatment to juvenile offending (Anna Stewart)

- 27% of those maltreated offend later as juveniles

C15: Adolescent sex offenders (Stephen Smallbone – Griffith Uni)

- GAFATC program – rehab for young sex offenders
- Adolescent sex offenders do not necessarily become adult sex offenders
- Adolescent sex offenders are 8-10 times more involved in non-sexual offending (20-30% are only juvenile offenders; 40-50% are part of general anti-social behaviour)
- Individual therapy preferred over group therapy for young offenders (peer influence)
- Assessment procedures include: case forming, risk and needs assessment; treatment recommended
- Blue Card requirements make it difficult for adolescent offenders to gain work experience
- Collaborative and multi-systemic intensive rehab team
- Only convicted offenders admitted to program

C18: Children as perpetrators – issues for the legal system (Judge Kerry O’Brien, Magistrate Tony Pascoe, Director of PP Leanne Clare, Youth Advocate Damien Bartholomew)

- Justice model vs welfare model
- Qld only: child = under 17 years
- Minimum age of criminal responsibility = 10 years
- 1990 UN Rights of the Child
- 80% of young offenders do not re-offend (responsible for 20% of offences)
- 20% of young offenders do re-offend (responsible for 60% of offences)
- Community youth justice conferencing – restorative justice
- Need for a youth drugs court
- Murrie court has led to a significant reduction in Indigenous offences
- Punishment for punishment sake does not work
- Legal system needs a purpose: “protection of the community”

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C21: Children as perpetrators – issues for education and child protection systems (Tricia Fox – QUT; Colleen Mitrow – Southside Education; Ken Rodgers – Ed Q)

- We need to judge our schools by the outcomes of our poorest students
- Hyperactivity in students is a response to unresolved trauma in their lives
- Children's behaviour is a response to the society they live and have been brought up in eg. some see little positive future for themselves, therefore decide to 'have some fun'
- Burdekin Report – little progress with goals
- Relationships and partnerships between Education and NGO's is way of future
- Four questions for Principals if there are young people at risk in your school:
 - Do you know your young people?
 - Do you and your staff know what to do?
 - How confident are you that your staff would act?
 - How confident are you that you have the support needed?
- Lack of financial resources for education a major issue addressing needs of poorest students

P6: Keynote Address: Online child exploitation investigations – the Qld police response to an international problem (John Rouse – Taskforce Argos)

- National strategy and response
- National and International Image Database
- Child exploitation/abuse NOT child pornography
- School websites: beware of images of students, maps of school, names of students
- Netaalert resources excellent
- Internet filters won't stop the problem
- Parent supervision/partnership needed
- Beware peer to peer networks and newsrooms

C 26: Bringing multi-systemic therapy to Queensland (Helen Stallman – Mater Hospital)

- Department of Child Safety funded
- Ecological approach needed
- Aim is to build stronger families, not to create dependence on experts
- With child abuse and neglect there are risk factors with the child, the parents, the family and the community – all of these need to be addressed
- 9 principles of MST:
 - finding the fit
 - positive and strength focused
 - increasing the responsibility of all participants
 - present focus, action oriented, well-defined
 - targeting behavioural sequences
 - developmentally appropriate
 - continuous efforts by participants
 - continuous evolution and accountability
 - generalization of outcomes

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- clinical points:
 - therapist responsible for engagement
 - caregivers are key to long term outcomes
 - address multiple problems and issues
 - integration of evidence based interventions
 - intensive services (24/7 for 14 months in homes)
 - intensive quality assurance system
 - MST analytical diagram

C 27: Crime online (John Curtis – AFP, Lesley Wright – AFP)

- OCSET (Online Crime Sex Exploitation Team)
- Commonwealth legislation 2005:
 - use, access, transmit, make material available, publish or distribute child abuse material (10 year imprisonment)
 - grooming and procuring (ie. engaging in sexual activity) offences (12 and 15 years imprisonment)
- Parents need to check archiving of child chat room activity
- ISP/ICH providers' responsibility to report illegal activity on sites
- VGT (Virtual Global Taskforce) in place

P7: Hypothetical: It's our little secret – exploring child sexual abuse

- Panel of 10 judicial and child advocate experts responding to a hypothetical child abuse case
- Chaired by The Honourable Justice John Jerrard Court of Appeal

NB. Full presentation texts available on www.pact2006.com.au soon.