



Aboriginal Child Sexual Assault Taskforce



What is ACSAT?

- ACSAT was established to gain an insight into the issues of child sexual assault (CSA) faced by Aboriginal communities in NSW.
- The NSW Attorney General appointed ACSAT to:
 - consult widely with Aboriginal communities.
 - develop a report giving recommendations to himself and NSW government as to how it can better address the needs of Aboriginal children, families and communities who have experienced child sexual assault.



ACSAT Process

- ACSAT has visited 29 communities across the state and gather information and evidence.
- Information was received through:
 - Written submissions
 - Documents and information from Government agencies
 - Consultations with Aboriginal communities and individuals
 - Consultations with service providers
 - Collection and and analysis of research materials



Challenges

- Ensuring community safety
- Responding to all requests for consultation
- Managing community expectations
- Coordinating Government support/involvement during community visits



Factors influencing incidence of CSA

- Child sexual assault (CSA) is often intergenerational
- Chronic lack of community education regarding dynamics, indicators and risk factors relating to CSA
- The effects of colonisation has left children vulnerable



Factors influencing incidence of CSA

- Strong relationship between CSA and family violence, substance abuse, unresolved grief and mental health
- High level of soliciting with the use of drugs and alcohol
- Communities want to address CSA in partnership with Government and non-government agencies



Barriers

- Community members are unsure of response processes
- Historical mistrust of welfare agencies and police
- Threats and intimidation by other community members



Response

- Government agencies are not supportive or quick enough to respond
- Limited service delivery by forensic medical staff and healthcare professionals
- Need for a more collaborative approach between NGO's, Government and community at a state, regional and local level regarding CSA and case management



Community action/issues

- Increased community driven campaigns to educate families, communities, services about risks, dynamics, indicators and responses to CSA
- Culturally appropriate support/intervention for families through training and employment of Aboriginal staff



Judicial Processes

- Court processes are traumatic, limited counselling/support options and lengthy trials
- Some victims don't want an offender to receive a prison sentence and would prefer to focus on treatment



Treatment Services

- Need for culturally appropriate healthcare workers including Aboriginal sexual assault counsellors
- Need for male counsellors to be available
- Need for ongoing programs to support victims and deal with ongoing trauma



Education

- Community needs education regarding indicators, dynamics and reporting of CSA
- Children and young people need education regarding the risks of CSA and developing their own sense of safety
- All people working with children, young people and families need ongoing professional development in CSA policies procedures and reporting



Support

- Need for more support to victims and families to assist them from disclosure and any following intervention
- Healthcare and support professionals to be supported through provision of ongoing and consistent supervision



General - Strategies

- Develop a state-wide strategy to deliver CSA education including:
 - Protective Behaviours for kids
 - Dynamics and impacts for communities and individuals
 - Dynamics and impacts for frontline workers both NGO and Government agencies.
 - Dynamics and impacts for policy makers in all Government agencies



General - Strategies

- Aboriginal case support and advocacy workers are employed in every region to guide children and families through the process from disclosure to recovery
- An alternate judicial system is researched, developed and implemented to deal with Aboriginal CSA



General - Strategies

- JIRT provide more timely responses
- DoCS and Police to build partnerships with Aboriginal communities to deal with CSA
- Health employ and support more Aboriginal counsellors
- All agencies develop a recruitment and retention strategy for Aboriginal staff



General - Strategies

- Justice agencies revise and develop more culturally adequate offender programs
- Justice agencies provide victim services to aboriginal people who have experienced CSA



General - Strategies

- Aboriginal child sexual assault is incorporated into the whole of government policy context eg *Two Ways Together, Child Protection Interagency Guidelines, Aboriginal Family Health Strategy*



General Strategies

- An overarching framework for addressing child sexual assault is developed which includes:
 - Prevention/early intervention
 - Immediate responses
 - Judicial processes
 - Counselling and treatment



Community Issues

- Communities are not empowered to deal with child sexual assault
- Myths regarding child sexual assault as part of Aboriginal culture still exist
- Community is not involved in current formal response process to child sexual assault



Community Strategies

- Develop and implement a community education strategy
- Identify and support community champions who can be trained in responding to child sexual assault
- Establish local community controlled negotiation tables to address CSA and share information on current issues with Government agencies on a regular basis



Community Strategies

- Develop a community protocol to address child sexual assault in every community
- Provide ongoing family, men, women and children's camps to help people reconnect with culture and healing
- Research develop and implement a model consistent with the principles of the Hollow Waters Program in Canada



Health Strategies

- Develop and employment strategy for Aboriginal staff including:
 - Mentoring/work placements
 - Trainee and cadetships
 - Recruitment
 - Retention and debriefing



Health Strategies

- Research efficacy of counselling techniques to identify best practice principles for working with Aboriginal people
- Research the viability of accrediting counsellors to work with Aboriginal people



Health Strategies

- Resource/fast track the training and accreditation of Forensic staff
- Engage Aboriginal people in the delivery of forensic health services



NSW Government Response

- On 4 January NSW Government released the *NSW Interagency Plan to Tackle Child Sexual assault in Aboriginal Communities 2006-2011*
- Government will implement the plan over the next five years



How can I find out more?

ACSAT

Visit the website:

www.lawlink.nsw.gov.au/acsat

Phone us on: (02) 9228 8056

Email us at: acsat@agd.nsw.gov.au

NSW Government Response

Contact: NSW Attorney Generals
Department

on (02) 9228 8307

Key findings from the NSW Aboriginal Child Sexual Assault Taskforce

Presentation notes

'This, it stole me, I lost myself. He took me away and I'm here today, a shadow of the person I could have been because he took it away from me and I can never get that person back. ... And society, to want to pretend that it doesn't happen, and this is where we are still victims and they're still making us victims.'

Background

- Roundtables on sexual violence in Aboriginal communities conducted by the NSW Department of Aboriginal Affairs in 2001/2
- Aboriginal Justice Advisory Council's 2002 report *Speak Out, Speak Strong*

AIMS

- Examine child sexual assault in Aboriginal communities
- Review how government and non-government agencies in NSW respond
- Make recommendations about how these responses could be improved

Method

- Review of literature and relevant research
- Written submissions, and other information, from government agencies
- Written submissions from non-government agencies and individuals
- Consultations with Aboriginal communities across NSW
- Consultations with government and non-government agencies

Overview of Findings: The Aboriginal Perspective

- Massive issue
- Both boys and girls are victims
- Perpetrators are people close to the child and often important people within the community
- Intergenerational
- Sibling abuse was considered rife
- Child sexual assault was not well understood so often goes undetected
- This contributed to a culture of silence, denial, and inappropriate responses
- It also made it possible for perpetrators to 'groom' their victim without being noticed
- Child sexual assault is seldom reported
- Difficulty of reporting is compounded by complex extended family and community networks; geographic isolation; mistrust of the service system; and poor responses from existing service providers.

- Community attitudes as to what should happen to perpetrators varied
- It is important to have a clear understanding of the dynamics of child sexual assault before making any decisions about treatment of perpetrators
- Communities all agreed that child sexual assault has a devastating, and life-long, impact on those who experience it and on their families and communities
- Consultation participants believed that child sexual assault is one of the key, underlying factors in the high levels of:
 - Violence
 - Substance abuse
 - Criminally offending behaviour
 - Mental health issues
- Factors influencing child sexual assault include:
 - Substance abuse;
 - Social and economic disadvantage;
 - Exposure to pornography and a sexualised society;
 - The ‘normalisation’ of violence (or intergenerational cycle of violence);
 - The presence of family violence;
 - Unresolved trauma and grief;
 - Breakdown of family and community structures;
 - Lack of community engagement with the issue;
 - Lack of support for community-driven solutions;
 - Inadequate responses from service providers.

The relationship between child sexual assault and family violence

- Research and communities suggested a strong link
- More comprehensive research needs to be undertaken

The statistics

- Aboriginal females are almost two and half times more likely to be victims of child sexual assault than non-Aboriginal females.
- Data only reflects incidents of child sexual assault in Aboriginal communities that are reported and where the Aboriginality of the victim is recorded
- Child sexual assault is underreported in Aboriginal communities
- Issues with existing data include:
 - Inconsistent recording of Aboriginality;
 - Use of different key definitions across agencies;
 - Agencies recording data across different time periods;
 - Information being lost because the categories used to collect data are sometimes ambiguous.
- These issues result in data being less useful than it could be and also makes it difficult to correlate and compare data across agencies

Barriers to accessing government services

- Lack of awareness and understanding about child sexual assault in Aboriginal communities among government and non-government service providers impacting on service responses
- Past inappropriate government practices continue to impact negatively on the perceptions that many Aboriginal people have of government agencies
- Many Aboriginal people are not clear about what government services actually do
- Communities were not even trying to access a range of services that they may be entitled to
- Confusion about the range of ways services are provided and the differences between one service type and another eg JIRT vs Police and DOCS responses
- There are not enough Aboriginal specific services, or services that effectively meet the needs of Aboriginal communities
- Some services are difficult to physically access, particularly in rural and remote areas

Issues with services provided and service gaps

- Across most agencies, communities reported that some staff were working well with communities
- Some services were received well by communities, for example:
 - Family Violence Prevention Legal Service
 - Aboriginal Child, Youth and Family Strategy
- Most NGOs provide a flexible service that responds to their needs. For many Aboriginal people, NGOs are the only service they will use.
- Inappropriate responses include:
 - Racism
 - Inconsistency
 - Times when services didn't respond at all
 - Times when services over-responded
- These responses compounded Aboriginal people's fear and mistrust of government services and further alienated them from the government service system
- Lack of feedback from services
- Key Services are not supportive and need to build relationships with local communities
- Key services are not always providing appropriate referrals
- Service responses to child sexual assault are not being provided in a holistic way
- Identified a need for a network of advocacy and support workers who can provide support to Aboriginal families who have experienced child sexual assault from disclosure through to recovery

Access to counselling and support to address child sexual assault

- Limited access to publicly funded (free) counselling
- Few counsellors available who could effectively respond to Aboriginal experiences
- Few Aboriginal counsellors
- Long waiting lists for most counsellors
- Stringent referral mechanisms
- Counselling model that is appropriate for Aboriginal people needs to be researched and developed

Court processes

- The court process is long and traumatic
- Prosecutors, Judicial staff and Support staff require a better understanding of CSA and Aboriginal culture to be able to provide an effective service
- Sentencing is inconsistent

Treatment for sex offenders

- Limited services available outside of correctional facilities
- Offender programs need to be more tailored to Aboriginal clients
- The transition of a sex offender back into the community is often conducted without community involvement and without adequate support

Education and training about child sexual assault

- No government agency provides training for its staff that specifically addresses child sexual assault in Aboriginal communities
- The Education Centre Against Violence (ECAV) provides most of the training about child sexual assault in NSW, both for NSW Health staff and for staff of other relevant agencies that work with children and young people. The Centre for Community Welfare Training also provides training for staff employed in the community services sector.

Organisational issues - Planning

- At both the Commonwealth and State Government level, child sexual assault is addressed within the broader framework of child protection and preventing child abuse.
- Both governments have policy frameworks on child protection, there is no national or state policy framework that specifically outlines the government's position on child sexual assault
- Child sexual assault has not been included in the Bilateral Agreement
- Child sexual assault is not explicit in the current *Two Ways Together – Aboriginal Affairs Plan* framework.
- Not on local, regional, state or national agendas and there is limited government leadership of the issue at the political or the agency level

Organisational issues - Employment

- Aboriginal communities said they would like to see more Aboriginal people employed
- Agencies needed to develop more innovative and lateral recruitment strategies.
- Aboriginal workers are overworked and overwhelmed by what they were expected to do within their jobs
- Government agencies need to help Aboriginal people to gain professional qualifications

Funding

- Funding for local Aboriginal initiatives
- Insufficient funding for NGO's to provide a service that truly meets community need.
- There is a prevalence of one-off, project funding available and they believed that this leads to an ad hoc delivery of services

Alternative models

- Considered the differences in approach between adversarial, inquisitorial and restorative justice models
- Examined South African Courts, Cherbourg Critical Incident Group and Hollow Waters models

Creating the Future

- Completed a thorough review of child sexual assault in Aboriginal communities and the way the NSW Government and non-government sectors respond
- Identified the devastating effects that child sexual assault is having on Aboriginal communities
- An overwhelming desire among community members for the abuse to stop and healing to begin
- It has also revealed a comprehensive government system of child protection and criminal justice that has many barriers and gaps in the way services are provided to Aboriginal people.
- These barriers and gaps are rendering this response ineffective for most Aboriginal people who are seeking help for child sexual assault.
- Formulated 119 recommendations that aim to overcome these barriers to access and eliminate service gaps
- There is a need for an effective, cooperative response to child sexual assault that is *community driven* and works with government agencies in genuine partnership.