

---

---

## Report for Defence for Children International from ACT

---

---

### **There have been two significant developments for children in ACT during 2004.**

The first was the launch in June 2004 of "The ACT Children's Plan 2004-14", subtitled "Making Canberra a great place for children"

The intention of the plan is that it will guide government and non-government sectors in the development of policies, programs and services for children up to 12 years of age. This means a focus on consultation and collaboration on any new development in the ACT which affects children.

There was extensive consultation in developing the Plan, including responses from more than 2000 children. Special provisions were made to include young children and children with disabilities in the consultation process.

The plan focuses on three main areas: children now and in the future; children and their families; and children and the community.

One of the most significant of the recommendations was the recommendation to establish a Commissioner for Children and Young People in the ACT and this is also one of the recommendations of the Vardon Report- "The Territory's Children. Ensuring Safety and Quality Care for Children and Young People".

This report was released to the ACT Chief Minister in May 2004, in response to allegations that the Department of Education, Youth and Family Services failed to comply with its obligations regarding reports of abuse of children and young people when they are in the Chief Executive's parental responsibility.

One of the recommendations was the development of a Child Death Review team. This has already commenced and is modelled on the comprehensive NSW model, which considers the deaths of all children, not just those where there are issues of abuse and neglect. Its recommendations could potentially help all ACT children.

Amongst its far-reaching recommendations for the safety of children in ACT from abuse were three recommendations directly relating to community involvement.

The first of these was the development of a community awareness campaign for the ACT to increase recognition of the major social problem of child abuse and neglect.

The second was to hold a community summit during National Child Protection Week (5-11 September 2004) to consider community involvement in the prevention of child abuse and neglect.

A community forum was held over 10-11 September 2004, with very impressive community participation in the development of initiatives to protect ACT children from abuse, in particular by better supporting the children and their families and carers.

NAPCAN ACT now intends to collate this valuable information into various publications, which will hopefully be released early in the new year.

The third community recommendation was for the appointment of a Commissioner for Children and Young People.

A discussion paper has been released, and will accept comment till 10 December 2004.

Some of the issues being canvassed are

- Should this person represent all ACT children, or only children with particular vulnerabilities?
- Should the Commissioner handle individual complaints or should the responsibility be rather to ensure that there are appropriate avenues for dealing with complaints and that these complaints are being heard and managed appropriately? This could include help for parents and carers to better promote their concerns.
- Should the Commissioner deal with individuals or groups of children?
- What should be the age limit eg 0-18, 0-25?
- Should the Commissioner have a role on

advisory bodies, and what role (eg should children and young people be trained and supported to participate in all/some of such forums)?

- Should the Commissioner have statutory enforcement powers, or should the direction be similar to NSW, where parties are “obliged to co-operate”?
- Should the Commissioner for Children and Young People be a “stand alone” position, or should it be linked to other like offices (eg the Commissioner for Human Rights) as part of a social “umbrella”?
- Who should the Commissioner report to- the Chief Minister, The ACT Legislative Assembly?

I personally hope that the Commissioner will be a person for all children and young people in ACT, who will seek to be advised and informed by them and who will have a focus on advocacy in such a way as to promote their wellbeing

The alternative, more statutory “watch dog” role for a Children’s Commissioner, working after the event to try and minimise the damage which has already happened, has less capacity to promote initiatives to prevent child abuse and neglect. As has been shown in more conventional health fields such as heart disease, action to repair damage is expensive and only partly successful at best. The only way to ensure real progress is to intervene at the earliest possible moment to prevent the progression to disease. This is just as true for child abuse and neglect.

A Children’s Commissioner for ACT could do so much more than this, as has been demonstrated by the Children’s Commissioners in NSW and Queensland, who this year have jointly produced the innovative “A Head Start for Australia: An Early Years Framework”, a guide to enable our children to have the best opportunities. Initiatives such as this can guide the implementation of the Children’s Plan so that ACT is truly a safe, enjoyable place for children to grow up.

**Dr Sue Packer AM,  
DCI ACT**

---

---

## South Australia welcomes appointment of Guardian for Children and Young People

---

---

**In June South Australia welcomed the appointment of Pam Simmons to the position of Guardian for Children and Young People. Ms Simmons was previously Executive Officer of SACOSS, and has a well established reputation as a tireless and effective advocate for the interests of those at the margins. The initiative to establish the Office of the Guardian for Children and Young People was announced in the State Government budget for 2004-2005 as part of the Child Protection Reform Program which has followed from the Layton Review of Child Protection.**

The Office of the Guardian will take a proactive role in advocating for and promoting the best interests of children and young people under the care of the Minister for Families and Communities. One of the priorities for the Office will be the effects of ‘system abuse’ experienced as a consequence of gaps in services, multiple placements or a lack of belonging and connection.

Responsibilities of the Guardian include

- Provision of independent monitoring of the circumstances of children and young people in out of home care
- Assessment of the quality of care
- Advising the Minister, as the statutory Guardian, on whether the needs of children in his care and guardianship are being met, particularly on systemic issues affecting the quality of their care.

The Guardian has the authority to initiate inquiries into systemic issues and to investigate the circumstances of a child or young person in out of home care who may be at risk of harm. Consultation with children and young people, their representatives and others with a direct interest in their welfare will be central to the effective operation of the Office of the Guardian.

The work of the Office will be guided by principles of non-discrimination, the best interests of the child, their right to survival and development and their right to participation.

We look forward to further reports on the difference this initiative is making to the lives of South Australia’s most vulnerable children and young people.