

NSW Annual Report on Progress

Royal Commission into Institutional Responses to Child Sexual Abuse

December 2019



In June 2018, the NSW Government responded to the final report of the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) and made a commitment to implement that response. In December 2018 a progress report was released which provided an update on implementation. Since December 2018, the NSW Government has made significant progress towards implementing its response to the Royal Commission's recommendations. Details of this important work are outlined in this report.

NSW continues to implement major reforms to prevent child sexual abuse, improve responses to reports of abuse, and ensure that survivors receive appropriate support, redress and justice.

This has been demonstrated through the work NSW has done throughout 2019 including consulting on the development of a regulatory model for child safe standards, expanding the services available to children who display harmful sexual behaviours, and making improvements to the justice system.

To support the implementation of these reforms the NSW Government has made a substantial financial investment, including \$127 million announced in October 2018, to implement responses to key Royal Commission recommendations.

NSW has also led strong collaboration with the Australian Government and other jurisdictions on the development and implementation on national initiatives to progress responses to recommendations which require inter-jurisdictional collaboration.

While progress has been made, there is still much more work to be done. The NSW Government will continue to implement its response to the Royal Commission's recommendations throughout 2020 and provide a further update on progress in December 2020.

NSW has made significant progress in 2019

NSW bodies can share child protection information with statutory child protection agencies in other states and territories

In February 2019 amendments to the *Children and Young Persons (Care and Protection) Regulation 2012* commenced. The amendments allow NSW prescribed bodies, such as police, schools, health care providers and day care centres to directly share information with interstate statutory child protection agencies if the information relates to the safety, welfare or well-being of a particular child or young person. This change will improve child protection outcomes by reducing fragmentation of information, and delays and inefficiencies in information sharing.

NSW is also collaborating with the Australian Government and states and territories to implement an online data linkage solution that will enable child protection workers to identify when a child or a person of interest may be known in another jurisdiction. This project is the result of the *Business Research and Innovation Initiative: sharing information nationally to ensure child safety challenge* conducted from 2017 to 2019.

Legislation has been passed to expand mandatory reporter groups and strengthen protections for reporters

Mandatory reporting places a legislative obligation on selected classes of people to report suspected child abuse to the Department of Communities and Justice. NSW has passed legislation to meet the Royal Commission's recommendation in relation to the groups of individuals who should be mandatory reporters. Amendments to the *Children and Young Persons (Care and Protection) Act 1998*, will require all registered psychologists, persons in religious ministry and persons providing

religion-based activities to children to mandatorily report suspicions that a child is at risk of significant harm.

The amendments also strengthen existing protections for people who report suspected child abuse. Reporters who make reports in good faith will be protected from all civil and criminal liability and from retribution, for making, or proposing to make, a report. These protections will also apply to reporters who make reports or complaints about child abuse to any institution engaging in child-related work.

The expansion of the categories of mandatory reporters and increased protections for people who make reports will result in increased reporting of child abuse and neglect, allowing the Department of Communities and Justice to prevent children from being abused, or put a stop to abuse that is already occurring. These changes will commence on 1 March 2020.

Legislative changes have been made to transfer and expand the reportable conduct scheme

The reportable conduct scheme involves overseeing the handling of allegations that are made against employees and certain volunteers of government and non-government agencies in NSW that provide services to children.

NSW has passed legislation to transfer the operation of the reportable conduct scheme from the NSW Ombudsman's office to the NSW Office of the Children's Guardian, consistent with the Royal Commission's view that the agency responsible for implementing the child safe standards regulatory scheme should also have responsibility for the reportable conduct scheme in that jurisdiction.

Other key legislative changes include:

- The reportable conduct scheme is expanded to apply to conduct outside of work for employees of public authorities (such as local councils), contractors and sub-contractors if they engage in child-related work.
- The scheme is expanded to consistently cover religious bodies from 1 March 2020.
- The timeframes for notifying the Office of the Children's Guardian of an allegation of reportable conduct are tightened. Organisations will be required to notify the Office of the Children's Guardian within seven days of becoming aware of an allegation, rather than 30 days.

These changes to the reportable conduct scheme will make the scheme more comprehensive and robust. More organisations will be required to report and investigate allegations of reportable conduct, and allegations must be reported and responded to quickly, providing greater protections for children.

Transition to Intensive Therapeutic Care continues

The Department of Communities and Justice has implemented an Intensive Therapeutic Care (ITC) model to help children and young people who are recovering from the most severe forms of trauma, neglect, abuse or adversity. ITC is for children and young people over 12 years with complex needs, who are either unable to be supported in foster care or require specialised and intensive supports to maintain stability in their care arrangements. ITC is replacing residential care across NSW.

In July 2019, ITC was operational in nine locations across NSW. Existing residential care providers will be assisted by the Department of Communities and Justice to plan for the transition of the remaining children and young people in their care by the end of 2020.

ITC – Significant Disability (ITCSD) contracts were signed in August 2019 to better support eligible children and young people with significant disabilities. Children will be transitioned to ITCSD over a 12 to 24 month period.

The ITC system will decrease the time children and young people spend in intensive out-of-home care (OOHC) services and help provide clear pathways to permanency.

The Department of Communities and Justice has appointed the Australian Childhood Foundation in partnership with Southern Cross University to operate the Centre for Excellence in Therapeutic Care as an ‘intermediary’ organisation for the ITC service system. The intermediary supports ITC funded service providers by providing expert advice; maintaining an online, accessible knowledge bank of evidence-based therapeutic care; developing and offering learning and development activities; providing a Community of Practice for Therapeutic Specialists; and promoting knowledge sharing across the sector.

Improved protections for children in out-of-home care

On 1 July 2019 a project commenced to complete community services checks on carers and household members who were exempted under legislative amendments introduced in 2015, and who are still caring for children. A community services check is a review of relevant information about an individual held by the Department of Communities and Justice. The project to complete the community services checks is expected to be completed by June 2020, contributing to improving the safety and wellbeing of children and young people in OOHC.

The development of a Residential Care Workers Register will simplify the exchange of information between residential care providers regarding the suitability of care workers. It is anticipated that the Residential Care Workers Register will be operational as early as 2020. The current focus is on design and build of the Register’s functionality.

In addition to this, the transfer of the Official Community Visitor scheme from the Ombudsman’s Office to the Office of the Children’s Guardian will ensure that the entity responsible for the monitoring and accreditation of OOHC agencies is the same entity responsible for oversight and administration of the Official Community Visitors scheme. Official Community Visitors provide a crucial safeguard for children living in OOHC. Official Community Visitors’ independent monitoring role and ability to undertake unannounced visits gives them a unique perspective on the day-to-day lives of children in care. Official Community Visitors can:

- Confer alone and listen to what children have to say about their accommodation and support, and any issues affecting them.
- Provide the Minister and the Children’s Guardian with advice or reports on any matters relating to the conduct of the OOHC, including matters affecting the welfare, interests and conditions of children in OOHC.
- Give information and support to children wanting to raise matters with their service provider about the support they are receiving. This includes through providing information about independent advocacy services to help children in the presentation of a grievance or matter of concern and, in appropriate cases, assist children to obtain the services.
- Support services to improve the quality of children’s experience in OOHC and resolve matters of concern by identifying issues and bringing them to the attention of staff and management.

A culturally appropriate carer assessment tool for kinship assessment is being rolled out in four districts by the Department of Communities and Justice

The Department of Communities and Justice is currently implementing use of the Winangay Kinship and Carer Assessment Tool to guide Aboriginal and relative kinship carer authorisations. The Winangay Assessment Tool is designed to be a culturally appropriate method of assessment for Aboriginal kinship carers. The tool is being rolled out in four districts for use by practitioners.

Trauma informed care training packages for caseworkers and carers

The Department of Communities and Justice has developed practice packages and training resources on trauma informed care and managing children's harmful sexual behaviour in OOHC, for caseworkers and carers in the OOHC non-government sector. Roll out of the practice packages commenced in September 2019 and will continue into 2020.

Increasing the stability of placements in out-of-home care

The Department of Communities and Justice is partnering with 44 Funded Service Providers to deliver the Permanency Support Program (PSP), including 11 Aboriginal Funded Service Providers.

The PSP is focused on achieving permanency through restoration to family where safe and in the best interest of the child, guardianship and open adoption. Under the PSP, funding packages are tailored to the individual needs of children, young people and their families. Packages are flexibly applied to be able to respond to any change in a child's needs.

In partnership with the not-for-profit organisation Adopt Change, My Forever Family NSW continues to improve recruitment, support and training of carers.

An external three year implementation, outcomes, and economic evaluation will be completed for the PSP by December 2021.

The Quality Assurance Framework (QAF) provides regular information about each child and young person in OOHC around their safety, permanency and wellbeing. This information is provided regularly to practitioners to enable targeted case planning and better support and training for carers to allow a strengthened response to the individual needs of the children in their care. The QAF has been trialed in six sites: three Funded Service Providers and three Department of Communities and Justice Community Services Centres on the Mid North Coast. Expansion within the three Funded Service Providers is commencing and, once the systems are in place, state-wide rollout will commence.

OurSPACE, operated by the Australian Childhood Foundation, has been implemented in several locations across NSW since December 2018. It promotes placement stability for children aged 15 years and under in foster and kinship care who have experienced multiple trauma in their lives. Tailored therapeutic services are being delivered to meet the individual needs of up to 270 children with the most intensive need and their carers. OurSPACE is a statewide service with the exception of Hunter New England and Nepean Blue Mountains regions.

Improving the leaving care experience

The Department of Communities and Justice has continued to focus on strengthening the capacity of the sector to provide quality leaving care planning through caseworker forums across NSW, new video resources and materials about planning and engaging young people, and improved training for the sector. The Department of Communities and Justice is building partnerships with other government and non-government agencies to address barriers and build new opportunities such as the free Safer Driver course, education pathways and financial literacy initiatives.

A pilot commenced in November 2019 in the Mid North Coast offering young people tailored responses based on need, capacity, strengths and opportunities. The pilot targets young people aged 17-24 years who have left OOHC, and will include access to a 'futures coach' and intensive casework support. The intensity of support will depend on the needs of each young person.

A new *Digital Citizenship* website was launched on 23 May 2019

The NSW Education cluster has engaged the Australian Government Office of the e-Safety Commissioner to launch the Digital Citizen website, which includes resources for parents, teachers and students, to support online safety for children. It provides practical advice on the responsible use of technology and addressing safe and ethical online behaviour.

Improved records and record keeping practices

The Royal Commission highlighted that inadequate records and recordkeeping by government and non-government organisations have contributed to delays in or failures to identify and respond to risks and incidents of child sexual abuse.

NSW State Archives and Records has commenced a major program of work in response to recommendations made to improve record keeping. Thirty-two retention and disposal authorities have been amended to ensure records relating to child sexual abuse that has occurred or is alleged to have occurred are retained for 45 years, and a new retention and disposal authority for child care records has been issued.

NSW has also ensured the standards for records management comply with the recommendations of the Royal Commission. NSW State Archives and Records has worked with other Australian records and archives authorities to develop guidance for government and non-government organisations on the identification of records which may be relevant to child sexual abuse, and the retention and disposal of such records.

NSW State Archives and Records has also liaised with NSW Government agencies who work with non-government institutions to ensure efforts to improve record keeping in the non-government sector are beneficial. Work is underway to develop promotional materials, online training modules, and a record keeping toolkit for the non-government sector.

Guide for upholding the rights of children and young people released

In 2019 the National Office for Child Safety commissioned the NSW Ombudsman's office to develop the *Complaint Handling Guide for upholding the rights of children and young people* (the Guide). The Guide provides practical advice to organisations about how to develop, implement and maintain a complaint-handling system that prioritises child safety and promotes the rights of children and young people to have a voice in decisions that affect them.

The Guide was presented at the Safe Organisations Leaders forum hosted by the National Office for Child Safety in August 2019. The Guide has been widely circulated to stakeholders in NSW, and to Children's Commissioners and Ombudsmen across Australia. The Guide is publicly available on the Department of Prime Minister and Cabinet's website.

Strengthened support for Aboriginal families

The Department of Communities and Justice continued to implement the Aboriginal Case Management Policy in 2019 with Rules and Practice Guidance released in March 2019. The policy was written by the Aboriginal Child, Family and Community Care State Secretariat (AbSec), informed

by the views of Aboriginal people, agencies and communities through a statewide consultation process.

These tools support practitioners to engage early with Aboriginal families to shape case planning, and identify tailored solutions to keep children safe with their family and community. They also provide a framework for Aboriginal led and culturally embedded case management practice to safeguard the best interests of Aboriginal children and young people.

NSW is taking action to prevent child sexual abuse

Regulating child safe standards in NSW

In February 2019 the Office of the Children's Guardian released the discussion paper *Regulating Child Safe Organisations*, publicly seeking feedback on a model for the regulation of child safe standards in NSW. Over 200 responses were received, including 58 written submissions and 162 survey responses. In addition, the Office of the Children's Guardian met with representatives from over 50 organisations from different child-related sectors, including peak bodies and government agencies.

Following extensive consultation, the Office of the Children's Guardian released the report *Making Organisations Safer for Children*, which outlines key elements of a child safe regulatory model for NSW. Subject to further work, the new model will be rolled out in 2020.

Increasing sector capability and awareness of child safety

The Office of the Children's Guardian has provided training and workshops on child safety to over 5,300 individuals since January 2019 (over 6,600 individuals since July 2018), delivered both online and face to face. The focus has been on providing sector specific training that is practical and targeted to meet different needs.

The Office of the Children's Guardian has progressed a sport specific project with nine state sporting organisations (Hockey NSW, Football NSW, Dragon Boats NSW, Orienteering, Northern NSW Football, Netball NSW, Water Polo NSW and Tennis NSW). The project will help inform the development of child safe resources and a child safe training program, which can be embedded within existing training delivered by major organisations.

The Office of the Children's Guardian has engaged eight Child Safe Coordinators who will work across priority sectors to train and deliver tailored services. A procurement process has commenced to obtain a user friendly and engaging Learning Management System which can support large numbers of participants. The bespoke program will continue to familiarise and educate sporting organisations about child safe standards requirements and compliance.

Improving services for children and young people who display problematic and harmful sexual behaviours

NSW is expanding services for children and young people with problematic and harmful sexual behaviours to provide consistent coverage across NSW. NSW Health has expanded New Street services for children aged 10-17 with harmful sexual behaviours to be available in all Local Health Districts. There will be nine full New Street Services plus two smaller 'spoke services' receiving clinical support from a neighbouring 'hub service'. The expanded service network will provide coverage state-wide. New accommodation is being secured and recruitment of clinicians is underway. Services are anticipated to commence from 2020.

NSW Health is developing a new program model to improve service access for children under the age of 10 years with problematic and harmful sexual behaviours and their families. The model will improve pathways into NSW Health specialist services and provide capacity building for generalist services within and outside of NSW Health, to better identify concerning behaviours and provide appropriate responses to these children.

A Children and Young People's Sexual Safety Team in NSW Health has been established to lead NSW Health's initiatives and the development of the *NSW Government Framework for preventing and responding to children and young people with problematic and harmful sexual behaviours*. The Framework will support the implementation of a child and family-centred system response to this cohort, based on a public health approach.

An Evaluation Strategy for the *NSW Government Framework for prevention and responses to children and young people with problematic and harmful sexual behaviours* has been commissioned and will be developed in 2019-20. This will ensure system improvements and initiatives are achieving the desired outcomes for children and young people. It will also include an evaluation plan for NSW Health therapeutic services responding to this group of children and young people.

Improving education about problematic and harmful sexual behaviours

The NSW Department of Education has provided targeted education to staff with certified training in the TRUE traffic lights tool, to support staff identifying, understanding and responding to a broad range of sexual behaviours in children and young people, including harmful or problematic behaviours.

The TRUE Traffic Lights Framework is a guide to identify, understand and respond to sexual behaviours in children and young people by assisting staff to identify whether the sexual behaviour of children or young people is developmentally appropriate, concerning or harmful in the current social, cultural and familial contexts. It uses a traffic light system in which red indicates sexual behaviours that are problematic or harmful; orange indicates behaviours outside developmentally appropriate behaviour; and green indicates developmentally appropriate sexual behaviours.

The NSW Department of Education has finalised the *Children with Problematic or Sexualised Behaviours: Guidelines for Schools* to include a duty to report and new notification procedures. The guidelines are currently available in draft to all staff on the NSW Department of Education intranet. The final version of the guidelines will be published on the NSW Department of Education intranet before school resumes in 2020. Principals and directors are directed to the guidelines when they report an incident of problematic or harmful sexualised behaviours at their schools.

Increased protection for young people in detention

The Department of Communities and Justice has upgraded closed circuit television (CCTV) in the Cobham, Frank Baxter, Riverina and Acmena Youth Justice Centres (YJC). Upgrades to Reiby and Orana YJC's are expected to be completed by July 2020. The upgraded CCTV provides improved coverage and image quality, which strengthens surveillance and helps keep young people safe.

NSW has also strengthened support services for young people in detention. In May 2019, new counsellors were recruited to provide trauma-informed counselling to young people in custody who are victims of crime as part of the Counselling in Youth Justice Centres trial. The program is now available at Reiby, Cobham and Frank Baxter YJC. NSW Victims Services and Youth Justice NSW are undertaking an evaluation of the Counselling in Youth Justice Centres trial.

Youth Justice NSW is currently reviewing its complaints policy and procedure to ensure the process for managing complaints includes Aboriginal people and professionals qualified to provide trauma-

informed care. The review includes the forms used by young people being re-designed in consultation with the Council for Intellectual Disability. Youth Justice NSW will consult with the Inspector of Custodial Services and the NSW Ombudsman in the process of this review.

Preventing and responding to child sexual exploitation

A project will be piloted to address the risk of sexual exploitation of children and young people in residential care and support the investigation and prosecution of exploitation offences. Key elements of the pilot include improved awareness to support prevention and identification through education and training of staff and residents, multi-agency referral and support to reduce risk and vulnerability, and an enhanced response approach in partnership with the NSW Police Force to disrupt predatory behaviours.

Training packages will also be made available to residential care staff, young people, local police and other interested professionals. Training will cover topics such as grooming and consent, preventing and identifying risk, collaborative approaches to disruption and evidence-gathering, risk management, and participation in investigation and prosecution processes. Guidelines on the use of reporting processes when a risk of child sexual exploitation is identified will also be included in the training packages.

Improving treatment and support for survivors

Community-based support services for survivors

The Department of Communities and Justice has established a Commissioning Community Support for victims and survivors of sexual assault project to analyse the current service system of community-based support for survivors. Targeted consultations with community, sector and government agencies were completed in July and August 2019. A final report containing analysis of the consultation findings and opportunities for further work is under development.

Additional funding for community based support services

An additional \$1.2 million in funding for both the 2019-20 and 2020-21 financial years has been allocated to selected community based service providers who provide extensive support to survivors. The additional funding will assist these providers to respond to additional demands for their services following the Royal Commission and establishment of the National Redress Scheme.

Improving specialist sexual assault services

NSW Health has commenced a project to increase and improve the capacity of Health's Sexual Assault Services to provide appropriate therapeutic support to Aboriginal clients. The scoping phase is underway and the NSW Education Centre Against Violence is expanding its Aboriginal Workforce Development Team to increase support available to services.

NSW Health is developing a strategy to increase access to its existing Sexual Assault Services (SASs) and New Street services for people with disability. The University of New South Wales is commencing a needs assessment to identify promising practice for improving service access. The project will engage consumers to inform an activities and implementation plan. An evaluation framework will be developed to track NSW Health's progress in increasing access for people with disability.

Two local health districts are being selected to pilot a new integrated, specialist treatment service for adult survivors with complex needs. In September 2019, local health districts were invited to express

their interest in the pilot and the two sites will be selected in late 2019. The pilot will commence in early 2020. This pilot aims to improve care through specialist sexual assault trauma counselling and integrated case management with mental health and drug and alcohol services. Specialist research and service co-design expertise has been contracted to provide implementation and evaluation support to the two pilot sites.

Following an independent evaluation to ensure the investment in new, enhanced and expanded service delivery is meeting its intended outcomes, the integrated service model is expected to be rolled out state-wide from 2022-23.

Strengthening the justice system response to child sexual abuse

NSW Government response to the civil litigation recommendations has been completed

The Department of Communities and Justice has completed its responses to the Royal Commission civil litigation recommendations with proper defendant reforms to the *Civil Liability Act 2002* commencing on 1 January 2019. These amendments allow survivors of child abuse to sue organisations in which they were abused, even if the organisations do not have corporate status or legal personality. Those organisations must appoint a 'proper defendant' with sufficient assets to satisfy a child abuse claim. This applies to past or future child abuse claims.

NSW continues to participate in the National Redress Scheme

NSW was one of the first states to opt in to the National Redress Scheme (the Scheme). In May 2018, NSW was the first state to pass legislation referring powers to the Australian Government to establish the Scheme.

Throughout 2019, NSW has continued to participate in the Scheme. The Department of Communities and Justice through the Victims Services Central Coordination Team (CCT), continues to facilitate effective and efficient participation by NSW Government institutions in the Scheme. In particular, the CCT plays a critical role in ensuring that Requests for Information from the Scheme relating to redress applications are responded to within the timeframes set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*.

The Child Sexual Offence Evidence Program

The Department of Communities and Justice also facilitates the Child Sexual Offence Evidence Program, which aims to reduce the duration of court proceedings and the stress and trauma experienced by children and young people who are victims and witnesses in sexual offence matters. Amongst other things, the program engages specialist witness intermediaries who act as officers of the court to facilitate communication for vulnerable child complainants and witnesses with specific communication needs or disabilities.

The Child Sexual Offence Evidence Program is currently operational in Sydney and Newcastle District Courts and the Hunter, Central Metropolitan and South West Metropolitan Joint Child Protection Response Program sites.

Expansion of the capacity of courts to respond to child sexual abuse

As outlined in the 2018 progress report, in 2018 the NSW Government announced a \$148 million funding package to reduce trial delays in the District Court by appointing seven new judges. The judges were appointed on 6 December 2018 and sworn in during February 2019. Two of the judges

were appointed to respond to increased demand arising from the Royal Commission, with the workload spread across the District Court judicial cohort.

In collaboration with the Australian Government and other jurisdictions, NSW has contributed to progressing national initiatives to prevent child sexual abuse

Launch of the Final Action Plan under the National Framework for Protecting Australia's Children 2009-2020

The *Fourth Action Plan 2018 – 2020* was finalised and launched in January 2019. The Children and Families Secretaries forum has established a Child Safety Working Group (CSWG) under the *Fourth Action Plan 2018 – 2020* of the *National Framework for Protecting Australia's Children 2009 – 2020*.

In collaboration with all jurisdictions, the CSWG is progressing work to develop a *National Strategy to Prevent Child Sexual Abuse*, achieve a nationally consistent approach to implementing Child Safe Standards, improve inter-jurisdictional information sharing, record keeping and data collection, developing a nationally consistent approach to carer registers and achieving national consistency in mandatory reporting groups.

NSW is actively engaging with other jurisdictions in progressing this work and is already well ahead in respect of implementing child safe standards, having a well-established carers register and passing legislative amendments to expand mandatory reporter groups.

Endorsement of the National Principles for Child Safe Organisations

In February 2019, the Council of Australian Governments endorsed the National Principles for Child Safe Organisations. The principles provide a nationally consistent approach to cultivating organisational cultures and practices that foster child safety and wellbeing across all sectors in Australia. The NSW Government supported the national principles for child safe organisations as the 'architecture' for the next national framework for child safety.

Improving protection for children in school and early childhood education environments

Teacher registration requirements vary between jurisdictions. This means children in different jurisdictions receive different levels of protection. The NSW Education cluster is contributing to the national review of teacher registration in collaboration with other jurisdictions through the Australian Institute for Teaching and School Leadership and the Australasian Teacher Regulatory Authorities.

As part of the national review, the NSW Education cluster is also working with other jurisdictions to develop a model for better cross jurisdictional information exchange that includes persons unsuitable to teach, while also protecting teachers' personal information.

National online safety framework

The Australian Government's Office of the eSafety Commissioner is developing a resource to provide good practice guidance to schools on preparing, engaging, educating and responding to online safety issues in schools. The NSW Department of Education is working with the Office of the eSafety Commissioner to review content and progress the project to the design phase. This resource aims to address the need for nationally consistent, more comprehensive and relevant online safety education to be delivered to children and parents.

NSW participation in two Council of Attorneys-General (CAG) working groups regarding reforms to evidence law

On 1 December 2017, the CAG noted the Royal Commission's recommendations aimed at facilitating greater admissibility of tendency and coincidence evidence and joint trials in criminal proceedings for sexual offences against children. The CAG agreed to convene a working group to consider the test for admissibility of tendency and coincidence evidence under the Uniform Evidence Law and develop a proposal to facilitate greater admissibility of this evidence in criminal proceedings.

In June, the working group, which is led by NSW, made several recommendations for reform to evidence law for CAG's consideration. CAG members representing Uniform Evidence Law jurisdictions approved the development of a draft Model Bill to amend the law in line with the proposed reform. At the time of finalisation of this Report, a draft Model Bill, was being prepared by the Australasian Parliamentary Counsel's Committee, for provision to CAG for consideration in November 2019.

In June 2019, the CAG established a working group, (led by NSW) to consider the recommendations of the Royal Commission to exclude the application of confessional privilege as it applies to laws requiring the reporting of child abuse. The working group provided a report back to CAG out-of-session in late September 2019, for CAG to consider at its November 2019 meeting. At the time of finalisation of this Report, the NSW Government was awaiting the conclusion of the CAG process.

Monitoring future progress

In 2020, NSW will continue work to ensure that all children and young people, now and in the future, are protected from harm.

NSW will continue working with the Australian Government and other states and territories to progress recommendations requiring intergovernmental cooperation and action.

The 2020 report on progress will provide greater detail on regulating child safe standards in organisations working with children, the completion of retrospective community services checks for carers and adult household members, closed circuit television in juvenile detention centres and the implementation of the residential care workers register.

The NSW Government remains committed to implementing its response to the Royal Commission's recommendations and will continue this important work to ensure the best possible outcomes for children and young people, survivors of child sexual assault and the NSW community.