

NSW Annual Report on Progress

Royal Commission into Institutional
Responses to Child Sexual Abuse

December 2021



Overview

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) has changed the way we think about child protection and safety in organisational settings. The NSW Government has long been committed to ensuring that victims and survivors of child sexual abuse receive the compassion and care they need and deserve, and that measures are put in place to prevent future harm.

The NSW Government publicly responded to the Royal Commission in June 2018, accepting, or accepting in principle, the overwhelming majority of recommendations. In October 2018, the NSW Government announced a \$127.2 million package over five years to implement responses to the recommendations of the Royal Commission. This funding package is helping to improve prevention measures, ensure greater access to treatment and support services, strengthen the criminal justice response and strengthen measures in organisations providing services for children and young people.

The NSW Government has also made a commitment to report every year for five years (from 2018 to 2022) on progress in implementing its response to the Royal Commission's recommendations. Significant progress has been made in progressing important initiatives throughout 2021, despite the challenges associated with responding to the COVID-19 pandemic.

NSW's fourth Annual Report on Progress builds on the last report, published in December 2020, and outlines key initiatives progressed in 2021 that contribute to making NSW safer for children. The progress outlined in this report demonstrates NSW's continued commitment to progress reforms related to the Royal Commission's recommendations and make NSW as safe as possible so children can thrive. Planned actions for the future are also identified.

Meeting the needs of Aboriginal and Torres Strait Islander children, families and communities

Aboriginal and Torres Strait Islander people made up 14.3 percent of survivors of child sexual abuse seen by the Royal Commission in private sessions. The Royal Commission found that for this group, survivors' experiences of trauma are often compounded by the additional trauma of being disconnected from family, land and culture, and experiences of racism, exclusion and disadvantage.

In this context, Aboriginal and Torres Strait Islander survivors were often left without resources for recovery, healing and to build a future.

It is critical that the NSW Government response to the Royal Commission promotes the healing of Aboriginal and Torres Strait Islander people. In this report we have included information about important improvements to the service system to meet the needs of Aboriginal children and families, and new specialist integrated treatment services and improved access to sexual assault services.

NSW has made significant progress in 2021

NSW Parliament passes Child Safe Scheme

Amendments to the *Children's Guardian Act 2019*, embedding the Child Safe Standards (the Standards) recommended by the Royal Commission as the primary framework that guides child safe practice in organisations in NSW, were passed by Parliament on 18 November 2021.

The establishment of the Child Safe Scheme follows wide government and non-government sector consultation on draft legislation, with the Scheme receiving overwhelming support from stakeholders.

The amendments provide the Office of the Children’s Guardian (OCG) with a role in regulating and building sector capacity to implement the Child Safe Standards. Child Safe Action Plans will be used as a mechanism to embed the Child Safe Standards in specific sectors. An online self-assessment tool to support key agencies to assess and monitor Child Safe Standards implementation is under development.

The OCG is considering how the Child Safe Standards will interact with other regulatory frameworks, such as the NSW Standards for Permanent Care that set minimum requirements for the accreditation of out-of-home care (OOHC) and adoption services. The OCG is currently reviewing the Children’s Guardian’s accreditation and monitoring functions. Feedback from the sector will inform the review of the NSW Child Safe Standards for Permanent Care, which the OCG anticipates will commence in 2022-23.

NSW is supporting Child Safe Organisations to implement the Child Safe Scheme

The OCG continues to deliver training resources to stakeholders to prepare for implementation of the Scheme. Supporting organisations to embed the Child Safe Standards in organisations will help to achieve and maintain a child safe culture.

Resources released in 2021 include resources to assist organisations to develop a child safe Code of Conduct, and empower children and young people to participate in decision making. Further resources are expected to be released in 2022 as needed.

Over 7300 people attended webinars or viewed online webinar recordings between April and October 2021. Another 6754 people completed the Child Safe eLearning program. Over 72% of respondents to webinar feedback surveys have reported they have implemented information about the Child Safe Standards into their practice, and that the webinars are accessible and of high quality.

Between April and June 2021, OCG Child Safe Coordinators completed a project piloting a standardised capability assessment framework across 48 organisations to help organisations gauge how child safe they are. Following completion of a self-assessment and an interview, organisations receive a report outlining their strengths, opportunities and top three child safe risks. The pilot will assist the OCG to focus capability, including informing resource and training priorities and targeted support to organisations.

Throughout 2022, Child Safe Officers will continue to work across priority sectors to train and deliver tailored services about the Child Safe Standards including assessment services, resources and a suite of training sessions on child safe practices and policy development.

Improving stability of placements and case planning in out-of-home care

The Department of Communities and Justice (DCJ) Permanency Support Program (PSP) is one of the most significant changes made to the NSW child protection and OOHC systems in decades. The PSP’s three goals include fewer entries of children into care by keeping families together, shorter time in care and a better experience in care by supporting children’s individual needs and recovery from trauma. The program is provided by 48 service providers including 14 Aboriginal agencies. A three year evaluation of the PSP is expected to be completed in 2022.

NSW continues to implement an Intensive Therapeutic Care (ITC) model to ensure care provided to young people aged over 12 years with complex needs are met within a therapeutic framework, including an ITC initiative for children and young people with significant disabilities. ITC is being implemented in nine locations across NSW. DCJ has negotiated Supported Independent Living placements with a number of Residential Care providers to meet the demand of young people over 16 years of age requiring independent living arrangements.

The Quality Assurance Framework (QAF) collects regular information about children and young people in OOHC to support holistic case planning. Information comes from children, carers, DCJ and the Department of Education. A QAF pilot has completed design and testing in four trial sites, including three non-government organisations and one DCJ district, and is working towards statewide rollout once systems are in place.

DCJ continues to improve the authorisation process and support provided for foster and kinship carers which importantly includes considering the voice of the child in determining ongoing suitability of a person to provide care. A Carer Strategy plan has been developed to improve the knowledge, experience and support of carers in collaboration with sector partners.

Specialised initiatives are in place to support young people in care transition out of care

The Futures Planning and Support initiative pilot on the Mid North Coast provides individually tailored responses to young people between 17 and 24 who have left OOHC. The service focuses on needs, capacity, strengths and opportunities including access to a 'futures coach' and intensive casework support. A total of 100 care leavers have received assistance from the pilot since it started in April 2020.

DCJ is focused on improving the quality and scale of leaving care planning more broadly by building the sector's capacity and skills to provide young people with meaningful future planning that provides preparation and time to build personal support networks and living skills, as well as access to tailored supports and entitlements.

Improvements to the service system to meet the needs of Aboriginal children and families

DCJ continues to lead the NSW Government response to the *Family is Culture* Report, including the coordination and oversight of responses to the report's 125 systemic recommendations. The recommendations focus on reducing the high rates of Aboriginal children and young people in OOHC in NSW and implementation of the Aboriginal and Torres Strait Islander Child Placement Principle.

In May 2021, the NSW Government released its second progress report in implementing the *Family is Culture* recommendations. Seventy-five percent of the report's recommendations are in progress. Many of the remaining recommendations relate to a legislative review due in 2024 or are contingent on other responses being progressed first.

The Aboriginal Case Management Policy (ACMP) is currently being implemented across NSW. The ACMP aims to promote an integrated case management approach that is tailored to the needs of Aboriginal children and families. The ACMP applies across the entire support continuum, from targeted early intervention to child protection and OOHC. Importantly, the ACMP recognises the rights of Aboriginal families and Aboriginal communities in caring for their children, and the key enablers provide broad guidance on how they should be involved.

The NSW Child, Family and Community Peak Aboriginal Corporation (AbSec) has published three factsheets in partnership with DCJ to explain key enablers of the ACMP including Aboriginal family-led decision making, Aboriginal led family assessment and Aboriginal Community Controlled Mechanisms. The factsheets have been designed to promote discussion among Aboriginal communities and service providers on how they could be effectively implemented at the local level.

A new tool to provide child protection oversight and practice improvements

A Child Protection audit tool has been developed by DCJ to drive continuous improvement in the quality of child protection casework, including safety and risk assessments as well as family action planning for change. A detailed build of the audit tool was completed in July 2021 and will provide necessary oversight and practice improvements to facilitate implementation of a number of the Royal Commission's recommended Child Safe Standards. The revised audit tool is expected to be fully implemented by the end of December 2021 and will be complemented by a quality assurance process for local and statewide reporting.

The DCJ Office of the Senior Practitioner (OSP) is working with the Children's Resource Centre to review Structured Decision Making tools used in NSW, including the Mandatory Reporter Guide and Screening and Response Priority Tool. The review is intended to help identify how the tools are used in practice and better understand their effectiveness to support decision making.

The OSP is also designing a fit-for-purpose safety in care assessment model, which will consider the variety of safety issues that children in care experience, the unique vulnerabilities they face and the tailored casework responses required in order to create safety. The model will be co-designed with young people with a care experience, practitioners and sector experts and is expected to be implemented in June 2022.

The Education sector is committed to preventing harmful situations for students

Throughout 2021, the Department of Education undertook a program of work around consent, respectful relationships education and responding to problematic and harmful sexual behaviours.

On 26 March 2021, a public Statement of Intent was released solidifying the commitment of the NSW public, independent and Catholic school sectors to take concrete actions to strengthen children and young people's ability to form healthy relationships and prevent harmful situations. Individual schools, school systems and parent organisations may choose to explicitly adopt this Statement of Intent as the basis for action within their school communities.

The Department of Education is also developing mandatory 2022 Child Protection Update training for all education staff. In 2021, the training had a focus on domestic and family violence and a dashboard to assist principals to monitor staff completion of the mandatory training was developed. In addition to the training for school and corporate staff, customised pathways are available within the training for preschool and early childhood staff, special religious and ethics education teachers, Assisted School Travel Program staff, and volunteers in schools.

The central theme of the 2022 training is the identification and response to problematic and harmful sexual behaviours in children and young people. Training on the True Traffic Lights tool has built staff capacity to identify, understand and respond to a broad range of sexual behaviours in children and young people, including harmful or problematic behaviours. An evaluation has been completed, and will inform a suite of resources to support the 2022 Child Protection Update.

The Department of Education has continued to streamline evidence-based resources and materials for schools to support positive behaviour, prevent and respond to bullying and increase child safety. These new resources continue to be uploaded to the department's website throughout 2021. Child Safety resources will continue to be developed and made available on the website, including resources on anti-bullying, behaviour support, attendance and child protection.

The Department will continue to encourage schools to implement a whole-school approach to anti-bullying involving teachers, non-teaching staff, students, parents, carers and the wider community,

alongside the provision of positive behaviour support across the care continuum, which helps schools adopt a prevention-focused approach to address the full spectrum of students' needs.

In close partnership with the OCG, the Department of Education has published a Guide to assist the early childhood and outside school hours education and care (ECEC) sector to implement the Child Safe Standards. The Department has also participated in the ongoing 2019 National Quality Framework (NQF) Review, to assess options to align ECEC service requirements with relevant Royal Commission recommendations, which includes embedding the 'National Principles for Child Safe Organisations' under the NQF Quality Framework and enhancing record keeping requirements.

NSW is taking action to prevent and respond to child sexual abuse

Improving practice guidance to ensure appropriate responses to child abuse

In 2021 the Joint Child Protection Response Program (JCPRP) introduced new referral criteria. The program aims to provide a more comprehensive response to reports of serious child abuse, which may constitute a criminal offence. The new criteria enable participating agencies, including DCJ, the NSW Police Force and NSW Health, to ensure the most vulnerable children and young people are able to access services. Early impact analysis of an ongoing evaluation shows that the criteria have helped focus the JCPRP response to children and young people with increased vulnerabilities while simultaneously increasing other opportunities for local child protection and policing responses.

A trial of a Local Contact Point Protocol (LCPP) was completed by JCPRP agencies in 2021. The LCPP provides clear operational guidelines during a JCPRP investigation of allegations of child abuse in an institutional setting. The trial outcomes are currently being reviewed to ensure any learnings can be applied in practice.

The build of a residential care workers register has been completed

The Children's Guardian has completed the build of the residential care workers register in line with sector and public consultation. When commenced, the register will support agencies making decisions about the suitability of an individual to provide care to children and young people in residential care. The regulations will set out the key regulatory requirements for the operation of the register. The OCG is also developing training materials to support sector implementation of the register, with an intensive sector readiness program planned to occur prior to the register's commencement.

'Connect for Safety' – a new approach to sharing child protection information

In 2020 Connect for Safety, a new online information sharing solution was launched. The solution enables statutory child protection officers across Australia to find out in real time if a child or young person, or a person of interest, is known to statutory child protection agencies in other jurisdictions.

Connect for Safety is now available to a limited number of staff in all states and territories. As of November 2021, the online platform contains data from all states and territories.

Connect for Safety is currently in use by the DCJ information exchange team, 24-hour crisis support teams and Interstate Liaison Teams. A national staff training package has been developed and distributed to all jurisdictions to support the broader national rollout.

Improved service delivery and increased protection for young people in detention

Youth Justice NSW (YJNSW) continues to ensure that the different needs of children and young people in detention are met.

Young people in custody can access trauma-informed counselling when they are in need of support. While service provision was suspended in 2020 due to COVID-19 restrictions, Victims Services and Youth Justice reviewed arrangements to ensure access to counselling under the Victims Support Scheme could be embedded in operations across all Youth Justice Centres. YJNSW aims to identify Victims Services Approved Counsellors willing to provide services at all six Youth Justice Centres and to young people under community supervision orders. YJNSW will continue to work with Victims Services to ensure young people can continue to access trauma counselling, and to promote the new processes to young people and staff to encourage referrals.

YJNSW has trained 100 Youth Justice psychologists and Justice Health clinicians to deliver Dialectical Behaviour Therapy (DBT) to young people in all Youth Justice Centres and under community supervision. DBT is an evidence-based, trauma-informed psychotherapy, which has been successfully applied to adolescent client groups and forensic populations to address dynamic risk factors associated with criminal behaviours.

The trained clinicians will also deliver training to Youth Officers to raise their awareness of DBT approaches and how to use them with young people. A DBT pilot has commenced at Reiby Youth Justice Centre with young women and girls, which is showing positive results.

In partnership with the Department of Customer Service, YJNSW completed the *Voice2Action* project, which spoke to young people about their experience of YJNSW supervision and their feelings of safety and empowerment. The project's final report identified a number of opportunities to increase young people's participation in Youth Justice operations. YJNSW has now developed a *Safety and Empowerment Program* designed to embed youth-centric approaches across its operations in response to the findings of the *Voice2Action* and other recent reports based on what young people have identified as ways to improve service delivery, safety and empowerment.

YJNSW has established a new operating model for Youth Justice Centres. As part of the model, induction procedures for young people entering Youth Justice Centres now include how to make a complaint, how to use the *Locked Box: Feedback and Complaints Triage system* and how young people can access external oversight bodies. The new guidelines and procedures will enhance support for young people and include the involvement of a cultural advisor in the handling of complaints from, or concerning, young Aboriginal people. Youth Justice will continue to monitor and regularly review induction procedures to ensure young people's needs are met.

Preventing and responding to sexual exploitation of children and young people in residential care

The Disrupting Child Sexual Exploitation project is expected to commence in NSW in mid-2022, following a successful Australian Research Council grant application.

In April 2021, new online training resources were launched to support caseworkers to prevent, identify and better respond to child sexual exploitation. A guide has also been developed to help young people identify and understand this form of abuse. Resources were developed collaboratively by DCJ, NSW Police, ITC providers and the Australian Childhood Foundation Centre for Excellence in Therapeutic Care, including online training with modules and an education resource kit called Safe Connections.

LINKS Training and Support continues to be viewed widely by carers and caseworkers

LINKS Training and Support is leading the development of practice packages and training resources for caseworkers and carers in DCJ and the OOHHC non-government sector on trauma informed care and managing problematic sexualised behaviour in children and young people. Following COVID-

19 restrictions, LINKS Training and Support adapted its Trauma Informed Care package for online delivery. The team has delivered webinars to a wide range of OOHK professionals and carers from NSW Government departments and funded service providers. Hundreds of registrations were received for training resulting in 921 views across four webinars for carers; 3037 views across four webinars for professionals and 364 general views at the end of September 2021. Initial feedback about the online training is extremely positive. The LINKS Training and Support website also provides access to relevant resources such as webinars, fact sheets and support services.

In August and September 2021, LINKS Training and Support delivered online Train the Trainer workshops in their Healing from Trauma training package. The workshops enable both DCJ and non-government staff to roll out Healing from Trauma widely across NSW. A total of 109 DCJ staff and 167 NGO staff were trained by the end of September 2021.

Throughout 2021, DCJ has continued its partnership with the PSP Learning Hub team to ensure LINKS Training and Support resources are widely available to non-government organisations.

Harmful Sexualised Behaviour training packages for carers and professionals have been drafted, with delivery likely to begin in early 2022. Webinars on Harmful Sexual Behaviour have been piloted in November 2021, including a live webinar on pornography to professionals, with an adaptation for carers to follow.

Development of dedicated services for children and young people who display problematic and harmful sexual behaviours has continued

The Safe Wayz program for children under the age of criminal responsibility (10 years in NSW) with problematic or harmful sexual behaviours has been finalised and is currently rolling out across the state. The Sydney Children's Hospital Network is establishing a new statewide clinical leadership and developing support structures for the program. Districts have developed their local Safe Wayz Implementation Plans, which includes recruitment to new positions that will support local coordination and delivery of the program. An evaluation plan for Safe Wayz has been developed and statewide rollout of the program is expected to continue throughout 2022.

New Street Services have expanded to deliver statewide coverage with all newly established services now taking referrals. New Street Services provide therapeutic services for children and young people aged 10 to 17 years who have engaged in harmful sexual behaviours towards others, and their families and caregivers. All staff recruited to the expanded New Street Service network have received targeted orientation training and participate in ongoing clinical supervision. A new statewide identified Aboriginal clinical advisor position for New Street Services has also been established. The network of services accepted 129 new clients in 2020-21, which was an increase of 63% from the 2019-20 financial year.

An evaluation plan for New Street Services has been developed. Stage 1 of the evaluation plan will be implemented in the first half of 2022 and will consist of updated demand modelling to inform service planning to support the implementation of the NSW Framework for preventing and responding to problematic and harmful sexual behaviours.

Development of a NSW Framework for Preventing and Responding to Problematic and Harmful Sexual Behaviours has continued

The NSW Government has developed the NSW Framework for preventing and responding to children and young people with problematic and harmful sexual behaviours (The Framework). The Framework sets the vision and priorities for a whole of government and community approach that focuses on preventing harmful sexual behaviours before they occur, enabling early identification of behaviours and pathways into support and treatment for children, young people and their families.

The Framework and supporting implementation plan set the direction and priorities for sector reforms including:

- preventing harmful sexual behaviours through universal education and targeted strategies
- policy and system change to ensure behaviours are identified early and children and families receive high quality assessments and coordinated supports
- legislation change to enable children and young people over the age of criminal responsibility to access treatment to address their behaviours in a timely manner and divert them away from the criminal justice system where appropriate
- workforce capacity building to ensure the sector have the confidence, skills and knowledge to effectively respond
- ensuring access to specialist services for those children who need them.

The Framework and supporting projects were developed using a co-design approach, seeking views from a diverse range of stakeholders including Aboriginal and Torres Strait Islander people, people with disability, people from a culturally and linguistically diverse background, as well as children, young people and families with lived experience. The timeline for finalising the Framework was extended from June 2021 to enable sufficient consultation with consumers and stakeholders, which was delayed due to restrictions arising from COVID-19. Consultations took place between November 2020 and July 2021. Final endorsement of the Framework is expected in 2022.

The University of Wollongong (UOW) conducted a quantitative and qualitative research project with consumers of services for children and young people with problematic and harmful sexual behaviours and their parents and carers. The research has been completed and identifies factors that inform improved pathways into treatment for children who need it. UOW is developing a series of evidence informed, co-designed resources to communicate findings, including training materials and multi-media narratives.

A Common Approach to Identification and Support (CAIS) for problematic and harmful sexual behaviours has been developed and incorporated into the Framework. The CAIS provides a common language and definitions, screening and assessment tools and guidance, and a model for coordination of safety and support plans for children and young people and their families.

An evaluation strategy for the Framework has been developed and outlines the key evaluation questions, data collection and monitoring arrangements and indicators required to measure how well components of the Framework are implemented in practice.

The Department of Education has continued to deliver training and resources to improve online safety for children

The Department of Education's Incident Notification and Response system and processes have been updated to include a category on misuse of technology in an online context. This enables the NSW Police Force and the Department's Cybersecurity Unit to monitor and obtain evidence and relevant information post-incident to support risk management and co-operate with police investigations.

The Department of Education has formed a working group to identify areas of focus and develop strategies to strengthen responses to student online incidents. Consideration is being given to how best to conduct a multi-stakeholder forum in a COVID-safe way to share working group learnings with the non-government sector.

The Office of the eSafety Commissioner has developed a suite of free guidance materials to assist schools to prevent and respond to online safety incidents as part of a consistent national approach to online safety in schools. The content includes guidance on responding to online incidents that

happen outside school hours, dealing with explicit images, and responding to serious online safety incidents. Processes are in place to incorporate future information or materials produced by the eSafety Commissioner into pre-service and in-service training.

In 2020, all NSW schools implemented strengthened content relating to online safety in the new Kindergarten to Year 10 PDHPE syllabus. The NSW Government has announced a program of reform that will lead to all syllabuses being updated by 2024 to include this content.

The Department of Education has released new Child Protection Education curriculum support materials for use in schools in 2021 for PDHPE Kindergarten to Year 10. Resources provide explicit instruction for teaching concepts related to respectful relationships, abuse, power and protective strategies, including in online environments.

The Department of Education's Regulatory Authority for early childhood education and care has led the development of new resources on the child safe standards and delivered a seminar with sector leaders to ensure they understand their obligations.

Increased recognition and support for survivors

Integrated specialist treatment services for survivors of child abuse are being piloted

The Mid North Coast and South-Eastern Sydney Local Health Districts (LHDs) are piloting a new integrated, specialist treatment service for adult survivors of child sexual abuse with complex needs and have commenced seeing clients. The pilot aims to improve care through specialist trauma counselling and wrap-around support in sexual assault services and integrated case management with mental health, drug and alcohol, Aboriginal health and community support services.

The pilot project has a specific focus on improving access and support for people disproportionately impacted by sexual violence and its impacts, including Aboriginal people, people from local culturally and linguistically diverse communities and people with disability. Mid North Coast LHD were funded to trial establishment of an Aboriginal-led model of care and South-Eastern Sydney LHD are piloting a trauma-specialist community services outreach and partnership model.

A specialist service co-design, action research and evaluation consultancy commissioned by the Ministry of Health is assisting the pilot sites to develop and document the local integrated service models over a period of two years. Local Communities of Practice have been established in both pilot sites as part of the action research methodology and include broad membership from NSW Health services, non-government organisations as well as survivors and consumers.

Statewide rollout of the new integrated service model from 2022-23 will be informed by evidence and clinical guidance produced through these action research and evaluation activities and an independent costing study undertaken with LHDs participating in the pilot.

NSW Health Education Centre Against Violence has also delivered a multi-part online training program on working with adult survivors of child sexual abuse to build capacity across NSW Health, interagency partners, and community services. The training program was funded by Women NSW and was delivered four times between March and July 2021 to meet significant demand within NSW Health and sector partners.

Increasing trauma awareness for staff working with children and families

In 2021, NSW Health has continued to develop an Integrated Trauma-Informed Care Framework for vulnerable children, young people, their families and carers (the Framework). The Framework includes practical tips for clinicians and other patient-facing staff based on feedback from

community consultations, as well as guidance for policy makers, administrators, managers and executives. Feedback from community and professional groups during statewide consultation on the Framework has been incorporated and development of a draft implementation plan is progressing. A systematic literature review to identify and summarise the evidence on the use of Adverse Childhood Experiences history-taking and screening in healthcare and clinical settings is also underway and will be used to support implementation of the Framework. The literature search for the review has been completed and an early draft of the report is currently being developed. The final report is expected to be completed by the end of the 2021 calendar year.

Improved service access for people with a disability

The Ministry of Health, the NSW Health Education Centre Against Violence (ECAV) and the University of NSW have worked in partnership to produce the *Disability Co-design Framework Guidelines* that has guided the safe and effective implementation of a co-design framework for people with disability. The Guidelines are a companion document to the *NSW Health Sexual Assault Services Access Strategy for People with Disability 2021-2025* (the Strategy). The Strategy sets out a framework to improve access for people with disability to NSW Health specialist Sexual Assault Services and New Street services for children and young people who have engaged in problematic or harmful sexualised behaviours, including support for their families and carers, by enhancing specialist therapeutic practice and building workforce capacity for disability inclusion.

A Co-Design Advisory Committee made up of people with lived experience expertise of sexual violence and disability has also been established to provide overarching strategic advice on the implementation of the Strategy. ECAV is now scoping the establishment of a Disability and Sexual Violence Standards Committee to guide development and implementation of evidence-based and best practice training and professional development.

Improved access to sexual assault services for Aboriginal people

All LHDs and relevant Speciality Health Networks have submitted Aboriginal Action Plans (AAPs), which detail processes and strategies to increase accessibility of sexual assault services for Aboriginal people and support an enhanced Aboriginal workforce. An Aboriginal Expert Group (AEG) has assessed the AAPs and provided expert advice to the Ministry of Health on suitability. The AEG will continue their quality assurance role by providing expert advice to the Ministry of Health to inform workforce funding decisions and develop monitoring and reporting mechanisms to support meaningful implementation of AAPs.

The Ministry of Health has worked with ABSTARR Consultancy to develop a Sexual Assault Services Cultural Safety Roadmap and Toolkit to guide the ongoing development of cultural safety to support the expansion of the Aboriginal workforce and increase access to sexual assault services by Aboriginal people.

Strengthening the justice response to child sexual abuse

Child Sexual Offence Evidence Program continues to operate

The Child Sexual Offence Evidence Program assists child victims and prosecution witnesses through the trial process in sexual offence matters. The NSW Government is committed to this reform, which aims to reduce trauma and lengthy court processes for children and prosecution witnesses.

Throughout 2021, the Program has continued to operate in Sydney and Newcastle District Courts and the Hunter, Central Metropolitan and South West Metropolitan Joint Child Protection Response Program sites. Victims Services data indicates there has been a total of 603 Police requests received

for a witness intermediary between 1 July 2020 and 30 June 2021, and that the program has made a significant difference for child victims.

Reforms to prevent reliance on confessional privilege to report suspected child abuse

In November 2019, the Council of Attorneys-General agreed to consider the application of three high level principles in relevant legislation, which if implemented, would prevent reliance on confessional privilege to avoid obligations to report known or suspected child abuse. NSW continues to consider the application of these principles in relevant legislation.

In late 2020, the NSW Attorney General's Office wrote to Church leaders requesting details on any reforms that may have been made by each religious organisation, including in relation to confessional privilege. The information provided by Church leaders will be useful to the NSW Government's further deliberations on Royal Commission recommendation 7.4.

NSW continues to support the implementation of the National Redress Scheme

The DCJ Victims Services Central Coordination Team continues to support NSW Government institutions to participate in the Redress Scheme, working closely with the Scheme and NSW Government agencies to ensure requests for information are responded to within legislated timeframes.

On 23 June 2021, the Commonwealth released the Final Report of the Second Year Review of the National Redress Scheme, alongside an interim Australian Government response. The Review was required by Redress legislation, was independently undertaken, and examined all aspects of the Scheme's policy and operations. The Review found that significant work is required to ensure the Scheme delivers on its commitments to survivors.

All governments have worked to consider the Review's recommendations and have agreed to take a staged approach to doing so, with simpler and more straightforward measures to be addressed initially. Following agreement by all states and territories, in September 2021 the Federal Parliament passed the National Redress Scheme for Institutional Child Sexual Abuse Amendment Bill 2021 (the Bill). The Bill introduces measures to address four of the Review's recommendations, designed to improve survivors' experience of the Scheme, including:

- Allowing advance payments to be paid to elderly or terminally ill survivors before final determination of their application.
- Changing the date at which indexation of relevant prior payments is determined, which will result in a larger final redress payment for some survivors.
- Removing the requirement that an application to the Scheme be accompanied by a statutory declaration, which will make the application process more accessible, particularly for survivors in remote communities.
- Allowing redress payments to be paid in instalments, if this option is preferred by the survivor.

NSW will continue to work with all states, territories and Scheme stakeholders to address the remaining recommendations, which will be finalised in 2022.

Reforms to criminal justice laws to protect children

On 1 March 2021, amendments to the *Criminal Procedure Act 1986* (NSW) commenced enacting an additional supplementary reform associated with admissibility of tendency and coincidence evidence agreed by the Council of Attorneys-General. This reform represents the completion of the NSW Government's response to all recommendations relating to tendency and coincidence.

The reform clarifies that a jury should not be directed as to the standard of proof required for tendency and coincidence evidence, and implements recommendation 48 of the Royal Commission Criminal Justice Report.

National collaboration and consistency key to preventing child sexual abuse

Supporting children's behaviours and vulnerabilities by improving how student information is shared

The Interstate Data Transfer Note (ISDTN) is a consent-based scheme enabling the exchange of information between state and territory education departments. A review of the Data Transfer Note is underway and has a focus on enabling schools in different states and territories to exchange information about students without parental (or student) consent. This includes personal identity information (for example name, age and address) and information that is particularly sensitive, for example health or disability status, behaviour management plans, or indicators that a child may be at risk or may pose a risk to others. Findings of the review have found that perceptions of privacy obligations inhibit the sharing of student data and manual ISDTN processes discourage use of the ISDTN.

The Education cluster will be involved in reflection and development of an Inter-Governmental Agreement and Roadmap, which will set out the authority for the exchange of student data and state that the collection and sharing of student data is required as a primary function of education delivery. The agreement would be consistent with relevant privacy and human rights obligations. Development of a costed roadmap to 2022 will set out the pathway to a modernised, automated and improved ISDTN process. Improving the ISDTN process will ensure that appropriate information to support children's behaviours and vulnerabilities is available in the school system.

Improving child safety in schools by strengthening national teacher registration

The Australian Institute for Teaching and School Leadership has developed a best practice framework for strengthening child safety. The framework sets out principles for strengthening child safety and facilitates a national approach to implementing the Royal Commission recommendations. Australian Education Ministers agreed that in mid-2021, states and territories would report back on how the framework was being adopted in their jurisdiction. Following the restructure of the national architecture, oversight of the implementation of the framework has been transferred to the Australian Education Senior Officials Committee. It is anticipated that this work will be connected to the changes needed to implement the Automatic Mutual Recognition scheme and the timeline will need to be adjusted accordingly.

The Framework also proposes regulatory options to ensure only suitable people can become teachers. Consultation on legislative change was undertaken in 2020. A proposal to amend the *Teacher Accreditation Act 2004* to incorporate a suitability to teach requirement has been prepared and implementation is expected in 2022.

A new National Framework for Protecting Australia's Children 2021-2031 has been launched

NSW has collaborated with the Australian Government and other states and territories to develop the ten-year successor plan to the *National Framework for Protecting Australia's Children 2009-2020* entitled *Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031* (the National Framework). The National Framework launched in December 2021 and will be supported by two five-year action plans.

The agreed vision for the National Framework is that '*Children and young people in Australia reach their full potential by growing up safe and supported, free from harm and neglect*' and aims to make significant and sustained progress towards reducing child abuse and neglect and its intergenerational impacts. The National Framework includes targeted strategies for responding to the needs of Aboriginal and Torres Strait Islander children and their families.

A National Strategy to Prevent Child Sexual Abuse has launched

Throughout 2021, the National Office for Child Safety worked with states and territories to develop the National Strategy to Prevent and Respond to Child Sexual Abuse (National Strategy) and First National Action Plan (Action Plan) as recommended by the Royal Commission. NSW agencies provided extensive feedback on several versions of the draft National Strategy.

On 27 October 2021, the National Strategy and Action Plan was launched. The National Strategy provides the strategic framework for a national approach to prevent and respond to child sexual abuse over ten years from 2021 to 2030. The Action Plan outlines joint initiatives between the Australian, state and territory governments under five priority themes, including:

1. Awareness raising, education and building child safe cultures to support prevention.
2. Supporting and empowering victims and survivors through trauma-informed services to enhance wellbeing and quality of life.
3. Enhancing national approaches to prevent and respond to children with harmful sexual behaviours.
4. Offender prevention and intervention including strengthening criminal justice approaches and introducing early intervention and management programs for potential and existing offenders.
5. Improving the evidence base on all forms of child sexual abuse in Australia to better understand how to effectively prevent and respond to child sexual abuse.

NSW will continue to work with inter-jurisdictional partners in 2022 to implement the important initiatives identified in the Action Plan.

Establishment of a National Centre for the Prevention of Child Sexual Abuse

NSW is committed to working with the Australian Government and other states and territories to establish a National Centre for the Prevention of Child Sexual Abuse (National Centre). The Royal Commission recommended a National Centre be established to provide national leadership in supporting victims and survivors of child sexual abuse. The National Centre will raise awareness and understanding of the impacts of child sexual abuse, support help seeking and guide best practice advocacy, support and therapeutic treatment as well as contribute to prevention outcomes.

On 21 October 2021, the Prime Minister announced that the Blue Knot Foundation, along with its key consortium partners the Australian Childhood Foundation and The Healing Foundation, would establish and deliver the National Centre.

Monitoring future progress

In 2022, collaboration between government, non-government and community sector organisations will continue to implement reforms to prevent child sexual abuse, improve responses to reports of abuse, and ensure that survivors receive appropriate support, redress and justice.

The final report on progress in delivering the NSW Government response to the Royal Commission will be published in December 2022. Beyond 2022, the NSW Government will continue its work to provide support to victims and survivors of child sexual abuse and continue to implement measures across government to keep children safe.

The 2022 report will provide an update on the implementation of the Child Safe Scheme, commencement of the residential care workers register, and further support and resources to support children and young people with harmful sexual behaviours and keep children safe in schools.

No child should suffer abuse and the NSW Government will continue its commitment to this important work so that children and young people in NSW are protected from harm.