

**CHILDREN AND VICTIMISATION -  
LOCAL RESPONSES TO GLOBAL CONCERNS**

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## **Introduction**

Over the last year I personally have been confronted with two aspects of children as victims of crime.

In a drug infested part of Sydney I saw two men kicking another. I turned to my Aboriginal companion and asked "Shouldn't we call the police?" He said "No, we'll handle him in our own way." There was a long pause as the kicking continued. "That girl over there gave him her two-year old in exchange for a fix. He fingered her."

In another incident I was visiting a home with a District Officer (a welfare worker). We at DoCS had removed the 4-month old baby of the couple because they had been seen on a street surveillance video shooting up and then in a drug induced torpor trying to change the baby's nappy in the gutter of the main street.

The baby had, I'm told, the vacant stare of neglect.

At their home, the drug addicted mother, over-anxious to please, had taken methadone, two serapax and a valium in preparation for our visit.

My theme today is "Children and Victimisation - Local Responses to Global Concerns" I want to explore three aspects of this theme now and in the future:

First, I want to discuss some findings about about who the victims are - getting a better understanding of the factors that make a child a "victim" or an "offender";

Secondly, I want to address issues around the public perception, and in some cases misconception, about children, young people and crime - and the role of the media in influencing public perceptions; and

Thirdly, I will report on some local responses that we are pursuing in NSW to prevent victimisation of children - ways in which we are building the sort of communities which nurture children and value parenting - family friendly communities.

These are important issues and ones with which I and my Department, the NSW Department of Community Services, are very much concerned.

### ***1. Who are the victims of crime?***

When children become victims of crime, in a sense we all become victims, because victimisation of children tears the social fabric of our society, the mutual trust and cooperation we need for a functioning, integrated community.

Even when a child or young person witnesses a crime, such as occurs daily when they see domestic violence, it can have a life-long impact.

To give you some idea of the number of children affected by domestic violence, our State-wide Domestic Line which is operated by my Department, received more than 1,000 calls in the month of March 1999 alone. 422 of these calls directly involved a total of 863 children.

These are the children we know about. There are likely to be many more children and young people who are affected by domestic violence, but who do not come to our direct attention.

In the first case I illustrated, the infant was physically and psychologically damaged by a sexual assault. Let me tell you about another case.

Imagine two brothers aged 6 and 8 years watching their mother's boyfriend pour petrol over their mother and set her alight in their front yard. The older brother runs and gets a hose and turns it on his mother and puts the fire out. The younger brother runs and hides in terror. The younger brother continues to need counselling today, years after this traumatic event, because he still feels guilt that he did not put out the fire.

We know that when a child is made into a victim that child is at increased risk of being a victim in adult life.

Statistics from my Department compiled in 1998 show that in a 12 month period large numbers of children and young people were sufficiently at risk that the Department recorded a report concerning their welfare. More than 65,000 reports were recorded.

The table shows that the majority of the total 64,645 reports relate to children under 5 years, but there are still a significant number of reports about older children. More than 21,000 reports relate to children aged 6 - 11 years and 15,784 reports relate to young people aged 12 - 17 years.

Of these reports 11,534 were recorded as "notifications", i.e. they required formal investigation as reports of abuse or neglect. The table shows that physical abuse is the most notified matter (30.2%), followed by sexual abuse (22.9%) and neglect (20.3%). Although as you can see, emotional abuse also occurs at a significant rate (16.9%).

Research in Australia and overseas also demonstrates the intergenerational effects of child abuse and other forms of violence affecting children.

A recent study by the NSW Bureau of Crime Statistics and Research has found that a history of violent victimisation, whether as a child or an adult, predicts future victimisation.

The study found that women who had experienced abuse in childhood were also more likely to experience violence as adults.

My Department has a key role to play in supporting victims of crime and in assisting them to pursue their right to safety, counselling and compensation.

But we also have a commitment to preventing crime against children at the earliest stage.

We know that some children are born into families where the risk of abuse and neglect is very high. There is ample research evidence in Australia and abroad to tell us what the main risk factors are.

Think again of the second case study I mentioned. There we had a mentally ill and drug affected mother who was being physically assaulted before our eyes.

The risk factors of abuse and neglect of children identified in a recent Victorian study are consistent with the findings of studies undertaken in my Department.

If a child has a parent who is:

- \* drug or alcohol addicted or
- \* suffering a mental illness or
- \* intellectually disabled or
- \* a victim of childhood abuse him/herself

then that child is at high risk of being the subject of a notification of abuse or neglect before the age of 8 years.

The risk factors are cumulative. It is usually a combination of factors, rather than one factor alone, which creates a situation of risk for a child.

Further factors which predispose a child to risk include:

- young age of the mother,
  - domestic violence,
  - lack of parenting knowledge,
  - economic disadvantage,
  - lack of social support,
  - insecure attachment of the child to its mother and
  - previous record of child abuse in the family.
- Single parent family (in Australia)

Australian studies suggest that child abuse is more common in single parent households, although more research is needed to explain the relationship between family structure and the incidence of abuse.

We do know about the importance of close and warm relationships between children and parents in the early years of life. A study by Loeber and Stouthamer-Loeber in 1996 found that child neglect is a greater predictor of juvenile involvement in crime than child abuse.

Children who do not get enough positive interaction with a parent in infancy are at high risk of growing into teenagers who have no sense of connectedness with their community. Families who feel alienated from their community are more likely to tolerate anti-social behaviour in their teenagers, especially when there is violence in the home.

So it is important to reach vulnerable families early, when their children are young, before the child victim becomes a juvenile offender.

The abduction, rape and murder of 2 teenage girls near the NSW/Victorian border last year was committed by two young men, not much older than their victims.

In Colorado, USA in April this year two high school students went on a shooting rampage resulting in mass murder and suicide by the teenage perpetrators.

In NSW there was media coverage of the Children's Court case of 10 year old, who killed a 6 year old by pushing him over a rock ledge into a river.

## ***2. Public Perceptions of Children, Young People and Crime and the Role of the Media***

These events in Australia and overseas demonstrate that our concerns about children as victims AND as offenders are global concerns, not unique to one State or one nation.

Paul Simon, a former US Senator, has written on the startling statistics for child deaths by murder and suicides in the industrialised nations. In the USA, for the 43 year period studied, the murder rate per 100,000 children tripled and the suicide rate more than quadrupled.

In the context of violent crimes such as these, it is understandable that the wider community sees crime, especially crime committed by young people, as being on the increase. The community expects a swift and effective response.

Live action TV coverage and new technology like the internet present us with an opportunity and a challenge.

Now, more than ever before, we have the means to communicate with the wider community, to inform people of the needs of disadvantaged families and communities.

But the media and the new technology can also work against the welfare and protection of children. The sexualisation of children in public advertising and the availability of child pornography on the internet, pose very real threats to children.

Statistical data alone is not as powerful as the media images.

Here is the April 1999 cover of the David Jones cardholders' catalogue. For those of you who don't know, David Jones is one of Australia's longest established department stores and a bastion of the bourgeoisie in Sydney.

The child on the cover is not 13, she is 9 years old. The words across her chest read "22 Instant Rewards" and "Higher Rewards". The child is also featured inside the catalogue wearing tight black trousers and a cropped jacket posed in a position that is deliberately provocative.

When sexualised images of children like this enter mainstream, middle class life it sends out a message that it is OK to use children as sex objects. In fact it is dangerous for children to be portrayed in this way. We all need to make a strong stand against this type of advertising.

Media coverage affects public perceptions of who the victims are and who the offenders are. Community perceptions do not always match Government data.

I have taken a very proactive approach to media coverage of child protection issues.

My Department has recently been involved in the Premier's Drug Summit. When the program for the Summit was being put together it appeared to portray drug policy as being about Health and Law and Order.

I and my Department wanted to communicate to those attending the Drug Summit our concern about the impacts of drug addiction on children, young people and families. We wanted to tell the graphic stories of the impacts from the perspective of our direct service staff.

So we produced a video of two six-minute pieces, using our own staff and real locations.

In general the public has only a limited understanding of the breadth of work in which we are involved and the number of players with a role in child protection. We need to use every opportunity we have to get our messages about care and protection of children to the media and out to the community.

One of the key messages of my Department is that it takes a community to raise a child. I have used media opportunities to promote this message. It appears that our community is embracing this responsibility and showing that they are concerned about the wellbeing of all our children.

When I released the latest figures of notifications of child abuse at the launch of Child Protection Week in September last year, I made the point that the high level of reporting reflects a growing understanding of the need to prevent child abuse before it occurs.

Out of a total of 48,700 reports made over the 9 months from July 1997 to March 1998, 41,000 (or 76%) did not concern child abuse or neglect.

These reports were found to be about family and carer issues that may affect the care of children, such as when a child does not get regular school lunch, a parent drinks too much, and when relationships break down.

The public is beginning to understand that child abuse is not to be tolerated, and that prevention is the best method of protection for children. Our strategy is working because the wider community is embracing this collective approach.

We need to continue our efforts to raise community awareness and support for all forms of victimisation of children and young people. This can be difficult when there is a trend in public thinking that older children are becoming more involved in crime.

The data indicates that most teenagers do not commit serious crimes, but it is difficult to accurately measure the extent of juvenile crime.

A 1998 self-reporting survey of secondary school students in NSW found that nearly half of them had participated in some form of crime in the prior 12 months. The report concluded that juvenile crime is highly prevalent, but transient.

A 1996 review of juvenile crime statistics in Australia concluded that the overwhelming majority of juvenile crime is not serious:

- Juvenile offending is generally not violent in nature.
- It is more likely to be directed to property.
- It is not organised.
- When juvenile offending is drug related it predominantly involves the use of cannabis.
- Juvenile crime in Australia has not risen significantly during the 1980's and 1990's.
- It is very transient.

How do we reconcile these findings with data which suggests that some younger people are committing serious crimes of violence?

The links between violence in the home and later criminal behaviour in young people requires more research, but it appears that children who witness violence in the home are more likely to exhibit abusive behaviour themselves. Children who are abused can themselves become perpetrators of abuse.

The research to date suggests that predictors of juvenile crime include:

- \* poor self image
- \* family breakdown
- \* educational difficulties
- \* friends involved in crime
- \* aggression and violence and
- \* anti-social behaviour.

As Frank Ainsworth has said in a recent article, we need “services of sufficient power, intensity and duration that have the potential to achieve positive outcomes with ‘at risk’ adolescents”.

At the same time as we are identifying ‘at risk’ adolescents, there have been public calls to lower the age of criminal responsibility. The minimum age for criminal responsibility in NSW and in most other Australian jurisdictions is 10 years. In Tasmania it is 7 years. In the ACT it is 8 years.

There is a common law presumption for children aged 10 - 14 years that they cannot form criminal intent, but the presumption is open to be displaced in individual cases.

For example, in the case of the 10-year old who pushed the six-year old into the river in NSW, the Senior Children's Magistrate found that there was insufficient evidence to displace the presumption that the child was too young to form a criminal intent. However, the Director of Public Prosecutions is pursuing a prosecution.

The age at which a juvenile becomes an adult in criminal matters is 18 years in NSW. It is 17 or 18 years in most Australian jurisdictions.

People are now questioning presumptions about the age at which a child is capable of committing a crime because he or she knows that the behaviour is wrong.

In considering the arguments for and against the age at which a child is held responsible for his or her actions, we need to think about Australia's obligations under the United Conventions on the Rights of the Child and other international conventions to which Australia is a signatory.

Under article 40, Subsection 3 the United Nations Convention on the Rights of the Child says that each State should set a minimum age for criminal responsibility, but the Convention does not say what that age should be.

Before we lower the age at which children are presumed to be capable of forming criminal intent, I believe we need more evidence, more research to establish if children really are maturing earlier today.

If we lower the age of criminal responsibility we need to think about the implications of this for a wider range of social activities and obligations, such as the minimum age for obtaining a driver's licence.

In the meantime, programs which divert young offenders from court and from the criminal justice system are showing some success. Every Australian jurisdiction now has some form of diversionary scheme.

There is a trend towards two-tier statutory response. Police cautions are given at the first stage of juvenile wrong doing and family conferencing is offered at the second stage.

In NSW the conferencing scheme operated through the Department of Juvenile Justice puts young offenders face to face with the victims of their crimes.

The young offender has to hear the victim's story. These young offenders are learning something about empathy, about how it feels for another human being to be a victim. Feeling responsible for their actions and the impact their actions have on another person is one step towards feeling part of their community.

Early indications are that diversionary schemes like youth justice conferencing may be successful in diverting young offenders away from more serious crimes in the future.

We also need to think about the responsibility of parents for their children. There is now a body of research evidence which demonstrates the critical importance of parents and family life on a child's involvement in crime.

Research is linking juvenile crime to neglectful and abusive parenting. A 1996 study found that child neglect is a greater predictor of juvenile involvement in crime than child abuse.

There are two broad approaches to the issue of parental responsibility. One is to provide instruction and support to parents who may not be adequately raising their children. Parenting education programs are one example of this approach.

The other approach is to compel parents to supervise their children by returning unsupervised children to their parents, or by using penalties against parents who allow their children to break the law. The NSW Children (Protection and Parental Responsibility) Act is an example of this approach.

### ***3. Local Responses to Children and Victimisation***

In NSW we - the Government, policy makers and other agencies concerned with child protection - are operating in a post Royal Commission environment.

At the time of the enormous public attention given to paedophilia and other forms of child abuse by the Commission, it was graphically demonstrated that children are victims from an early age, as my first case study demonstrated.

The Commission heard evidence of childhood abuse which had occurred many years earlier. These victims had suffered in silence well into their adult lives.

We realised we had to adopt a whole of government approach. The problem of child victimisation is too complex and insidious for one government department to be able to solve alone.

It is difficult to maintain a commitment to preventive measures, which may take years to produce results in making communities safer, when the public naturally wants the problems solved now.

We need community support for prevention and early intervention programs because these programs do not always show instant results.

The urgency with which we must respond to reports of abuse of babies and young children competes with our longer term goal of preventing that abuse.

In NSW Interagency Guidelines for Child Protection Intervention were introduced in 1997. The guidelines spell out the responsibilities of the various government departments and community organisations which each have a role to play in the safety, welfare and wellbeing of children.

Under new legislation in NSW we will be increasing the range of mandated notifiers, because we recognise that any professional working with children has a community obligation to report suspected abuse.

The graph shows that between March 1996, when the Royal Commission was hearing evidence about paedophilia and December 1997, each period of peak media attention and each new initiative is associated with an increase in the number of notifications of child abuse and neglect.

We believe there were a number of reasons why notifications of abuse and neglect increased:

- There was an increased community awareness of abuse and neglect after the Police Royal Commission Paedophilia Inquiry:
- There were increased notifications from people who work with children and young people, especially with

- the introduction of the Interagency Guidelines on Child Protection Intervention;
- The Police Commissioner's Instructions on mandatory reporting of Domestic Violence incidents where children are present led to more notifications being recorded;
- Formal notification of consensual peer sexual activity by young people under the age of consent led to more reports; and
- Community and Government anxiety about non-accidental deaths of babies under the age of 1 year increased the number of notifications on young children.

With heightened public interest in child protection came an increase in notifications, because more agencies were directly involved. We started to share responsibility and public awareness was raised.

I expect that in the wake of the Drug Summit in May this year my Department's statistics will show another increase in reports of concerning the welfare of children and young people.

So the whole of government, collaborative approach is actually increasing our workload, at least in the short term.

But we still have to focus on long term prevention programs, because we are convinced that they work.

Increasing economic globalisation and diminishing resources mean that when we develop policy and programs for more caring communities, all the key players have to work together.

The importance of strong community partnerships is becoming accepted in Australia and in the USA for example. Joyce Thomas states in her article *Community Partnerships: A Movement with a Mission*

“Rather than the public child protective service agency having all the responsibility for child protection, parents, public and private agencies and community providers should share the basic responsibilities for child protection.”

Part of my role is to develop and implement public policy concerning the welfare of children. This involves relationships with all the key players, not least the children, families and communities we serve - our clients.

I will outline the framework within which my Department operates. DoCS spends nearly \$1 billion per annum to do this. We employ 9,000 people. We fund more than 3,000 community organisations to assist us. The State Government provides more than \$ 890 million and the Commonwealth contributes more than \$45 million towards the programs and services which we administer.

Our partnerships are a complex web of relationships which extend within and across NSW throughout Australia and to the international level.

In NSW my Department is one of 6 Human Service organisations which work to ensure more integrated and effective responses to the needs of children, families and communities in our State.

We, the heads of these agencies and our senior officers, meet regularly to progress issues of vital concern that cut across the human services sector.

Not only does the Commonwealth Government have a significant role to play in the development of public policy concerning children, but international conventions frame public policy.

As a signatory to international conventions it is our joint, Commonwealth / State responsibility to breathe life into these documents and transform them into meaningful results for Australian children and young people.

Local communities and community agencies, our community partners, also play an important role in planning and delivering services for children and families in NSW.

In NSW we have commenced a range of initiatives with the goal of prevention and early intervention. These initiatives are tailored to suit the communities in which they operate.

I will tell you about two of the programs in which my Department is a joint partner with other departments and community groups.

### **Schools as Community Centres**

This award winning project is not only cost effective, it also engages local communities. It is jointly funded and directed by DoCS and the Departments of Health, Education and Training, and Housing.

It operates in 6 sites across NSW. Service delivery is determined by the local community through consultation with key service providers. At several sites the NSW Police Service are also involved in the consultations as key local service providers.

Schools as Community Centres aims to address common risk factors in vulnerable communities, aiming specifically at families with children aged 0-5 years.

Independent evaluation of the Schools as Community Centres program during its pilot phase found that the following objectives had been achieved:

- increased confidence by parents in their parenting role
- increased school enrolments
- increased vaccination rates
- increased cooperation and pro-social behaviour by children on entry to school
- increased referrals to local services
- a heightened sense of community 'connectedness' and ownership

As the Schools as Community Centres Program progresses the extent to which neighbourhoods and communities are strengthened may become more evident through indicators such as a reduction in school and neighbourhood vandalism.

## **Families First**

Another of my Department's coordinated partnerships which aims to strengthen families and communities is the Families First Program.

Families First is being implemented initially in three areas of NSW: the Mid North Coast, the Far North Coast and South West Sydney. It is a major early intervention and prevention program. The State Government has committed \$ 55.6 million to the strategy so it will be implemented in all areas of NSW over the next 4 years.

The broad aims and objectives of Families First are, through a coordinated network of services, to support parents and carers raising children up to 8 years and help them solve problems early before those problems become entrenched.

Research shows that early intervention services can produce a sustained improvement in children's health, education and welfare. Weatherburn et al in 1997 concluded that early intervention programs which are designed to reduce the risk of child neglect, have an important role to play in long term crime prevention.

Research also indicates that early intervention services have the greatest impact when they are capable of addressing a broad range of issues and are provided as part of a coordinated network.

Families First is designed to achieve the following outcomes:

- \* healthier children and parents
- \* better functioning families who are able to enjoy and learn from one another
- \* children who are better prepared to learn and develop when they start school
- \* reduction in the conditions that lead to mental health problems in children (such as conduct disorder)
- \* improved recognition and early intervention for post natal depression and other mental health problems in parents and new babies
- \* greater parental participation in education and training
- \* communities whose members interact more positively and which are friendly places to bring up children
- \* reduction in the conditions that lead to child abuse and neglect
- \* reduction in juvenile and adult crime.

Families First is the combined responsibility of the participating agencies in each area. Along with my Department these are the Area Health Services, the Departments of Ageing and Disability, Education and Training, Housing and a significant number of funded community organisations.

Parents are not formally trained to be parents. Being a good parent requires skills and knowledge that have to be learned. Under Families First all new parents will be offered support and information to help them make choices about how they care for their baby and to prevent problems from developing.

For example, a new single mother with intellectual disability will receive regular visits to teach her not only how to change the baby's nappy, but also how to play with her baby. She will get support to learn that the basic tasks can be fun rather than a source of tension and frustration.

## **Conclusion**

In concluding I want to emphasise that we need to invest in good care for our children, our families and our communities now, so the whole community can benefit from a better quality of life in the future.

The cost of not taking preventive action now is likely to be much higher than failing to do so.

A recent study in South Australia reported on the Economic Cost of Child Abuse and Neglect in that State.

The report demonstrates the long term costs across health, police, courts, education, corrections, legal, welfare and other services when a child is abused. I quote from the report:

“Currently South Australia is spending more on the consequences of child abuse and neglect than it is earning from its export of wine or of wool and sheepskin products. There are thus considerable economic savings potentially available to the State from an effective program designed to reduce the incidence and prevalence of child abuse and neglect.”

The emphasis on prevention and early intervention means re-thinking our idea of what it means to be a child in the global community of the 21st century.

A new paradigm of childhood is emerging from research. We now have a better understanding of the links between early life experiences and adult life outcomes. We have evidence about the factors which increase the risk of children becoming victims and offenders. The evidence tells us that a rich social network can act as a protective buffer against neglect. We have some encouraging results from the programs we have embarked on which give us hope for the future.

Preventive initiatives aim to strengthen communities and develop individual resilience through shared responsibility, and by pooling our resources, our skills and our goodwill.

As we struggle with how to respond to the needs of a child who is both a victim and a victimiser, the debate, the research and the support of colleagues at conferences like this help us to stay firm in our resolve to build stronger communities, safer families and more resilient children.

This is not an easy task, not a quick task - but nor is it an impossible one. Separately we are unlikely to achieve the goal of prevention of crime against children. Together we can achieve real change and lasting benefits for the whole community.

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