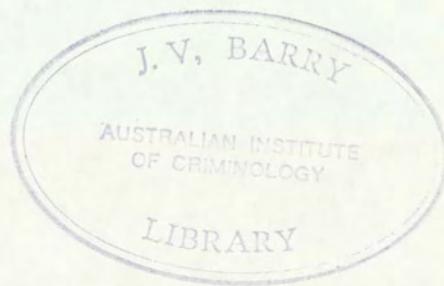
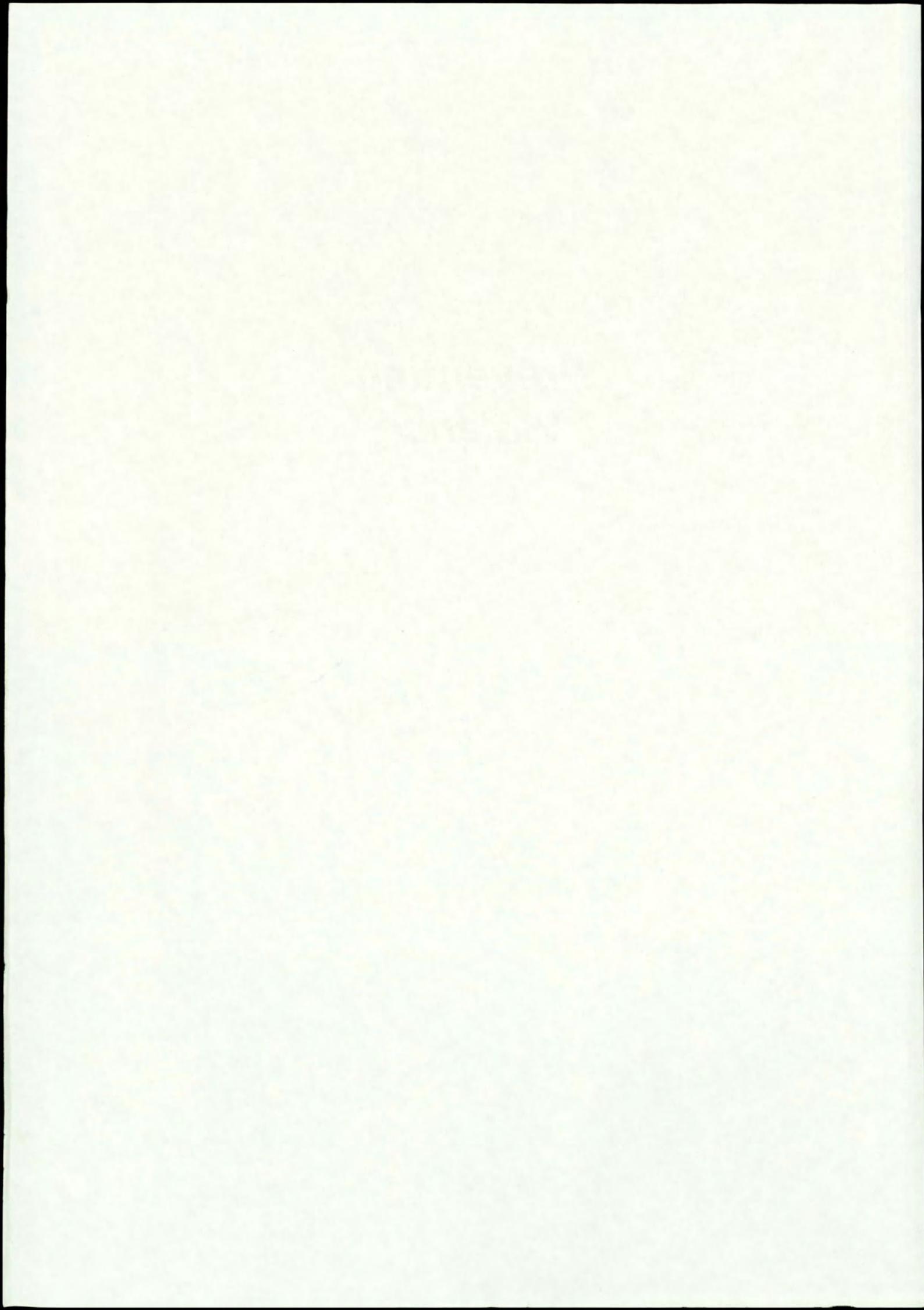


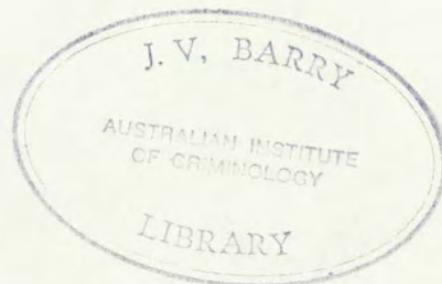
Preventing Violence





Preventing Violence

CUMULATIVE PROGRESS REPORTS ON
IMPLEMENTATION OF THE
NATIONAL COMMITTEE ON VIOLENCE RECOMMENDATIONS
1991—1993



Compiled by

J. Herlihy

with the assistance of T. Butterfield

Australian Institute of Criminology
CANBERRA

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PREFACE

This document contains the Australian Institute of Criminology's data base on action which has been taken or is being taken by Australian governments or by organisations funded by Australian governments, in many different fields, to deal with the wide variety of factors that may impinge, however distantly, on levels of violence in our society.

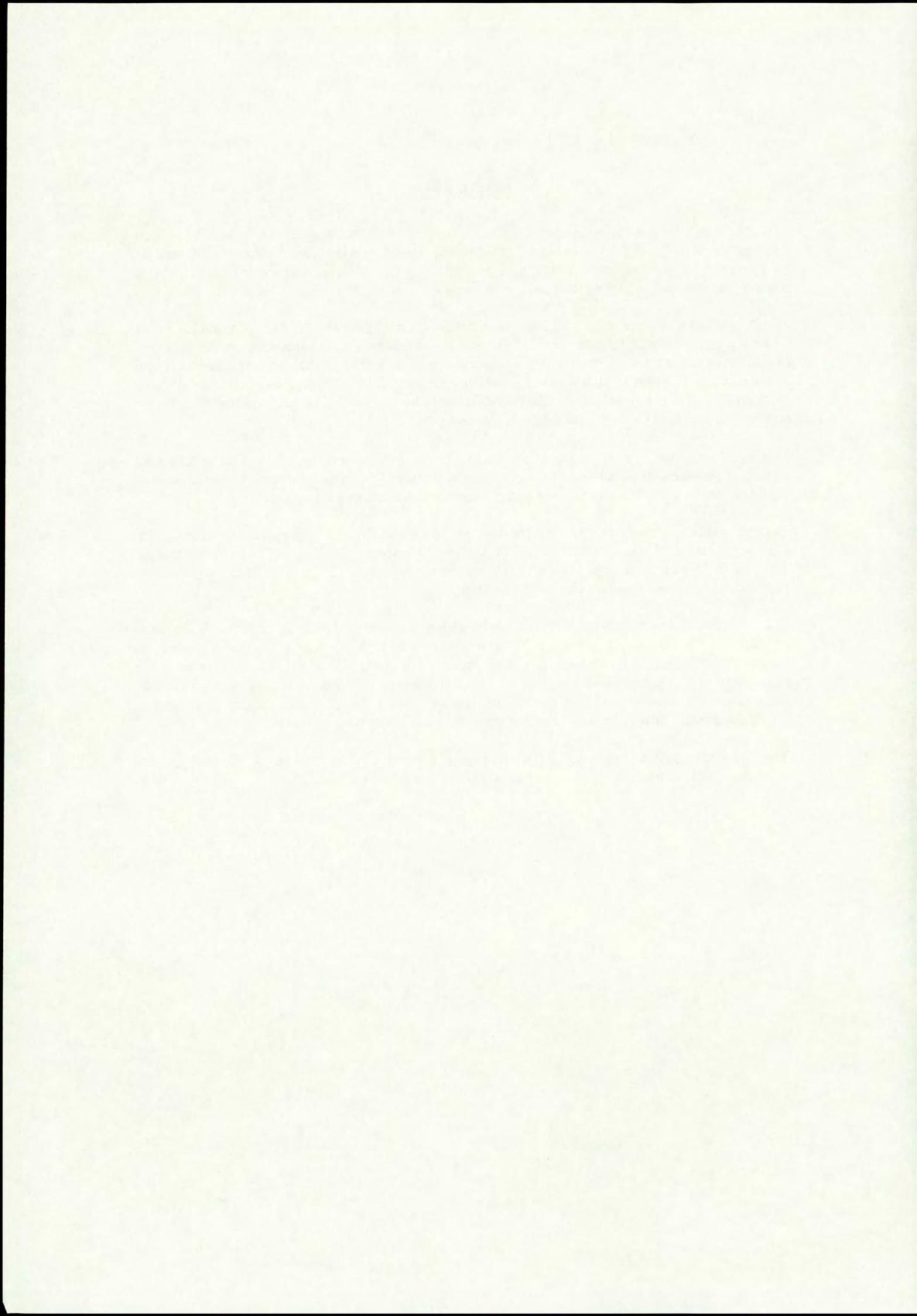
The data base had its origins in the National Committee on Violence. The NCV, in addressing its broad-ranging terms of reference, tracked every possible connection and examined every possible area in which governments could take action against violence. It looked at such diverse areas as health and welfare, the criminal justice system, firearms law, policing, parenting and local government planning. And Australian governments have taken action against violence, whether or not they accepted all the NCV's views, in as many different ways.

This data base is not, however, simply for workers in law enforcement. It contains an unparalleled wealth of information about policies, projects and programs in many fields of government, and provides a major comparative reference to the activities of Australian government.

The information in these reports was provided by officers of State, Territory and Commonwealth agencies involved in the implementation of the recommendations of the National Committee on Violence (NCV) in its report: *Violence: Directions for Australia*. In most cases the reports were passed by the respective governments before release.

This edition includes the responses from 1991 and also those from 1993. In some cases the latter replaced the former; in others the 1993 material has been added to that from 1991. Where the context differs significantly between recording periods, it is differentiated by date. Otherwise, while minor editorial changes have been made in the interests of consistency, by agreement with contributors the general tenor of the reports has not been changed. The variety of sources of information means that some unevenness in style and opinion has been inevitable.

The compilation and editing were carried out by staff of the Australian Institute of Criminology, and any errors in the compilation and editing are the responsibility of the AIC.



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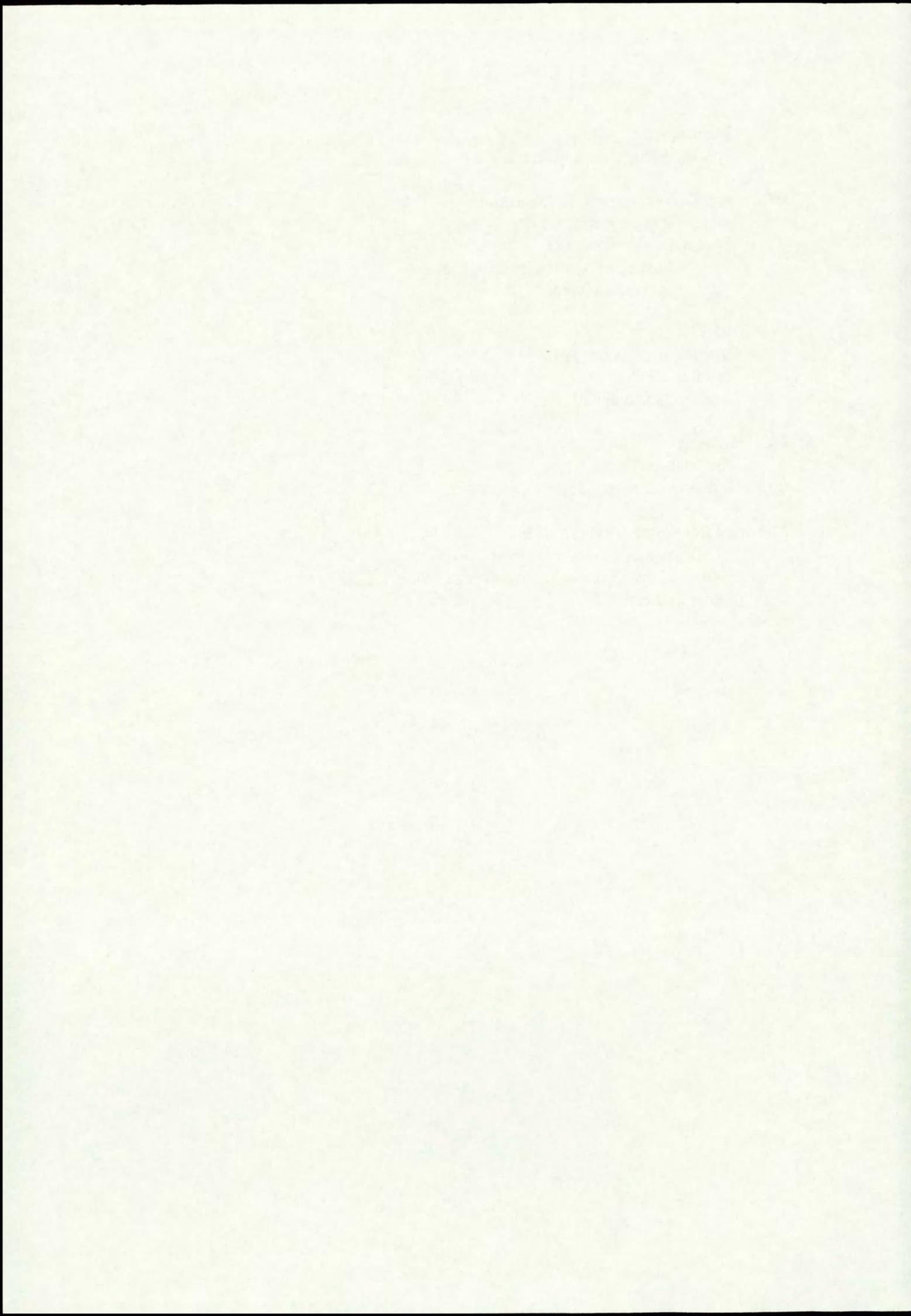
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INTRODUCTION

In late 1991, following the Strathfield massacre in Sydney, state and territory Premiers provided wide-ranging material on their governments' responses to the National Committee on Violence recommendations, which was compiled in the first volume of this series. It was updated at the request of the Minister for Justice, Mr Michael Tate, in 1993.

The information in this volume consists of official reports from many areas of State, Territory and Commonwealth governments about what those agencies have done, or are doing, in response to the National Committee on Violence (NCV) recommendations. It contains many different opinions, styles and priorities, and covers many different programs and fields of interest.

The result of this massive exercise is a mosaic of social action policies and programs representing possibly one of the most broad-ranging contemporary collections of information about the social action activities of Australian Governments. In this the responses reflect the nature of violence as the National Committee on Violence saw it - a complex subject with many diverse characteristics and causes, involving all levels and all aspects of Australian society.

The National Committee on Violence

The National Committee on Violence was established in October 1988, as a result of an agreement at the 'gun summit' in December 1987 between the Prime Minister, State Premiers and the Chief Minister of the Northern Territory. It thus represented a joint government response to public concern about the level of violence in Australia, following the mass shootings in Melbourne's Hoddle and Queen Streets on 9 August and 8 December 1987 respectively.

Professor Duncan Chappell, Director of the Australian Institute of Criminology, was appointed Chair of the Committee, which consisted of Commonwealth, State and Territory representatives from a number of professions. The NCV reported in February 1990. Its landmark recommendations, which covered many disparate aspects of violence in Australia, received bipartisan support and were taken up by all Governments. Most have been implemented or are in the process of being implemented.

The terms of reference for the NCV reflected the unusual breadth of the subject matter. They required the NCV to consider:

- the contemporary state of violent crime in Australia;
- related social, economic, psychological and environmental aspects;
- gender issues in violence;
- the impact of the mass media, including motion pictures and video tape recordings, in the incidence of violent behaviour;
- the association of violence with the use of alcohol and other drugs;
- factors instilling attitudes to violence among children and adolescents;
- the vulnerability to violence of particular groups;
- the development of specific strategies to prevent violence, including strategies to propagate anti-violence values throughout Australia, reduce violence involving young people, and promote community education programs;
- the need for support and assistance to victims of violence; and
- the need for special measures in the treatment of violent offenders.

The Violence Monitoring Unit

In December 1990 the Minister for Justice, Senator Michael Tate, announced the Commonwealth Government's response to the findings of the National Committee on Violence. The Minister announced two major Commonwealth initiatives: a three-year national campaign against child abuse, and the establishment of a Violence Monitoring Unit, to be located within the Australian Institute of Criminology. The principal functions of the Violence Monitoring Unit were the dissemination of relevant information to government and non-government organisations about NCV recommendations, the establishment of a clearinghouse for information about specific projects, and the development of training programs. The Unit commenced operation in January 1991.

The Implementation Forum

In April 1991 the Violence Monitoring Unit organised an NCV Implementation Forum in Canberra to bring together members of the NCV, State and Territory representatives with responsibility for implementation, and others with an interest in programs to deal with violence. Most State and Territory representatives provided reports at the time on action taken or under consideration in their jurisdictions to implement the NCV recommendations, though at that stage only the Commonwealth Government had considered the report at Cabinet level.

Strathfield

The Strathfield massacre on Saturday 17 August 1991 brought the NCV recommendations on gun ownership, gun control and violence once again to the forefront of public concern. At the request of the Prime Minister, State and Territory Governments provided the Violence Monitoring Unit with updated material covering each State or Territory's response to the National Committee on Violence recommendations, to be used for consideration of the issues at a meeting of the Australian Police Ministers in October 1991 and a Special Premiers' Conference in November 1991. The first collection of Progress Reports, October 1991, was the result. It was tabled in the House of Representatives on 28 May 1992 and in the Senate on 1 June 1992.

The Violence Prevention Unit

The aftermath of Strathfield saw a concerted bipartisan effort by all governments, Commonwealth, State and Territory, to come to grips with the problems of excessive violence. The philosophy that possession of a firearm was a privilege, not a right was generally endorsed and governments sought a unified stance on gun control. In late 1991 the Commonwealth announced a package of initiatives which included projects addressing violence in the home, violence in aboriginal communities and alcohol abuse and establishment of a specialised unit to handle violence prevention at national level. The Violence Monitoring Unit was expanded, made into an on-going program and renamed the Violence Prevention Unit. Its capacity to provide a general service to all levels of government and non-government organisations was upgraded, and its practical orientation was reinforced by the development of an Australia-wide date base on projects and programs dealing with violence, and a joint Commonwealth/State and Territory staff rotation program. In addition, it was given responsibility for the administration of the new Australian Violence Prevention Award.

The Australian Violence Prevention Award

The Prime Minister, Premiers and Chief Ministers also established a prestigious award, the Australian Heads of Government Violence Prevention Award, to be given annually for the most outstanding project or projects for the prevention or reduction of violence in Australia. The first Awards, announced in February 1993, were a major step forward in the development of effective projects and programs dealing with violence in all its manifestations. Gradually, attitudes are changing.

This report tells, in the words of the officers involved, not only what their organisations have done but how they see the issues. In addition to new initiatives, it describes many projects which, while not direct responses to the NCV recommendations, in one way or another add to the overall effort to reduce levels of violence in Australia. It also shows some marked differences between jurisdictions in circumstances and outlook, suggesting that a more area-specific approach to some problems may be required. Finally, it reveals the gaps and the new issues which have come to the fore since the NCV reported.

Most of all, however, it tells the story of five years which have made Australia one of the world leaders in addressing the problems of violence in society.

More information can be obtained by writing to

Australian Institute of Criminology
4 Marcus Clarke Street
Canberra ACT 2601

or by phone on (06) 274 0218 or (06) 274 0200;
or by fax on (06) 274 0201.

NATIONAL COMMITTEE ON VIOLENCE RECOMMENDATIONS

February 1990

GENERAL RECOMMENDATIONS

Implementation

Recommendation 1. The Federal, State and Territory Governments should each nominate a body to coordinate implementation of the recommendations of the Report. These bodies should report annually to the Prime Minister, Premier or Chief Minister.

Recommendation 2. The Chair of the National Committee on Violence should convene a meeting of representatives of the bodies nominated by Federal, State and Territory Governments twelve months from the date of issue of the Final Report and then report on the outcome of this meeting to the Prime Minister. Thereafter, Federal, State and Territory representatives should meet annually to review progress on implementation of the Committee's recommendations, to identify areas where national activity needs to be pursued and to report to the Governments concerned.

Recommendation 3. A national secretariat should be established within the Australian Institute of Criminology to coordinate these activities.

Evaluation

Recommendation 4. Programs and policies for the prevention and control of violence should be subject to rigorous, independent evaluation, and provision for such evaluation should be incorporated in the design and budget of the program in question.

Publicity

Recommendation 5. The Federal Government should undertake a national multi-media public awareness campaign conveying the message that violence is not acceptable. Campaigns directed at target audiences should be designed and pilot tested prior to full implementation.

PUBLIC SECTOR AGENCIES: HEALTH AND WELFARE

Alcohol

Recommendation 6. The Federal Government should further increase the excise differential so that low alcohol beer is significantly cheaper to the consumer compared with high alcohol beer.

Recommendation 7. Health warnings should be required on all alcoholic beverage containers.

Recommendation 8. Electronic advertising of alcoholic beverages should be prohibited.

Parent Education

Recommendation 9. Education for parenthood, including what constitutes normal child behavioural development, should be incorporated in hospitals as part of classes associated with childbirth. The program should be continued in community health centres. Support services for all parents should be available after the birth of a child.

Parents should be given detailed information about post-natal support services available to them locally.

Peri-Natal Screening for Child Abuse Risk

Recommendation 10. All health authorities should cooperate in reviewing the available literature and devising a proposal for a pilot peri-natal screening and intervention program for child abuse risk. Such a pilot study should be structured so that it can be rigorously evaluated. If it is found to be successful, then such programs should be introduced in all maternity and general hospitals.

Parent Management Training

Recommendation 11. Effective parent management training programs should be initiated to control aggressive behaviour in children.

Health Aspects of Victimisation: Therapeutic Intervention

Recommendation 12. Where hospital policies and procedures for identifying and treating victims of violence do not exist they should be instituted. All such policies and procedures for identifying and treating victims of violence, especially those involving the provision of emergency care, should be subject to periodic evaluation, based in part on consumer surveys and retrospective interview of previous patients.

Recommendation 13. Governments should take steps to achieve better coordination and communication between organisations in public, private and non-profit sectors, which provide services to victims of violence.

Diagnosis And Referral Of Victims Of Assault

Recommendation 14. Institutions which provide education and training for health and welfare professionals should offer training in the recognition, treatment (including counselling and support services) and management of victims of violence, especially domestic assault, sexual assault and child abuse. Issues relating to gender inequity and its implications in relation to violence, should be included in this training. This should include provision for continuous in-service training.

Recommendation 15. All health service providers should develop specific procedures for the identification and treatment of victims of violence, especially domestic violence, sexual assault and child abuse.

Recommendation 16. Service provision to domestic violence and sexual assault victims should address the diversity of needs for people from non-English speaking backgrounds, Aboriginals and people with disabilities.

Recommendation 17. Funding by Federal and State Governments for direct service providers and community education programs relating to domestic violence, sexual assault and child abuse should be increased.

Counselling For Violent Men

Recommendation 18. The recent development of preventative programs, such as counselling for violent men, is commendable. These programs should be encouraged by State and Territory authorities, subject to systematic controlled evaluation.

Health Promotion And Stress Reduction

Recommendation 19. Stress identification and management should become an integral part of health promotion programs.

Child Abuse

Recommendation 20. The Federal Government should sign and ratify the United Nations Convention on the Rights of the Child as a signal of its commitment to the well-being of Australian children.

Recommendation 21. A national campaign for the prevention of child abuse should be conducted.

Recommendation 22. A national research centre on child abuse should be established by the Federal Government.

People With An Intellectual Disability

Recommendation 23. Governments should ensure that safeguards exist to protect institutionalised persons who have an intellectual disability from abuse by staff or fellow patients.

Recommendation 24. Governments should ensure that adequate support services are available for people with an intellectual disability who are living in the community, including those living in hostel and boarding house accommodation.

The Mentally Ill

Recommendation 25. Governments should assess the impact of de-institutionalisation of the mentally ill and should improve community support where appropriate in order to reduce the risk of their becoming victims or perpetrators of violence.

General Crisis Intervention Services

Recommendation 26. Governments should provide effective, adequately resourced 24-hour mobile crisis intervention services and should introduce them as soon as possible where they do not already exist.

The Committee commends the recent review of Residents Rights in Nursing Homes and Hostels and endorses its direction as the most appropriate strategy for ensuring the security and well-being of aged persons resident in institutions.

Family Support

Recommendation 27. Additional respite child care should be funded by the Federal Government and be made available to all low income families.

Recommendation 28. Each State and Territory should establish a 008 hotline for parents to call for support and advice in dealing with children.

Evaluation Of Child Protection Programs

Recommendation 29. Agencies dealing with child abuse should undertake systematic evaluations of their child abuse intervention programs.

Income Support

Recommendation 30. The Federal Government should maintain its income support programs for the

most disadvantaged members of Australian society.

PUBLIC SECTOR AGENCIES: EDUCATION

Non-Violent Curricula

Recommendation 31. Education authorities should include conflict resolution strategies as an integral part of school and other education curricula, and should evaluate their effectiveness.

Recommendation 32. Teacher training institutions should incorporate materials relating to non-violent conflict resolution, including an analysis of the gender basis of patterns of violence and violent behaviour, in their curricula.

Corporal Punishment

Recommendation 33. Corporal punishment in all schools, public and private, should be prohibited by law.

Recommendation 34. Educational authorities should develop constructive, non-violent means of social control to replace corporal punishment.

Parenting Education

Recommendation 35. Programs should be introduced into school curricula for instruction in human relationships, including proper gender roles and parenting responsibilities and child development.

Recommendation 36. Education authorities should produce materials to assist parents in developing non-violent means of discipline.

Parent Effectiveness Support

Recommendation 37. Parent effectiveness programs should be developed in conjunction with organisations dealing with young children and their parents to promote non-aggressive strategies for both parents and children.

Recognition of Child Abuse

Recommendation 38. Training in the recognition of child abuse should be an integral part of the teacher training curriculum. To this end, education authorities should utilise the expertise of those who provide services to abused children and their families.

Education In Protective Behaviours

Recommendation 39. All school students should be provided with information about what constitutes abuse, the importance of telling someone when abuse occurs, and appropriate individuals in whom they might confide.

Self-Protection For Older Children And Young Adults

Recommendation 40. School students should have access to courses in self-protection which discuss issues of male and female socialisation and which are able to be used in conjunction with other school curricula.

Children Of Pre-School Age

Recommendation 41. Recognising that preschool children are cared for and educated in a variety of settings, such as child care, kindergartens, and pre-primary programs, these agencies should emphasise areas such as enrichment programs, non-violent conflict resolution and the identification and management of behaviourally disturbed children.

Recommendation 42. Governments should develop preschool enrichment programs. Controlled evaluation should be undertaken and should embrace subsequent school performance as well as the effect of such programs on later delinquent behaviour.

PUBLIC SECTOR AGENCIES: EMPLOYMENT AND TRAINING

Youth Employment

Recommendation 43. The Committee commends the efforts made by the Federal Government in establishing training programs for young people. In addition to continuing support for programs of this type, the Federal Department of Employment, Education and Training should establish a pilot residential program similar to the United States Job Corps Scheme targeted at particularly disadvantaged young people, and should evaluate the outcome of the program.

Women's Employment

The Committee commends the JET (Jobs, Education and Training) and Newstart employment initiatives.

Recommendation 44. Federal and State Governments should continue to develop and refine employment training programs, and increase their accessibility to young women as an important contribution to the reduction of violence against women.

PUBLIC SECTOR AGENCIES: HOUSING

Recommendation 45. Governments should take steps to ensure that no victim of criminal assault in the home is denied alternative shelter.

Recommendation 46. Victims of domestic violence should be given priority in the allocation of emergency and low-cost accommodation.

Housing For Aboriginal People

Recommendation 47. The Committee commends the progress which has been made in the provision of housing for Aboriginal people, but recommends that to control violence and to restore pride, management and maintenance of housing should be made the responsibility of Aboriginal people. Adequate funding and resources should be provided.

Housing Design

Recommendation 48. Public housing authorities should include considerations relating to the reduction and prevention of violence in the design of public housing.

PUBLIC SECTOR AGENCIES: PUBLIC TRANSPORT

Recommendation 49. Transport authorities should exercise care in the design and maintenance of their facilities, with a view toward crime prevention. They should also include and publicise a clearly stated violence prevention strategy in their State and Territory transport plans.

PUBLIC SECTOR AGENCIES: SPORT AND RECREATION

The Committee commends the efforts of the Australian Sport and Recreation Minister's Council to establish a national community education program.

Criminal Assault On The Playing Field

Recommendation 50. Sporting authorities should refer cases of criminal assault on the playing field to law enforcement agencies for prosecution.

PUBLIC SECTOR AGENCIES: ABORIGINAL AFFAIRS

Recommendation 51. As violence in Aboriginal communities is closely linked to their demoralised state, loss of culture and other related problems, steps should be taken to restore the pride of all Australians in the extraordinary richness of Aboriginal social and cultural traditions. Specifically, educational authorities should include the study of Aboriginal history and culture in school curricula, to promote a greater appreciation and understanding of these traditions.

Alcohol And Substance Abuse

Recommendation 52. To help alleviate violence in Aboriginal communities, alcohol and substance abuse education and rehabilitation programs currently being undertaken should be evaluated and, where appropriate, be introduced in those additional communities requiring them. Such programs should be co-ordinated more effectively and given appropriate government support. More emphasis needs to be given to such programs in urban areas and should include provision of better recreational facilities.

Recommendation 53. Imaginative programs such as the Community Development Employment Program should be expanded to other communities as appropriate.

PUBLIC SECTOR AGENCIES: CRIMINAL LAW, EVIDENCE AND PROCEDURE

Firearms Control

Recommendation 54. All governments should take appropriate action to minimise death and injury arising from the accidental or intentional use of firearms by:

Recommendation 54.1 - the enactment of uniform legislation throughout Australia to regulate the acquisition and possession of firearms.

Recommendation 54.2 - the introduction, through the Australian Police Ministers Council, of uniform guidelines for all Australian police forces in the enforcement of firearms legislation.

Recommendation 54.3 - development of a national gun control strategy aimed at -

- (a) reducing the number of firearms in Australian society;
- (b) preventing access to those weapons by individuals who are not fit and proper persons, such as those who have been convicted of violent crime or who have demonstrated a propensity for violence.

Recommendation 55. The Federal Government should undertake the following action:

Recommendation 55.1 Military weapons: sales of surplus military weapons should be prohibited to prevent their use in Australia. The importation of military-style weapons for use other than by law enforcement officers or defence force personnel should be prohibited. The Federal Government should provide a general statement to specify what firearms are importable.

Recommendation 55.2 Mail order firearms: if the Federal Government has the constitutional power, the sale of mail order firearms should be prohibited. If it does not have such powers, and in the absence of uniform State and territory licensing laws, the mail order sales of firearms should be restricted by using, for example, legislation relating to dangerous goods.

Recommendation 55.3 Rifle Clubs established under the Defence Act should be brought under the ambit of State licensing and registration requirements.

Recommendation 56. The Federal Government should use its corporations power under the Constitution, as well as its powers to regulate trade and commerce, and imports, in furtherance of a national gun control strategy.

Recommendation 57. State and Territory Governments should undertake the following action:

Recommendation 57.1 Prohibition of all automatic long arms and certain types of ammunition.

Recommendation 57.2 Restriction of semi-automatic long arms to individuals with a specific need.

Recommendation 57.3 Restriction of sales of ammunition by licensed gun shops only, to licensed individuals only, for personal use of a specific firearm.

Recommendation 57.4 Registration: All firearms should be registered in a computerised national firearms registry.

Recommendation 57.5 Licensing: ownership or possession of a firearm to be restricted to those possessing a valid licence. The prerequisites for obtaining a shooter's licence should be those in existing legislation, together with the following:

- (a) must be over the age of eighteen years;
- (b) limited to fit and proper persons with good reason;
- (c) a twenty-eight day cooling-off period between application and grant of the licence, during which time appropriate checks can be made;

(d) training, competence and safety consciousness must be demonstrated to the licensing authority;

(e) hand gun licences should be restricted to authorised security personnel and members of pistol clubs, with weapons stored on premises.

Recommendation 57.6 Security: mandatory measures to be introduced for the safe-keeping of all weapons in the inoperable condition in secure storage, both by individuals and businesses, with appropriate penalties for non-compliance.

Recommendation 57.7 Seizure: in the event of a licensed owner giving reason to believe that he/she is no longer a fit and proper person, for example by using the weapon in a threatening way, there should be provision for mandatory seizure of all firearms in his/her possession.

Recommendation 57.8 Restrictions on private sales: all sales of firearms, including second hand sales, be made through licensed gun dealers, and any change of registered owner should be notified through the proposed registration mechanisms referred to in (57.4) above.

Recommendation 57.9 Amnesties: a permanent amnesty for the surrender of unauthorised firearms should be implemented, with conditions similar to those provided in the temporary amnesties which have been introduced from time to time in various jurisdictions.

Mandatory Sentencing For Offences Committed With Firearms

Recommendation 58. The use of a firearm in the commission of a crime should be regarded as an aggravating circumstance by sentencing authorities.

Corporal Punishment: Spanking

Recommendation 59. The Committee strongly condemns the use of physical violence in disciplining children. The long term aim should be to abolish such practices. In the interim, this objective is best achieved by education, as already referred to in the context of parent education.

Victim Impact Statements

Recommendation 60. Subject to the inclusion of appropriate safeguards against abuse by either the Crown or the defence, victim impact statements should be introduced in all jurisdictions. They should be closely monitored.

Recommendation 61. All governments should formally embrace the principles of justice and fair treatment for victims as set out in the Declaration of the United Nations General Assembly.

Criminal Assault In The Home

Recommendation 62. The introduction of portability of restraint orders across jurisdictions should be treated as a priority by the Attorneys-General.

Recommendation 63. Uniform domestic violence legislation should be developed. Such legislation should include the following essential features:

Recommendation 63.1 Powers for police to enter and remain on premises to deal with domestic violence incidents and breaches of restraint orders, and to arrange assistance for injured parties;

Recommendation 63.2 A broadened definition of spouse to include partners from de facto and past relationships as well as traditional Aboriginal relationships;

Recommendation 63.3 Provision for applications for restraint orders by police officers as well as by the victim;

Recommendation 63.4 Power for the court to make a restraint order removing or limiting the defendant's access to the family home, whether or not the defendant has a legal or equitable interest in the premises;

Recommendation 63.5 Parties to the proceedings should be able to apply to the court for a variation or revocation of an order;

Recommendation 63.6 The admission of hearsay evidence at the discretion of judicial authority;

Recommendation 63.7 The issuing of restraining orders on the balance of probabilities;

Recommendation 63.8 Breaches of orders to be regulatory offences;

Recommendation 63.9 The ability for police to apply for restraint orders over the phone outside normal court hours;

Recommendation 63.10 The protection of police officers from civil liabilities and costs in normal circumstances; and

Recommendation 63.11 The authority to take offenders into custody where there is a reasonable belief that unless the person is removed, the spouse or a child of the house is in danger of suffering personal injury.

PUBLIC SECTOR AGENCIES: POLICE

Police And Criminal Assault In The Home

Recommendation 64. Domestic violence should be targeted for police skills training with police trained to recognise domestic violence as criminal behaviour, to detect behavioural warning signs and to take appropriate action.

Recommendation 65. Where there is sufficient evidence of criminal assault in the home, police should lay charges.

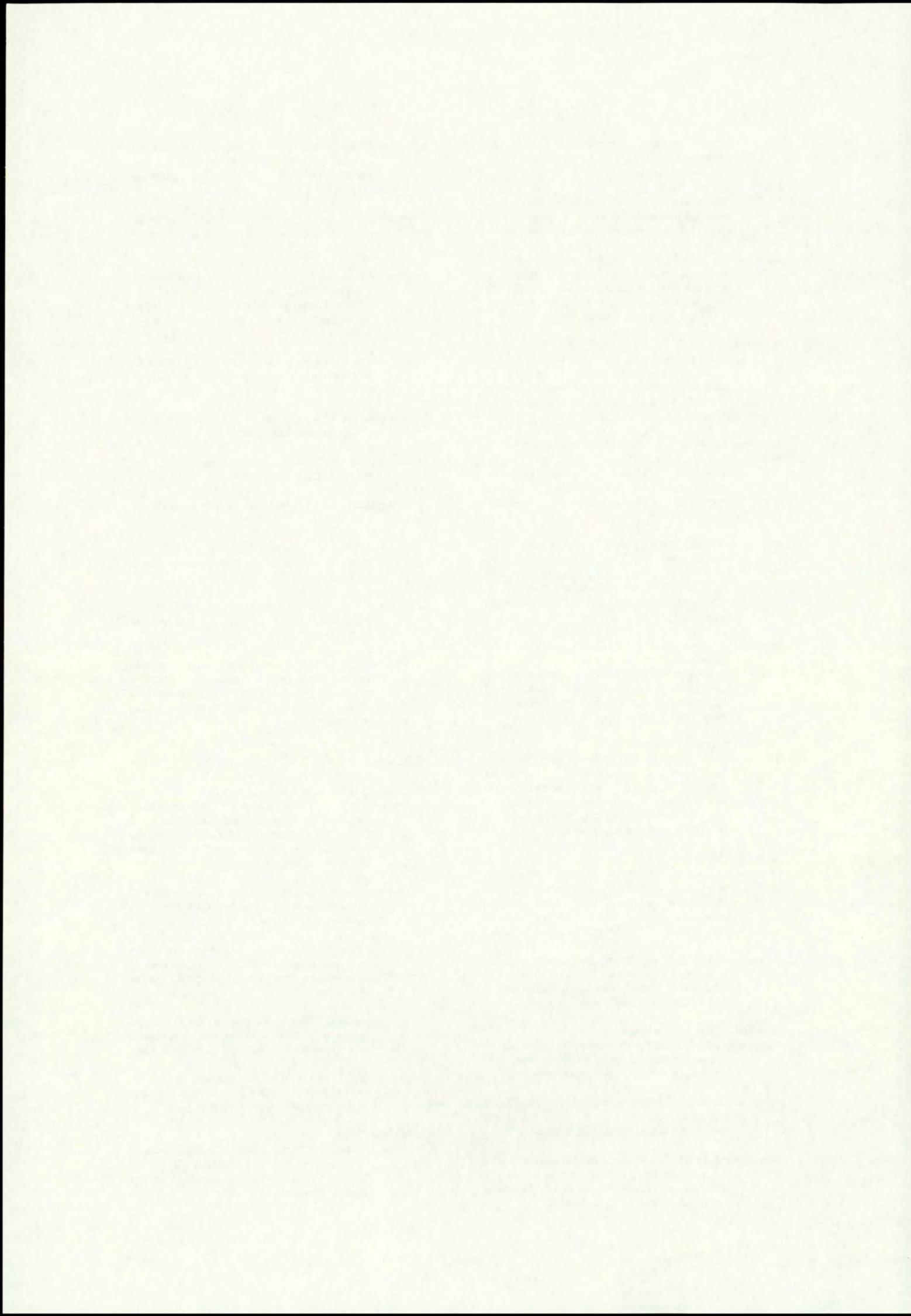
Recommendation 66 Police should have adequate powers to seize, and should in fact seize, any firearms or other weapons which may be present at the scene of an assault.

Recommendation 67 Police policy in relation to criminal assault in the home should be publicised widely, both within the force and to the public at large.

Recommendation 68. New police initiatives for the prevention and control of domestic violence should be subject to rigorous evaluation.

Police And Youth

Recommendation 69. Police training should incorporate information on non-punitive options for dealing with youth to encourage sensitivity to the negative results of overpolicing.



IMPLEMENTATION OF THE NATIONAL COMMITTEE ON VIOLENCE RECOMMENDATIONS

as at June 1993

The following reports were compiled from material provided by Commonwealth, State and Territory government departments and agencies between late 1992 and mid 1993. It is a cumulative collection, and builds on the previous progress reports (October 1991) which were released during the preparation of the various government responses to the National Committee on Violence (NCV) report, *Violence: Directions for Australia*. The information in the reports thus states the position from about two years after the establishment of the NCV, and before formal implementation of the report's recommendations by all governments, to the present day.

While some of the 'action taken' in the first reports, and thereafter, undoubtedly had been taken or would have been taken independently of the NCV, in some cases at least the high profile achieved by the NCV led to changes which, though they predated official Government responses, clearly derived from the NCV's activities. In these reports, further down the track, some of the changes almost certainly also reflect the emergence of new priorities and recent significant events, including several changes of government. Nonetheless, the NCV recommendations continue to provide the benchmark against which government policies and programs are measured to the present day.

The reports presented here were written by the officers of the many relevant state and territory agencies, and reflect the policies of their governments at the time of writing. They therefore cover an enormous range of government activities, and provide valuable insights into government priorities, projects and programs touching on the complex issues of inter-personal violence. To enable them to be used to compare responses across Australia and to assess progress over the passing years they are presented, as written, on a state by state basis under the respective recommendations.

The contributions of all those involved in the preparation of this material, and the support of their governments, is gratefully acknowledged.

GENERAL RECOMMENDATIONS

Recommendation 1.

The Federal, State and Territory Governments should each nominate a body to coordinate implementation of the recommendations of the Report. These bodies should report annually to the Prime Minister, Premier or Chief Minister.

Commonwealth

As many of the recommendations could be effectively canvassed in established Ministerial Councils, the Commonwealth felt that assumption of responsibility for co-ordinating the implementation of all the recommendations would bring about unnecessary duplication and would not be cost effective. However, it saw a case for the Commonwealth to perform a monitoring and information distribution function. While a majority of the recommendations related to matters within the jurisdiction of the States and Territories, the Commonwealth agreed with the need to monitor the progress of implementation because of the number of bodies involved and the complex interaction of the numerous recommendations.

New South Wales

An inter-departmental committee was established to oversee the implementation in New South Wales of the recommendations of the National Committee on Violence. This committee reports to the Premier.

Victoria

In March 1991, the Department of Premier and Cabinet was given the responsibility for reporting to the Premier on the recommendations of the NCV Report, for chairing a Reference Group of representatives from all relevant Government Departments, and for coordinating implementation of the recommendations of the NCV Report.

Additional material was compiled from material provided by Victorian government departments and agencies during November 1992. The Department of Premier and Cabinet also co-ordinated the 1992 revision and up-date of the NCV Report, and monitored the implementation of the recommendations through the Public Safety and Anti-Crime Council, the Community Council Against Violence and the Senior Officers' Working Group on Violence Against Women.

Over recent years, there were a number of Victorian initiatives in the area of preventing violence in the community.

In 1987, the Family Violence Prevention Committee was established by the Government to oversee legislative and non-legislative initiatives in relation to family violence. The Committee was co-ordinated by three task forces on family violence and convened by the former Health Department Victoria, the former Ministry of Education and Training and the former Department of Planning and Housing.

In 1988, the then Parliamentary Social Development Committee was commissioned to inquire into strategies to deal with community violence. One of the strategies implemented was the establishment of the Community Council Against Violence which was set up with the objective of preventing and reducing violence in the community. The Council completed an inquiry into violence in and around licensed premises, and conducted an inquiry into services for people affected by domestic violence and violence in public places.

More recently the Community Council Against Violence was actively involved in a range of policy and community development activities aimed at reducing violence in the community. These have included the completion of a number of major reports and publications such as '*A Source Book of Victorian Sexual Assault Statistics 1987-1990*'; '*A Profile of Rapes Reported to Police in Victoria 1987-1990*', which provided analysis on the extent and nature of sexual assault in Victoria; and '*Public Violence - A Report of Violence in Victoria*', published in 1992.

A Public Safety and Anti-Crime Council was established in August 1991 to consider major policy and program matters relating to public safety and crime and violence. An issues paper '*Creating Safer Communities - setting strategic directions to increase public safety and reduce crime and violence*' was prepared and distributed by the Public Safety and Anti-Crime Council to key groups and organisations in the community for information and comment. The strategic directions outlined in the paper provided the Council with a framework within which existing and emerging policies, programs and activities in the public safety/anti-crime and violence area could be considered and co-ordinated. It also enabled the development of crime/violence prevention initiatives which sought to draw on, and forge partnerships with the community. The framework consisted of four principal components: measures to prevent violence and crime and to increase public safety; measures to control and deter crime and violence; measures to strengthen information and organisational infrastructure; and public education and information initiatives. The framework guided the strategic allocation of grants to optimise impact on community safety concerns and levels of crime and violence.

Funding of projects in 1992 was around four priorities: creating safer communities (for example the confident living program for older people); programs for young people, particularly those at risk of offending (for example the Youth Outreach Program to support young people/offenders in the community); protecting women and children from violence and abuse (for example peer education on family violence) and changing attitudes and behaviour within the context of the culture of violence (for example the program on Reducing Violence in School Communities).

Queensland

The Office of the Cabinet (Queensland) provides the ongoing mechanisms for the co-ordination of the reporting and the implementation of the recommendations of the Report.

A representative from Queensland attended the NCV Implementation Forum as an observer. The Attorney-Generals Department is looking at Victim Impact Statements and use of firearms. The Domestic Violence Council, established to oversee all legislation in this area, is looking at new legislation for restraining orders for domestic violence.

Western Australia

Staff were sought for a Victims of Crime Assistance Unit. Several Councils offered free accommodation for the pilot unit. The Office of the Minister for Police is reviewing firearms legislation and other recommendations relevant to the police.

South Australia

A submission was forwarded to Cabinet. Outstanding recommendations were referred to the working party on violence as part of the Coalition Against Crime.

Tasmania

Implemented. The annual review of the report is co-ordinated by the Department of Premier and Cabinet.

Northern Territory

The Chief Minister convened a group to consider and co-ordinate the implementation of the reports recommendations in the Northern Territory. The group or the Department of the Chief Minister acting on behalf of the group will report annually.

Australian Capital Territory

The ACT Government maintains its support for this recommendation.

An Implementation Committee was established to report annually to the ACT Government on implementing the relevant recommendations of the Report.

Recommendation 2.

The Chair of the National Committee on Violence should convene a meeting of representatives of the bodies nominated by Federal, State and Territory Governments twelve months from the date of issue of the Final Report and then report on the outcome of this meeting to the Prime Minister. Thereafter, Federal, State and Territory representatives should meet annually to review progress on implementation of the Committee's recommendations, to identify areas where national activity needs to be pursued and to report to the Governments concerned.

Commonwealth

On 1 January 1991 the Commonwealth established a monitoring unit within the Australian Institute of Criminology (AIC). Consistent with the functions of the AIC, it was to organise seminars and act as a clearing house in relation to material relevant to the implementation of the Report. At the same time it assisted the various bodies concerned to persevere with the issues covered by the Report. The Unit was not given a role which included applying direct pressure or developing policy - the Commonwealth recognised that there were already bodies which performed those roles.

New South Wales

The Violence Monitoring Unit (VMU, later the Violence Prevention Unit) which was established by the Commonwealth at the Institute of Criminology on 1 January 1991, organised a meeting of representatives of the Commonwealth and State and Territory Governments in April 1991. Whether any further meetings are arranged is a matter for the VPU. If the VPU calls further meetings, New South Wales would send a representative.

Victoria

The National Committee on Violence was re-convened on April 6 and 7 1991, with other interested bodies, in a forum on implementation. The Victorian Government representatives presented a report on the progress of implementations to the Committee. Victorian representatives will continue to participate in meetings at national level.

Queensland

Queensland suggests that any work undertaken or report produced should also be cross referenced to the recommendations of the National Committee on Violence Against Women with the aim of signposting the key areas for potential policy co-ordination.

Tasmania

Implemented.

Northern Territory

Commonwealth to convene.

Australian Capital Territory

The ACT Government supports Recommendation 2. An Implementation Committee constituting senior officers from key ACT Government agencies was established to report annually to Government on progress in implementing relevant recommendations of the Report.

The ACT Government supports the need, at national level, for progress on implementation to be kept under review and would agree to send a representative to meetings convened for this purpose.

Recommendation 3.

A national secretariat should be established within the Australian Institute of Criminology to coordinate these activities.

Commonwealth

In December 1990 the Minister for Justice announced the establishment of a National Violence Monitoring Unit, to be located in the Institute of Criminology, to act as a clearing house for

information about violence and projects against violence, and to organise training programs and other relevant activities. Cabinet approved the operation of the Unit initially for a two year period.

In November 1992, following the Strathfield massacre in Sydney, the Commonwealth, States and Territories agreed to the up-grading of the National Violence Monitoring Unit to better serve the States and Territories. The up-grading included provision for a joint staff rotation scheme, for an increase in the Unit's capacity to provide its existing services, and for provision of assistance with evaluation. It was renamed the Violence Prevention Unit.

The new Unit was to be on-going, with a review of the need for its services in 1995. It was also given responsibility for the administration of the new Australian Violence Prevention Award. The first awards were announced in February 1993.

New South Wales

The Commonwealth has implemented this recommendation. As mentioned in the comment on recommendation 2 above, on 1 January 1991 the Commonwealth established the VMU with the Institute of Criminology.

Northern Territory

Commonwealth responsibility.

Australian Capital Territory

The ACT Government notes that this recommendation was implemented.

Evaluation

Recommendation 4.

Programs and policies for the prevention and control of violence should be subject to rigorous, independent evaluation, and provision for such evaluation should be incorporated in the design and budget of the program in question.

Commonwealth

In general, the Aboriginal and Torres Strait Islander Commission (ATSIC) endorses the recommendations of the Report but stresses the need for evaluation of programs and services to Aboriginal and Torres Strait Islanders to be undertaken with community involvement to ensure their appropriateness to Aboriginal and Torres Strait Islander society and needs.

Provision was made in late 1992 for the Violence Prevention Unit to include in the services it offered assistance with evaluation.

New South Wales

A number of separate comments should be made in respect of this recommendation:

- * while the need for evaluation of programs is supported, it is questionable whether an independent evaluation is needed in all cases;
- * the sheer number of programs for the prevention and control of violence is such that it is not possible to verify whether or not all of these programs are evaluated;

- * the Director General of the Premier's Department issued a memorandum (93-1) on 24 December 1990 setting out new procedures for program evaluation, effective from 1 March 1991, under which all agencies were required to undertake an annual program of evaluations;
- * proposed programs should include an evaluation mechanism from the outset;
- * it is considered that almost all such programs in New South Wales include an evaluation mechanism from the outset.

Victoria

Provision for evaluation was built into most programs and initiatives directed at preventing and controlling violence. Evaluation is usually carried out by funded organisations.

Tasmania

Implemented taking into account budgetary constraints.

Northern Territory

An annual review and evaluation of programs and policies will play a part in this process.

Australian Capital Territory:

The evaluation of policies and programs in response to the Report is supported.

Publicity

Recommendation 5.

The Federal Government should undertake a national multi-media public awareness campaign conveying the message that violence is not acceptable. Campaigns directed at target audiences should be designed and pilot tested prior to full implementation.

Commonwealth

The Commonwealth ran a National Domestic Violence campaign through the Office of the Status of Women and has undertaken an evaluation of the success of that initiative. A further \$1.3 million was allocated over three years to continue work in respect of violence against women. The Commonwealth proposed to conduct a national campaign against child abuse as a result of the Report and to involve a media education campaign which will include a positive parenting message. The use of the media in this way will serve to heighten awareness of the problems associated with violence directed towards children.

The Office of the Status of Women (OSW) recommended against a general awareness campaign on the unacceptability of violence.

In-progress evaluation of the National Domestic Violence Education Program (NDVEP) endorsed the importance of precisely targeted public education on this complex issue. The NCV Report identified three major at-risk groups (p.xxiii): men at the hands of men; women at the hands of men with whom they live; children at the hands of men with whom they live. The OSW recommended that these three distinct issues should be separately targeted in any Commonwealth initiative.

The issue of violence against women will continue to be addressed by the National Program on Violence Against Women to be coordinated by the National Committee on Violence Against Women.

National Child Protection Council

As part of the Commonwealth government's continued response to implementing recommendations of the NCV it decided to establish a National Child Protection Council.

Formation of the Council is consistent with the recommendations of the NCV and the Convention on the Rights of the Child as it will work to focus the attention of all levels of Government and the community on the need to reduce the incidence of physical and sexual assault of children, and to assist in the development of strategies to do so.

The Council, which was allocated \$1.2 million over three years, comprises representatives from each State and Territory and the Commonwealth as well as community members. The aim of the Council is not to duplicate the work of the State and Territory governments but to make a contribution of value to all governments in the prevention of child abuse.

In its response to Recommendation 22 the Commonwealth asked the National Health and Medical Research Council to investigate and report on current research capacity and mechanisms for enhancing that capacity.

The Commonwealth proposed that the National Child Protection Council would promote and conduct research on the prevention of child abuse, including on community attitudes and the effectiveness of community education programs.

The Council has also reported on the potential value of a national community education program and the feasibility of conducting such a program in conjunction with the States and Territories.

It takes into account the special child protection needs of children from non-English-speaking backgrounds, Aboriginal children, children with physical disability or developmentally delayed children.

The terms of reference for the Council respond to Recommendations 21 and 5 of the NCV Report. The first meeting of the Council was planned for November or December 1991 following the November Special Premiers' Conference.

New South Wales

If the Commonwealth proceeds with this recommendation it should consult at an early stage with the States. While New South Wales would not provide funding, New South Wales would probably be able to provide assistance through existing personnel.

Victoria

The Victorian Community Education Task Force of the Family Violence Prevention Committee (FVPC) has undertaken considerable community education to raise awareness and reduce the incidence of family violence. The work of the Community Education Task Force is being reviewed.

Over a 16 month period, the former Ministry of Police and Emergency Services undertook three Community Awareness Campaigns, aimed at addressing the message that violence against women is unacceptable and that men must take responsibility for their violence. A total of \$1.825m was allocated to the campaigns during that period and provided for the production of four television advertisements, using the caption 'Violence is Ugly', for public relations activities with the media at metropolitan, suburban and regional levels, for production of information pamphlets, cards, bookmarks and a video kit, as well as for theatre performances. Each phase was evaluated and showed that the objectives for each campaign were met in terms of such measures as increases in reporting, taking out of Intervention Orders, community information, and in men responding to the campaign measures.

During 1992, the former Community Services Victoria undertook a major community education campaign designed to increase the community's awareness and knowledge of family violence. Activities included the funding of a family violence peer education group for adolescents, an Outreach and Support project at Court Network, the 'Real Men Don't Abuse Women' Rural Regions Campaign and a training position for the use of Intervention Orders at the Federation of Community Legal Centres.

Western Australia

The Health Department of Western Australia (HDWA) Drink Safe Campaign targeted 18-24 year old binge drinkers and the social disruption caused by binge drinking through its multi-media Respect Yourself campaign and is targeting social disruptions a result of binge drinking in the 25-35 year olds in the next phase of the campaign.

Northern Territory

Commonwealth to organise.

Australian Capital Territory

The ACT Government supports this recommendation.

SPECIFIC AGENCY RESPONSIBILITIES

PUBLIC SECTOR AGENCIES: HEALTH AND WELFARE

Alcohol

Recommendation 6.

The Federal Government should further increase the excise differential so that low alcohol beer is significantly cheaper to the consumer compared with high alcohol beer.

Commonwealth

The Department of Community Services and Health reported that the recommendation is consistent with the Treasurer's initiative in the 1988/89 Budget which introduced differential rates of excise for lower strength beer to encourage people to shift from high to low alcohol consumption.

However, the Department does not support further initiatives in this direction at this time as a further decrease in excise on low alcohol beers would make them comparable in price to soft drinks which would do nothing to discourage alcohol consumption.

The Department of Treasury also noted that 'the Government's reforms to the taxation structure of beer announced in the 1988/89 Budget significantly widened the excise differential between low and high alcohol beer with excise now based on alcoholic content. There exists little scope to influence relative price of low and high beer by further reducing the excise payable on low alcohol beer'. It therefore suggested that this recommendation be deleted.

New South Wales

The New South Wales Government introduced a differential rate of liquor fee as part of the 1992 State budget. The new rates, payable from 16 May 1993 provide for normal strength alcohol to be taxed at 13 per cent and low alcohol beer to be taxed at 7 per cent.

Victoria

The Victorian Liquor Control Act (s.113) provides for low alcohol liquor to be exempt from any licence fee. The licence fee is calculated on 11 per cent of all purchases by the licensee excluding what is deemed 'prescribed liquor' by the Act.

Northern Territory

The Northern Territory took the initiative in 1985 when it reduced the amount of liquor fees paid on low alcohol beer, that is beer between 1.5 and 2.5 per cent. Again on 1 March 1992 the fee differential was increased from 2 per cent to 7 per cent for low alcohol - the definition of which has changed to now be 3 per cent or less.

Australian Capital Territory

This is an issue for Federal Government consideration. It would be expected that an increase in excise differential should reduce to some extent the consumption of high alcohol beer. However, it is not known how significantly this would affect the incidence and prevalence of alcohol-related problems. The possibility that high alcohol beer drinkers would substitute another form of alcohol beverage (for example bulk wine) rather than low alcohol beer should also be considered.

With regard to alcohol issues generally, the ACT established an Interdepartmental Committee on Alcohol, to support the National Health Policy on Alcohol.

The ACT Government announced its intention to impose a differential tax regime on some alcohol products. From 1 April 1993 low alcohol beer products will be taxed at 7 per cent of wholesale price, and all other alcohol products will be taxed at 13 per cent. Effectively, this indicates the Government's commitment to implement this recommendation given that the current Territory liquor tax is 10 per cent for all alcohol products.

Recommendation 7.

Health warnings should be required on all alcoholic beverage containers.

Commonwealth

The Ministerial Council on Drug Strategy (MCDS), comprising health and law enforcement Ministers from all jurisdictions, supported the principle that labelling or packaging of alcohol products should provide useful and effective information for consumers. In addition to a national survey to determine community opinion on the effectiveness of voluntary codes governing alcohol advertising, a working group is examining, in consultation with the industry, the introduction of health messages and 'standard drinks' labelling on alcoholic drinks containers.

At its meeting of 27 March 1991, MCDS strongly recommended that the National Food Authority develop by 1 July 1992 a new standard for labelling the alcoholic content of alcohol products in terms of the number of 'standard drinks' they contain. A standard drink contains ten grams of alcohol and the National Health and Medical Research Council recommends that men consume no more than four standard drinks a day and women no more than two.

The MCDS also agreed that further research be commissioned to determine the most appropriate means of providing health information on labels of alcohol products about the dangers of alcohol misuse.

Department of Health Housing and Community Services:

The National Food Authority received an application from the MCDS on standard drink labelling. It is now dealing with this application under procedures set down in the *National Food Authority Act 1991* and the Authority will be making a recommendation to the National Food Standards Council by 18 August 1993.

New South Wales

The New South Wales Government is awaiting the completion by the National Food Standards Authority of its investigation into this proposal.

Victoria:

Refer to response to Recommendation 8.

Queensland

Ministerial Council on Drug Strategy (MCDS) research suggests that the public would welcome the introduction of information on containers of alcoholic beverages with regard to alcohol content expressed in terms of standard drinks.

Standard drinks research material was passed to the Interim National Food Authority with a strong recommendation that the Authority develop a Food Standard for alcoholic beverages which requires containers to be labelled in terms of standard drinks and that such a standard be implemented by 1 July 1992.

The National Campaign Against Drug Abuse will mount a public information campaign to precede and accompany the introduction of standard drinks labelling.

Further research is required on the question of labelling containers of alcoholic beverages with health messages. Further work will be carried out on this matter by the MCDS Committee on Alcohol Advertising and Labelling.

Western Australia

A recommendation from the Ministerial Council on Drug Strategy was made to the National Food Authority to implement standard drink labelling on all alcoholic beverage containers. This initiative is supported by the Government of Western Australia.

Northern Territory

This Recommendation would need to come from combined action of the State and Federal Governments. The Implementation Group is of the opinion that the effect of these warnings would be minimal, nevertheless, the Government will support and cooperate with any national moves to implement this recommendation.

Australian Capital Territory

The ACT Government supports this recommendation. At the June 1990 meeting of the Ministerial Council on Drug Strategy the Council established a working party to investigate the most appropriate form of warning and labelling for alcoholic beverage containers, on a nationwide basis.

The ACT Government noted the ongoing work of the Ministerial Council on Drug Strategy in addressing this issue.

It is expected that alcoholic beverage containers and packaging will display health messages or warnings, as appropriate, within two years.

Recommendation 8.

Electronic advertising of alcoholic beverages should be prohibited.

Commonwealth

The Department of Community Services and Health does not accept this recommendation. It stated that the national health policy on alcohol commits Federal, State and Territory Governments to ensuring that marketing and advertising of alcohol encourages responsible use.

Advertising is regulated by a voluntary code which was recently reviewed to incorporate community concerns. The revised code prohibits the advertising of alcohol in a way that strongly appeals to young people, promotes excessive consumption or associates alcohol with hazardous activities.

The Ministerial Council on Drug Strategy (MCDS), comprising Commonwealth, State and Territory Ministers responsible for health and law enforcement issues, has set up a Committee to monitor the effectiveness of the revised code. The Department has said that consideration may need to be given to some mandatory form of control should the Committee find that voluntary regulation is unsatisfactory, consideration may need to be given to some mandatory form of control.

As a result of research undertaken by the committee, the MCDS at its meeting of 27 March 1991 noted public perceptions that many advertisements for alcohol products did not fully comply with the existing advertising code and called upon the Media Council of Australia (MCA) to undertake a comprehensive review of the structure and operation of the code system and the content of the code.

The Department of Transport and Communications has pointed out that the Trade Practices Commission, independently of the development of the National Policy on Alcohol, revised the self-regulatory code in early 1989. The Media Council's alcohol advertising code was authorised, subject to certain conditions, with effect from 1 June 1989. These conditions imposed on the alcohol code prohibit alcohol advertisements portraying any suggestion of alcohol contributing to a significant change in mood or environment; implying that alcohol is a cause of personal, social, sporting, sexual or other success; or that alcohol offers any therapeutic benefit or contributes to relaxation. Wording has also been incorporated that prevents 'a strong or evident appeal to children or adolescents'.

New South Wales

Controls over the advertising of alcoholic beverages have involved a self regulatory approach via the introduction of a code of practice. In June 1989, the media council of Australia developed the Advertising Code of Ethics incorporating the Alcohol Beverages Code. The code includes regulations to eliminate appeal to children and adolescents and the need to promote responsible consumption.

In April 1992, the Ministerial Council on Drug Strategy responded to concerns that the voluntary code was not working effectively and supported the establishment of a trial system in which alcohol advertisements are pre-vetted by a committee composed of representatives of the Commonwealth Department of Health and the alcohol industry. The system was instituted to ensure compliance with the Alcohol Beverages Code.

Legislative controls on the advertising of alcoholic beverages may be considered as an appropriate strategy within the framework of the National Health Policy on Alcohol in Australia in the light of the failure of the current co-regulatory approach. However, the first step should involve efforts to ensure that the alcohol industry assumes responsibility for the development and implementation of strategies that promote the responsible consumption of alcohol.

Victoria

At the request of the Ministerial Council on Drug Strategy, which comprises Commonwealth and State Health and Police Ministers, the Media Council of Australia conducted a review of alcohol

advertising. Its report was presented to the April 1992 meeting of the Ministerial Council. A number of recommendations were made by the Media Council and, in addition, alcohol manufacturers proposed the establishment of a pre-vetting system for advertisements for a one year trial period. Ministers agreed that further consideration of alcohol advertising be deferred pending a report on the effectiveness of the pre-vetting system and the initiatives proposed by the Media Council of Australia.

The Ministerial Council on Drug Strategy at its meeting in April 1992 also noted that a further submission would be put to the National Food Authority on standard drink labelling, in consultation with the alcohol industry. The Authority delayed development of a draft standard, subject to the further advice being provided by the Committee on Alcohol Advertising and Labelling.

Queensland

Research conducted by the Drug Offensive indicates a significant heavy exposure of thirteen to seventeen year olds to alcohol advertising, particularly for beer and, to an increasing degree, for spirits. The proportion of the age group consuming beer and spirits has increased.

The Ministerial Council on Drug Strategy (MCDS) considers that the voluntary co-regulatory system which governs advertising is not working properly in so far as it relates to the advertising of alcoholic beverages.

The Commonwealth Minister representing health issues has written to the Media Council of Australia expressing MCDS' views that the Media Council should comprehensively review the operation of that system and provide a response to MCDS.

A discussion paper as a basis for consultation with industry, professional and community groups was issued containing a range of specific suggestions as to how the voluntary co-regulatory system and the content of the code might be altered to bring alcohol advertising into line with prevailing community attitudes as to what constitutes acceptable standards for advertising alcoholic beverages.

Western Australia

Federal issue.

Northern Territory

The Northern Territory Government has now embarked on a comprehensive strategy to reduce harm caused by alcohol consumption by encouraging the use of low alcohol content beverages. A blanket ban on advertising would run counter to the promotion of this strategy.

Australian Capital Territory

The issue of alcohol advertising is being addressed nationally through the Ministerial Council on Drug Strategy (MCDS).

The national Health Policy on Alcohol, developed by the MCDS, favours the establishment of a firm but workable voluntary code of practice in relation to alcohol advertising.

To this end, the MCDS is investigating, in consultation with industry, professional and community groups, ways of making the co-regulatory voluntary system more effective. Decisions on possible further regulation of alcohol advertising will be postponed until these investigations are complete.

Parent Education

Recommendation 9.

Education for parenthood, including what constitutes normal child behavioural development, should be incorporated in hospitals as part of classes associated with childbirth. The program should be continued in community health centres. Support services for all parents should be available after the birth of a child. Parents should be given detailed information about post-natal support services available to them locally.

Commonwealth

This item was proposed for the agenda of the Australian Health Ministers' Advisory Council (AHMAC) in October 1991.

The recommendations of the Violence Report were referred to the 22-23 March 1991 meeting of the Standing Committee of Social Welfare Administrators (SWA) in Adelaide. The SWA endorsed State, Territory and Commonwealth progress reports.

The Commonwealth has made a commitment to establish fifteen Family Resource Centres (FRC's) over the next three years. The FRC's will help local agencies improve the effectiveness and quality of the services they deliver to families offering resources and support to all of the family related services in identified high need areas. They will not deliver services directly but will focus on providing resources and support to existing services. They will be able to perform a coordinating role, a research and information dissemination role, a community education role or a training and service development role.

In December 1990 the Government announced the first FRC's would be located at Logan, Ipswich and Cairns in Queensland and at Elizabeth-Munno Para in South Australia. These centres were operational by the end of 1991. The Government has since announced that centres will also be established at Wyong, Penrith and Fairfield and Cabramatta in New South Wales and a rural Family Resource Centre is to be established in the Alice Springs region in the Northern Territory to service twenty remote and isolated Aboriginal communities.

Department of Health Housing and Community Services 1993

Eleven Commonwealth funded Family Resource Centres (FRCs) are now operating in areas of economic and locational disadvantage, to support local agencies in the provision of services to families. The primary role of the centres is not to deliver services directly, but to provide resources and support to existing services. The major roles of the centre are in the areas of coordination research and information dissemination, community education and training and service development.

The centres are located in Ipswich, Logan and Cairns (Queensland); Fairfield, Penrith and Wyong (NSW), Whittlesea, Latrobe Valley and South East Melbourne (Vic); Northern Suburbs of Adelaide (SA) and in Central Australia.

Examples of relevant projects and activities undertaken by centres to date include community education on parenting skills, and advice training resources for the staff of services that deliver services to children and youth at risk.

This comment on the FRCs is also relevant to Recommendations 10,11,13,37 and 59 as they apply to children and their families.

The Department of Community Services and Health noted that child development, hospital services, community health, and pre- and post-natal training are basically State-run services, and expressed the view that consideration of this recommendation will largely be a matter for the States and Territories.

The Commonwealth and State Ministerial Committee on Services for Children, established under the auspices of the Minister Assisting the Prime Minister for Social Justice, has as a central function the better coordination of the full range of services for children provided by Commonwealth, State, local government and community agencies. As part of this, the Commonwealth is committed to providing \$14.75 million over three years towards coordination, referral and support mechanisms, including family mediation and skills training, for services directed to disadvantaged children and families through Family Resource Centres and the Family Services Program administered by the Office of Legal Aid and Family Services (which is part of the Commonwealth Attorney-General's Department). The Family Services Program provides education for parenthood and family life. Such mechanisms will facilitate initiatives such as those proposed in Recommendations 9,10,11,13 as they apply to children and their families.

The Department of Community Services and Health considers that education for parenthood is desirable and the Department makes such information and services widely available in child and community health centres.

New South Wales

Following the release of the final report of the Ministerial Task-force on Obstetrics in NSW, 1989 (Shearman Report) each area and regional health service devised a five year Maternity Services Plan. By January 1991 over 80 per cent of its 105 recommendations had been implemented.

The achievement of comprehensive parenting education was a key component in all Plans. Different services were developed according to the populations needs, targeting

- * Aboriginal communities
- * families from non-English speaking backgrounds
- * adolescent and/or single mothers
- * families isolated geographically and/or socially

Parenting education strategies include the appointment of parenting education co-ordinators in Area Health Services of Northern Sydney, Western Sydney and Wentworth; in North Coast, Central West and South Western Health Regions. They are providing for their Area/Region:

- * guide-lines for parenting education goals;
- * training for parenting educators;
- * input on parenting education for other health care providers;
- * resources for parenting education; and
- * assistance for non-specialist parent educators to target Aboriginal and isolated families in rural areas.

Ethnic obstetric liaison services provide parenting education through ante-natal, delivery and postnatal stages of care. An evaluation of these services was conducted and its findings scheduled for presentation in late 1992.

The New South Wales Department of School Education provides education for parenthood in schools through the key learning area of Personal Development, Health and Physical Education. Opportunity is also provided in optional courses such as years 11-12 2/3 Unit Life Management Studies.

The Department is piloting the Parents as Teachers program in three schools. This three year pilot program which commenced in 1991 is based on the philosophy that parents are the child's first and foremost influential teachers. The program encourages the development of a home school partnership in the education of children and provides written materials to assist with parenting.

Victoria

The Department of Community Services Victoria (CSV) funds a number of programs relevant to this Recommendation.

Maternal and Child Health (MCH) Nurses conduct pre-natal preparation and parenthood classes as part of hospital based childbirth education programs as well as providing universal health monitoring for families with children aged 0 to 6 years.

Family Support provides funding to non-government organisations to provide accessible post-natal information and support under its prenatal and early parenting program. The Budget allocation is \$903 000 but the prenatal and early parenting program are being reviewed and redeveloped. The Department also funds a central clearinghouse that provides updated information and articles on recent developments and techniques to parent educators and service providers on a statewide basis.

Pilot Parent Education Skilling Networks Program (Parent Help Program) provides funding for parent resource coordinators who coordinate local parent education activities and a local contact point for professionals and parents on parenting support services. The pilot program has a budget of \$213 000 and co-ordinators are appointed on a 0.6 basis, in eight locations. An evaluation was completed resulting in the continuation of this program.

Parent Resource Co-ordinators are operating in all 13 Community Service regions. This has recently been achieved with additional funding from the Commonwealth Family Skills Training Program and the State Parent Help Program. Joint State/Commonwealth funding is providing Co-ordinators in 8 Regions (4x .8 positions and 4 full-time positions). The other 5 regions are funded by the State Parent Help Program for .6 positions.

The 1991/92 and 1992/93 Victorian Commonwealth Alternative Birthing Services initiatives have targeted childbirth education programs in both hospitals and health centres to disadvantaged groups of women. These include low income, young and unsupported women and women from non-English speaking and Koori backgrounds. The programs cover ante-natal, childbirth, postnatal and parenting education and some include financial and stress reduction skills. These programs are being evaluated.

Recommendations from the Victorian Ministerial Review of Birthing Services which recommended better access to childbirth education is to be reviewed in the future.

In addition, Commonwealth (Burdekin) funding was allocated in Victoria to parent education for 'at-risk' mothers. For example, the YMCA was funded to establish a statewide peer education program for young 'at-risk' mothers who return to their communities after 12 weeks training to establish young mothers' groups and on-going parenting workshops.

There are a number of public sector/government funded agencies providing support services for parents of infants and children. These include the Maternal and Child Health After Hours Telephone Support Service. This service is for parents of infants and young children - information about this service is given out in all obstetric units. Effective parenting programs (eg STEP programs) are offered by Community Health Centres, Neighbourhood Houses, schools and parent guidance centres. Family therapy services are offered by child psychiatric services.

Queensland

Hospital antenatal classes include child development in education for parenthood, and some schools are providing parenthood education. Child Health nurses provide educational sessions in State secondary schools.

All new mothers, while still in hospital, are visited by a child health nurse who advises the location of the family's nearest Child Health Centre and what services are available there.

Within Queensland Health the Alternative Birthing Program, Women's Health Policy Unit is examining strategies for parenthood education and support in the public health system.

Western Australia

Parent education and physiotherapy classes are offered to all ante-natal parents in Western Australia. Maternity hospitals both public and private offer these classes.

Although the Government's Parents Help Centre (see recommendation 11) does not provide specific programmes to cater for ante-natal parents, it does respond to individual needs of families on a request basis.

A Parent Information Kit was announced in the Western Australian Government's 'Social Advantage' policy document launched in May 1992. This kit provided valuable information to the parents of all children born during 1993. A range of information will be included in the kit - child development, support services, baby and mother care, emergency help numbers etc.

Community health nurses have established a Post-natal Parenting Package providing valuable support and information to parents at a local level. It is envisaged that Self Help Parent support groups will develop from this initiative.

South Australia

Major teaching hospitals continue to provide ante-natal classes, as do a number of community health centres and other community-based organisations (Childbirth Education Association). These courses are increasingly incorporating information not only about pregnancy and childbirth, but also about the impact of having a child on the lives of the parent(s).

After the birth of a child in South Australia, Child and Adolescent Family Health Services are provided with names of all new mothers, who are visited in hospital and given information about Child Adolescent and Family Health Service (CAFHS) and community health centres, focussing on both the practical and psychological and emotional issues of becoming a parent. It is being increasingly acknowledged that having a child is a major life change for most people; programmes were developed which acknowledge this, and address the issues involved. The CAFHS published a magazine titled 'Your Baby' which is distributed free to all new parents. It contains information that is relevant to parenting. The Child Protection Policy and Planning Unit have contributed articles about prevention of child abuse.

Support services and educational programmes for parents have become increasingly diversified to allow for different needs of parents at various stages of their parenting career. In South Australia these include new baby, toddler, pre-school and adolescent parenting. Some groups specifically for fathers are now also being run.

Northern Territory

Education for parenthood should be part of health education in schools. This education could be reinforced at appropriate levels such as ante natal classes. Some at risk groups can be identified and targeted for ante and post natal education.

Australian Capital Territory

The ACT Government supports the recommendation. Australian Capital Territory public hospitals provide education in normal child behaviour as part of the post-natal and antenatal care programs. These voluntary programs are available to all new parents-to-be.

In addition, the Community Nursing Service provides parenting programs and closely cooperates with hospital and other community services in pre-natal preparation for childbirth classes. The Service provides a range of support services, including home visits to all new births; infant health clinic services; immunisation programs; individual support for mothercraft and facilitation of community programs on nutrition, hygiene practices and the prevention of communicable diseases.

Peri-Natal Screening for Child Abuse Risk

Recommendation 10.

All health authorities should cooperate in reviewing the available literature and devising a proposal for a pilot peri-natal screening and intervention program for child abuse risk. Such a pilot study should be structured so that it can be rigorously evaluated. If it is found to be successful, then such programs should be introduced in all maternity and general hospitals.

Commonwealth

While the Commonwealth provides grants to States and Territories which meet a significant part of public hospital operating costs, its involvement is limited to ensuring access and equity in patient care. States maintain responsibility for determining hospital operating policies and procedures.

The development and implementation of intervention programs for child abuse, whether hospital based or at community level, has occurred solely at the State level. Direct Commonwealth provision of services in this area is not supported although coordination and referral will be facilitated by the proposed Family Resource Centres referred to in the response to Recommendation 9. In addition, Recommendations 10,12,15,22 and 25 were to be referred to the National Health and Medical Research Council with a request that they be treated as priorities by the Council.

The Department of Immigration, Local Government and Ethnic Affairs (DILGEA) commented that the needs of migrants, especially those of non-English-speaking background, should be taken into account in relation to many of the report's recommendations, for example Recommendations 10,11,12,13,18,53,77, 101 and 133. The Department has also stated that it would welcome involvement in the development of implementation strategies in order to help ensure that needs of migrants and women of non-English-speaking backgrounds are effectively addressed.

New South Wales

The Royal Hospital for Women at Paddington has conducted a pilot screening programme to identify child abuse risk, and consideration is being given to extending the programme to other hospitals.

The pilot program was evaluated. The evaluation has concluded that the program had been successfully implemented that the clients referred to it had a high prevalence of those risk factors which the literature has reported to be closely associated with child abuse and neglect.. The mothers generally perceived the program to be helpful and effective in helping to resolve their own and their babies' problems.

It should be noted, however, that while it may be assumed that any reduction in the problems and risk factors associated with child abuse and neglect should result in an education in child abuse, it cannot be definitely concluded that the program did achieve this.

The introduction of this program or similar programs at other hospitals would be a decision for the Area Health Services and Health Regions. The cost of such an intensive intervention, particularly the cost of the professional staff involved may be an inhibiting factor.

It can be argued that staff involved in labour wards are aware of the need to identify 'at risk' mothers and babies, without the need for a check list. Moreover, the Shearman Report included a Protocol for Mothers with Special Needs. Mothers and babies who are 'at risk' are referred to Early Childhood Centres.

Victoria

This recommendation was the subject of on-going discussion between the former Departments of Health and Community Services. The recommended model was not seen as ideal and alternative models were discussed. For example, for an alternative model is the identification of risk factors common to child abuse for use by the staff of agencies working with infants and parents during the peri-natal period, for use as a tool, in conjunction with relevant training packages. Appropriate protocols could then be utilised to prepare staff to deal appropriately on a case by case basis with situations of suspected/potential abuse with the degree of sensitivity required. The role of protective services in such situations also requires further exploration and definition.

Queensland

The available literature is under constant review by paediatricians and others involved in Suspected Child Abuse and Neglect (SCAN) teams. A subcommittee of the Coordinating Committee on Child Abuse was established to provide guide-lines for the referral of neonates to SCAN teams.

Western Australia

This recommendation is already partially implemented.

South Australia

One of the strategies outlined in the South Australia Health Commission Child Health Policy Implementation Plan (see Recommendation 12) concerns a review of available literature to determine the usefulness of peri-natal screening and subsequent intervention programs.

Northern Territory

The Northern Territory is willing to co-operate in such a program, with Commonwealth support. The Northern Territory would be well placed to undertake the pilot study through its community health centres.

Australian Capital Territory

The ACT considers that such a program would be better funded by the Commonwealth in a joint project between a research institution and an appropriate hospital rather than the effort spread across all health authorities as recommended.

In the development of such a program, particular attention should be paid to fundamental issues of human rights. The difficulties inherent in identifying risk factors in relation to particular clients must be thoroughly addressed to avoid stigmatising such clients. In addition, appropriate implementation policies and practices and evaluation processes must be clearly identified.

Parent Management Training

Recommendation 11.

Effective parent management training programs should be initiated to control aggressive behaviour in children.

Commonwealth

Child welfare, including early intervention and prevention programs, is a State responsibility. The Commonwealth however, has funded Family Resource Centres, referred to in response to Recommendation 9, and its family mediation services will assist in this area.

The Department of Health and Community Services carries out parent management training programs through the Mental Health Services Child and Family Team. These programs are aimed at families experiencing serious difficulties with an aggressive child. The Group recommends that the Department investigate providing the service in an area with less stigma attached.

For young offenders the Department of Correctional Services has initiated parent management training within the Juvenile Offender Placement Program, which offers community care as an alternative to being remanded to a juvenile detention centre or prison.

From July 1990, effective management training through the Step-Teen program was offered to the parents of young offenders who are experiencing difficulty in controlling their children.

Also refer to response to Recommendation 9.

New South Wales

A variety of parent management training programs are available through Child and Family Health Services within the New South Wales Public Health system. These programs deal with a range of behavioural difficulties in children including aggressive behaviour.

One example of this training program is the Northern Sydney Area Health Service's program for parents of toddlers which specifically addresses discipline and includes strategies to counter aggressive behaviour.

Staff within the New South Wales Department of Community Services have always had a parent counselling function and have developed many skills in this area.

Schools also provide a number of opportunities for assisting parents with management training. School Counsellors are available in all New South Wales Government schools and can conduct training groups for parents such as Systematic Training for Effective Parenting. In addition, Itinerant Support Teachers (Behaviour) are available to work with parents of students who present with disruptive and aggressive behaviour.

Victoria

The Ministerial Enquiry into Mental Disturbance and Community Safety published its final report in August 1992. It had included in its First Report (Young People at Risk), recommendations about parenting programs targeted to 'at-risk' communities which are held in pre-school programs and community health centres.

A survey of health agencies in September 1990 indicated that 42 centres which were providing parenting programs. Increased targeting of 'at-risk' populations is being promoted through the Parent Help Newsletter distributed quarterly to all community health centres and ongoing staff education.

An accredited TAFE course for parent educators has also been developed.

Refer also to response to Recommendations 9 and 35.

Queensland

Management techniques are taught on an individual basis to the parents of aggressive children. Appropriate therapy is provided for children through a network of community based services, covering most, but not all major population centres.

Parents with problems with aggression are referred to other agencies for treatment.

Parents are referred to other support agencies where appropriate (for example, Suspected Child Abuse and Neglect (SCAN) - Department of Family Services and Aboriginal and Islander Affairs).

Problem solving groups for children and parents are conducted. These groups provide alternatives to aggression.

Most of the users of the Child and Adolescent service and their families have serious problems which respond best to individual programs tailored to the special needs of the family.

The services liaises with educational and other services over individual cases with special needs.

The Resource and Assessment Services of Intellectual Disability Services offer early intervention to families with a disabled child (under six). Often these children have multiple disabilities, including autism, epilepsy, etc.. A common occurrence is for the child to have 'uncontrollable' or aggressive behaviour. The Early Intervention Teams offer a comprehensive range of services from specific behavioural intervention programs to therapy and family support.

The Queensland Domestic Violence Council was established by the Queensland Cabinet to be a permanent body with membership drawn from the public service and the various community interest groups which provide services to victims of violence.

The terms of reference are to:

- * act as a point of exchange of information and views between the community and Government concerning the problem of domestic violence and its best management;
- * undertake a watching brief on domestic violence and draw emerging needs to the attention of the relevant Minister;
- * monitor the implementation of the domestic violence legislation and the impact of policy and legislative changes, as well as related community service initiatives;
- * monitor interstate developments in policy, legislation, community awareness and service development initiatives;
- * do research on particular issues; and
- * make recommendations to the Minister.

These terms of reference envisage that the body has several functions including being a body to which the community, particularly non-Government service providers, could both give and seek information of the issue of domestic violence. The body is pro-active and draws issues to the attention of the relevant Minister of Family Services and Aboriginal and Islander Affairs.

Western Australia

Through the Western Australian Family Foundation Grants program, and now the Social Advantage Grants Scheme, funding is available for community groups, school 'parent and citizen' groups and others to apply for funding to conduct parenting courses. This aspect of the grants scheme is actively promoted and consequently well used. During 1992 courses were run in country and metropolitan areas, in low socio-economic and more affluent areas. Specific programs were also conducted for single parents, Aboriginal parents, Non English speaking background parents.

In addition, the Government's Parent Help Centre located in the Department for Community Development, provides a support counselling and crisis service to parents on all aspects of parent/child relationships. The centre provides the following services:

- * one to one parent education/counselling programs tailored to meet individual family needs;
- * children's education and activity program for parents and their children (under school age). The program focuses on play and activities for under school age children and teaches parenting strategies using modelling and incidental learning techniques; and

- * All Day Parenting Program - an intensive course conducted over an eight week period and under school age children. They attend once a week for five hours at a time. The program is targeted at highly vulnerable parents who are at risk of or are abusing their children. The program is activity based and utilises modelling and incidental learning techniques.

The centre runs a number of other programs for parents with young children to promote positive strategies. They include:

- * working with other community based agencies and centres (ie outreach services to neighbourhood houses) in providing both group and individual programs to meet the need for parent effectiveness training; and
- * the new Parent Information and Referral Service which provides information on where parenting courses are being run in the community, dates and focus of the course. The service will be enhanced by the new electronic resource index which became operational in February 1993

Various effective parenting programs are provided by government and non-government agencies. Aggression control is an essential part of most programs. While there are appropriate programs in terms of numbers, many require additional resources.

South Australia

A wide range of group and education programmes looking at effective parenting techniques continue to be run. Inevitably, a component of these programmes is the control of aggressive behaviour in children. There was an increase in the acceptance of non-violent methods of discipline, and this was incorporated into many of the programmes. However it needs to be recognized that aggressive behaviour in children is often a result of modelling by parents and the media, and the general acceptance of violence in the community as a means of resolving conflict. Therefore controlling aggression in children is only one part of a wider strategy to deal with violence.

Within the Education Department the Area Behaviour Management teams support schools in developing and implementing their Department's School Discipline Policy.

As part of that Policy, schools are required to involve parents in dealing with irresponsible behaviour by students. Parents are encouraged to be involved in developing strategies for dealing with their child's behaviour difficulties.

If there is a need for intensive individual therapy, the parents are generally referred to other agencies such as Child Adolescent and Family Health Services (CAFHS).

The Child Adolescent and Family Health Service has developed a series of parenting groups for parents with children of different ages, for example; new parents, toddlers, pre-school, five to eight, eight to twelve year olds and adolescents. All CAFHS staff were trained in the implementation of these programs.

Child Adolescent and Family Health Services promotes mental health for children, adolescents and their families. Their work with parents occurs as part of their support for their clients aged 0 to nineteen years and their families.

Child Adolescent and Family Health Services multi-disciplinary teams are developing their work with schools, particularly as a result of the Behaviour Support Programme. While the majority of the work involves individual children or adolescents, training programs for parents may occur as part of the therapy process which assists children and families through the process of change.

During 1992, the Crime Prevention Unit of the South Australian Attorney-General's Department initiated a 6 month project which sought to raise the community's understanding of the effects of family violence on young people (particularly repeat juvenile offenders), and identify, trial and

evaluate intervention strategies through the cooperative approach of a range of service providers (government, non-government and private therapists).

Family and Community Services developed group programs for children who were affected by domestic violence, and as a consequence may be demonstrating aggressive and other problem behaviours. These are being run in several of the community health centres and community based organisations.

Tasmania

Recommendations 9, 10, 11.

In November 1992, the new State agency the Department of Community and Health Services was established, bringing together the former Department of Community Services and the Department of Health. This was expected to result in a great integration of services particularly in the area of family and child health, child probation and domestic violence.

Operational policy is being devised to oversee the organisation of ante-natal visits by child health nurses to prospective parents to ensure that an early rapport is established that can be built upon in the post-natal period. This will also guarantee that parents are aware of the services offered.

Most regions also conduct particular support programmes for first time mothers. The area of post-natal depression is also being targeted by way of establishing support groups with the aim of preventing the onset of more complicating conditions.

Parenting centres are staffed by a multi-disciplinary team that takes a holistic approach to supporting parents and families experiencing problems with children. Its programmes have a strong preventative approach, and there will be the opportunity to develop education and resourcing roles.

There is a child protection after hours service.

The Department of Community and Health services provides funds through the family support program to provide support to families to develop their coping and parenting skills, and thus their competence to provide an adequate child rearing environment.

Northern Territory

The Department of Health and Community Services funds family support organisations to provide parent training programs. Counselling and assistance in modifying parenting and child behaviours also provided through welfare officers. The Department also funds several non government family support organisations which provide parenting skills courses as well as counselling and assistance.

The Challenging Behaviours Unit in Darwin provides training in behaviour management for families of children and young people with intellectual disabilities accompanied by difficult behaviour.

For young offenders the Department of Correctional Services has initiated parent management training within the Juvenile Offender Placement Program. This program offers community care as an alternative to being remanded to a juvenile detention centre or prison.

Where appropriate, the Department refers parents of young offenders to family support organisations providing parent training programs including the Step-Teen program.

Similarly, adolescent and adult offenders under Department supervision are referred, if circumstances warrant, to ante-natal and parenting courses.

Care givers who provide community care for young offenders as an alternative to remand custody under the Juvenile Offender Placement Program undergo training in the management of adolescents.

This training is provided with the assistance of the Adoptions and Substitute Care Division of the Department of Health Housing and Community Services.

Australian Capital Territory

The ACT Government provides funding to a number of community organisations which provide a variety of family support services. Generally speaking, these services help to relieve the stress of parenting and therefore contribute to the reduction of aggressive behaviour in children.

Much of the work undertaken by services in the family support field is linked with the family services area and is an important strategy in preventing children and their families entering the statutory child welfare system.

The ACT Government will consider more specific initiatives in consultation with community organisations that have experience in the area.

Health Aspects of Victimisation: Therapeutic Intervention

Recommendation 12.

Where hospital policies and procedures for identifying and treating victims of violence do not exist they should be instituted. All such policies and procedures for identifying and treating victims of violence, especially those involving the provision of emergency care, should be subject to periodic evaluation, based in part on consumer surveys and retrospective interview of previous patients.

Commonwealth

The Department of Community Services and Health believes policies and procedures necessary for the identification and treatment of victims of violence will need to be addressed mainly by State and Territory governments. The States are responsible for determining hospital operating policies and procedures.

The Commonwealth's concerns in this area relate to the identification and treatment of AIDS in cases involving rape or child sexual abuse. Protocol for prophylactic treatment is being considered by the Australian National Council on AIDS (ANCA). At this stage, options in cases involving possible exposure to HIV include:

- * reassurance that the risk of infection is low;
- * provision of specialised counselling;
- * provision of testing for HIV; and
- * possibly the testing of offenders.

This recommendation was to be referred to the National Health and Medical Research Council with a request that it be treated as a priority.

Also refer to responses to Recommendations 9, 15, 16, 18, 45, 46, 60, 62, 63, 64, 65, 66, 67 and 68.

The Office of the Status of Women has noted that the National Committee on Violence Against Women provided a means for the Commonwealth and State and Territory Governments to cooperate in consideration of these matters as they relate to domestic violence, other forms of violence against women and the victims of such violence.

New South Wales

Since 1978 a network of specialist Sexual Assault Services had been developed in New South Wales by the New South Wales Department of Health. By 1990 there were more than thirty Sexual Assault

Services located in Hospitals and Community Health facilities, providing a range of medical and counselling services to adults and children who had been sexually assaulted. A detailed set of policies and procedures was developed to ensure a high level of care for these victims. Standards were developed through which the effectiveness of the services can be measured.

Specialist services for child physical abuse victims are located at the Royal Alexandra Hospital for Children and Prince of Wales Children's Hospital. Other hospitals and health services in New South Wales have developed policies and procedures for the care of such children relevant to local resources.

The Health Department is formulating special procedures for identifying and assisting victims of domestic violence. These special procedures are called the Accident and Emergency Procedures for Victims of Domestic Violence. Training will be arranged for health workers to ensure that they understand the procedures.

In regard to victims of violence generally, the Health Department has issued a direction that all victims of violence should be treated in accordance with clauses 2 and 3 of the Charter of Rights for Victims of Crime. These clauses state that victims have the right:

1. to be informed, at the earliest practicable opportunity by members of the police or other prosecuting authority, officers of the court and health and social services personnel, of the services and remedies available to them; and
2. to have ready access where necessary to available medical and counselling services, welfare and health services, and legal services that have wherever possible, personnel appropriately experienced in dealing with victims.

Health services provided to victims are evaluated, but not necessarily through consumer surveys and interviews of previous patients.

Specialist services for child physical abuse victims are located at Royal Alexandra Hospital for Children, Prince of Wales Children's Hospital, Westmead Hospital and John Hunter Hospital, Newcastle.

The Department of Health published a Sexual Assault Services: Policy and Procedures Manual in 1988.

A policy on Domestic Violence was launched by the Minister for Health in March, 1993. The policy directs Area Health Services/Regions to develop protocols to deal with victims.

Training programs have commenced to educate health workers, for example in Accident and Emergency Units, on identification of victims of violence, particularly domestic violence, and appropriate referral. The training video, 'Hitting Home', teaches accident and emergency staff the importance of identifying cases of domestic violence and the appropriate response to take.

A recent survey of Area Health Service/Regions implementation of the Charter of Victims Rights indicates that it is being incorporated into protocols and procedures.

See also the comment on Recommendation 15.

Victoria

Within the Department of Health and Community Services, policy protocols and guide-lines for the treatment of victims of family violence are being further developed for all health agencies and will be complemented by a sexual assault and domestic violence training program for health and welfare workers which has just been established.

Box Hill and Western Hospitals have drawn up protocols which are being piloted. A policy and strategy for the implementation of hospital and other health service protocols is being developed and will be released shortly.

The Royal Women's Hospital has been researching and developing a protocol which takes into account the special needs of pregnant women.

Queensland

Queensland Health is piloting protocols for the identification and treatment of women who are subjected to domestic violence who present at public hospital Emergency Departments.

A Domestic Violence Protocol Officer was appointed to ensure uniform implementation of these protocols throughout Queensland. The Protocol Officer in consultation with the Royal Brisbane Hospital is producing a data collection proforma for use in Emergency Departments to measure the prevalence of both presentation and detection of domestic violence injuries. Evaluation of the Domestic Violence Protocol Project will be undertaken.

The Women's Health Sexual Assault Program has convened three inter-sectoral working parties to draft standards, procedures and protocols aimed at co-ordinated, appropriate support of women who were raped and/or sexually assaulted. These working parties have incorporated service, legal and medical issues. The Protocols are being drafted. At first draft stage there will be wide community consultation.

Western Australia

The Health Department of Western Australia is developing a policy on domestic violence which addresses the need to implement policies and procedures for identifying and treating victims of domestic violence. This recommendation is partly implemented and complete implementation is anticipated shortly.

South Australia

The South Australia Domestic Violence Prevention Unit has in conjunction with the Domestic Violence Prevention Committee instigated a project to encourage the major public hospitals to develop a policy and protocol for the identification and treatment of victims of domestic violence. This initiative was initially undertaken in response to the Domestic Violence Council Report (1987) recommendations.

To date, this has resulted in two major hospitals drafting policies and protocols with particular emphasis on responding appropriately to victims who present to the Accident and Emergency Departments (Casualty). In addition, two country hospitals have adopted similar guide-lines. It was anticipated that during 1991 further metropolitan and country hospitals would embrace this initiative.

During the consultative process the Policy and Practice subgroup has highlighted the need for Accident and Emergency departments to act on the protocol and that hospital services to victims should be evaluated to assess their effectiveness

The South Australia Health Commission has endorsed a Child Health Policy and Implementation Plan. One of the eight priority areas in the plan is the reduction of the incidence and impact of child abuse and domestic violence on the health of children.

The specialist assessment services at Adelaide Women's and Children's Medical Centres and Flinders Medical Centre were evaluated in 1990, and as an outcome of that review, the South Australia Health Commission developed a charter for these services outlining outcome and performance standards.

Tasmania

The Launceston General (Northern Health Region) is developing hospital protocols for identifying and treating victims of domestic violence. It is envisaged that the development of protocols will be built into Health Service Agreements, with each health region in future years.

The establishment of a State Reference Group on Sexual Assault Services was recommended by the Working Party on Sexual Assault Services (South). This inter-sectoral initiative will provide one mechanism for the monitoring of service provision and the implementation of protocols. Membership of the State Reference Group will include the key Government Departments and community sector representation.

Northern Territory

Hospital policies and procedures for identifying and treating victims of violence are well established in the Territory. They will be subject to on-going review and evaluation. New guide-lines on the release of information from the Department of Health to the police about suspicious injuries, were issued in August 1992. There is close co-operation with child protection welfare workers.

Australian Capital Territory

The ACT Government supports the recommendation.

Australian Capital Territory public hospitals have specific procedures in place for the identification and treatment of all victims of violence, including those subject to domestic violence, sexual assault and child abuse. In the case of an adult, if the adult is unconscious and has obviously been a victim of some form of violence, the hospital notifies the police. If the adult is conscious and requests that the police are notified then the hospital does this. However, the adult also has the choice to do nothing about the violence and the hospital respects this right.

It is agreed that these procedures should be subject to periodic evaluation. However, the effectiveness of consumer surveys and retrospective interview, as recommended, is questioned.

Recommendation 13.

Governments should take steps to achieve better coordination and communication between organisations in public, private and non-profit sectors, which provide services to victims of violence.

Commonwealth

Intervention services for victims of violence are largely provided at State level, and their coordination will need to be managed at that level also.

The Supported Accommodation Assistance Program (SAAP) has, since its inception in 1985, aimed to better integrate and co-ordinate services provided at all levels of Government for people in crisis (including women, youth and children escaping violence in the home). The new SAAP agreement has built on the arrangements implemented in 1985 through the implementation of a formal annual planning process, which requires that cross program matters be canvassed and linkages with other programs developed. This includes linkages with accommodation and housing under the Commonwealth State Housing Agreement (CSHA).

Through the Youth Social Justice Strategy (YSJS) the Commonwealth has made significant progress in the better co-ordination of the diverse range of Commonwealth and State programs needed to overcome the problems of seriously disadvantaged youth (including many escaping violent situations). Building better linkages with other programs was a primary aim of this initiative and has underpinned

the implementation of a range of new methods of service delivery, which complement each other and which will help pilot new and innovative models of service delivery.

A national evaluation of the coordination aspects of the Strategy was completed recently. As a result of this evaluation, work is being undertaken to strengthen coordination arrangements at all levels. The coordination models developed under YSJS are being adopted in the broader SAAP context.

Also refer to comments regarding Family Resource Centres in Recommendation 9.

The Commonwealth has undertaken a number of initiatives in areas providing social services relevant to families, for example: in the present social justice exercise which has better coordination as a central objective; the 1989 Youth Social Justice package in response to the Burdekin Report and improved program linkages in programs such as Home and Community Care (HACC).

The Australian Federal Police (AFP) pointed out that implementation of this recommendation may prove difficult, as there is no one body that sees all victims of violence; professional confidentiality, doctors for example sometimes works against effective involvement of police in this area and some victims are reluctant to involve police.

Department of Health Housing and Community Services 1993:

In establishing the National Child Protection Council the Commonwealth Government has achieved an unprecedented level of cooperation and communication between governments and with non-government organisations through the Council's national focus on the prevention of child abuse and neglect. See also recommendation 9.

New South Wales

The recently established New South Wales Victims Advisory Council makes recommendations to the New South Wales Government on victims issues and coordinates victims services.

Senior staff of the New South Wales Department of Health participate in a range of Ministerial Advisory committees concerned with the development and coordination of services for victims of violence. These include:

- * the Sexual Assault Committee;
- * the Domestic Violence Committee (This committee is developing a Statewide Strategic Plan for Domestic Violence);
- * the Child Protection Council; and
- * the Victims of Crime Support Program Committee.

The Department of Health provides information to non-government women's health centres. At Area/Regional level, the Department's Women's Health Implementation Managers have an overseeing/liaison role.

Community Consultative Committees, which are organised by the New South Wales Police Service, provide a channel for communication between police and the community.

In the area of domestic violence, over fifty local domestic violence committees were established across New South Wales to aid coordination at the local level.

The establishment of the Charter of Victims Rights, the Victims Compensation Tribunal and the Victims Advisory Council have addressed this recommendation. The New South Wales Department of Community Services has a significant role in the provision of service to victims, in particular to victims of child abuse and their families.

Victoria

In 1988 the Victorian Government commissioned a research project to investigate support services available to victims of crime in Victoria, assessing their efficacy and to identify any gaps. The project was undertaken by a project officer employed by the Department of Community Services Victoria (CSV) and overseen by a Steering Committee with membership drawn from State agencies with responsibilities relevant to victim support.

The report was completed in June 1990 and made recommendations aimed at improving access to appropriate services by building on existing local and regional networks.

The former Community Services Victoria funded a Project Officer for the Community Council Against Violence to investigate the provision of services for those affected by family violence. A series of papers was produced addressing the major areas of concern identified by the extensive consultation process. The project officer at the Community Council Against Violence has concluded the investigation of provision of services for those affected by family violence. Reports completed include 'Background and Overview', 'The Legal System and Family Violence', 'Treatment and Counselling of Perpetrators of Family Violence', 'Housing Issues and Family Violence' and a 'Review of Services for Women'.

The Department is also in the process of establishing internal mechanisms to achieve better coordination and communication between relevant branches within the Departments which have responsibility for the provision of services to victims of violence.

The Family Violence Prevention Committee has also been significant in improving coordination and communication between services for victims of family violence and in developing materials for service providers. The Committee has updated and produced a pamphlet 'What Can I Do About Violence in My Family?' and distributed this to service providers in the public, private and non-profit sectors. The pamphlet lists the services available to victims of family violence.

Part of the focus for the 'Violence is Ugly' Community Awareness Campaign as been to provide material resources to Victoria Police by way of information cards and training videos and booklets, in order to support the information that police have available for victims and survivors. A Community Information Kit details information about the incidence of violence and the support services available, as well as a 30 minute video based on performances of the theatre group commissioned during the campaign. Members of the Community Policing Squads are using this information with local communities to increase awareness of these issues and improve the coordination and communication of information.

Queensland

The Department of Family Services and Aboriginal and Islander Affairs has initiated a number of strategies designed to ensure that the issue of violence is approached in a holistic and co-ordinated way.

Domestic Violence:

One of the specific goals of the Department of Family Services and Aboriginal and Islander Affairs is to assist women experiencing domestic violence to establish a safe, non-violent domestic environment for themselves and their children.

In order to achieve this goal, the Department:

- * administers the *Domestic Violence (Family Protection) Act 1989*;
- * develops policy advice and implements policy on domestic violence issues;

- * implements preventative and crisis service responses through funding of non-government organisations under the Domestic Violence Initiatives Program and the Supported Accommodation Assistance Program (SAAP);
- * promotes integrated 'whole of government' and community strategies and responses through the Queensland Domestic Violence Council which reports to the Minister for Family Services and Aboriginal and Islander Affairs; and
- * liaises and consults with the Queensland Police Service, the Department of Justice and Attorney-General, the Women's Policy Unit of the Office of the Cabinet, other government departments, and non-government organisations, including peak bodies and regional services.

The Department implements these strategies both centrally through the Domestic Violence Policy Unit, and the Supported Accommodation Assistance Program and regionally through five Regional offices.

The Department's primary focus for consultation and liaison in regard to domestic violence, is the Queensland Domestic Violence Council. The Council's members are appointed by the Minister for Family Services and Aboriginal and Islander Affairs. The Department provides administrative and financial support to the Council.

Members of the Council comprise representatives from five government departments and twelve voluntary and church organisations across Queensland. The Council's advice to the Minister formed the basis of the recent amendments to the *Domestic Violence (Family Protection) Act 1989*. In addition, the Council's strategic plan gives priority attention to a range of issues including the impact of the legislation on Aboriginal and Islander women. The Council is involved in co-ordinating activities such as Stop Domestic Violence Week.

There is also considerable bilateral liaison with the principal government agencies involved in the implementation of the Act, particularly the Queensland Police Service and the Department of Justice and Attorney-General.

The non-government members on the Council include representatives from women's refuges which are funded under the Supported Accommodation Assistance Program (SAAP). SAAP provides resources for the establishment of a number of accommodation and support services for women (including women with children) escaping domestic violence.

SAAP also has a Ministerial Advisory Committee which comprises 13 representatives of the non-government sector and the State and Commonwealth Governments. The Committee meets quarterly and provides advice to Commonwealth and State Ministers on priority areas for funding, levels of unmet need, service standards, and evaluation measures.

The Department also consults with local services and networks. Activities planned for 1993 include consultation in regard to in-service training for service providers and the rights and responsibilities of people using domestic violence services.

Violence Against Children:

The Department also provides protective services to children and young people who are, or are at risk of being abused, neglected or exploited. Supportive and educative services are also provided to the parents of such children.

A co-ordinated response to victims of child sexual assault and child abuse is facilitated centrally through the Co-ordinating Committee on Child Abuse. The Co-ordinating Committee is comprised of representatives from the Police Service, and the Departments of Health, Education, Justice and Attorney-General and Family Services and Aboriginal and Islander Affairs. At the point of service delivery, co-ordination is achieved through 43 Suspected Child Abuse and Neglect (SCAN) teams

located throughout Queensland. Core membership of SCAN teams consists of a Departmental officer, a medical practitioner and a police officer.

Ageing

The Department is current developing a Forward Plan on Ageing. This will involve an integrated and comprehensive review of the Government's policies and programs in matters related to ageing, and will be submitted to Cabinet. Individual Departments will review their areas of responsibility and identify gaps in services for older people. The review will also identify opportunities for initiatives across portfolios and between sectors.

A series of community consultations, the results of which were published in the report Queensland Seniors in October 1991, identified the problem of elder abuse as a significant issue within the community. This is reflected in the Forward Plan on Ageing.

The Women's Policy Unit within the Office of the Cabinet chairs an Inter-departmental Working Group on Violence Against Women. This Working Group is in the process of developing a Government-wide policy statement on the Prevention of Violence Against Women.

Western Australia

In the area of domestic violence, representatives of both government and non-government sectors participate on the Domestic Violence Advisory Council. The Government will also actively assist the development of locally based domestic violence liaison committees in 1993.

The Department for Community Development provides funds to a wide range of co-ordinating bodies in the community services sector including the Women's Refuge Group, to ensure support, coordination and advocacy for services to victims of violence. Funding support to the Women's Refuge Group was considerably increased in the 1992/93 budget. The Women's Refuge group coordinates women's refuge workers.

The Victims of Crime Unit assists in the delivery of services to victims of crime.

South Australia

Coordination and communication between organisations providing services to victims of domestic violence is both active and positive where Supported Accommodation Assistance Program funded agencies are involved. The Ministerially appointed Women's Sector Advisory Committee and the Supported Accommodation Assistance Program sponsored Women's Forum include government and non-government representatives working to common goals involving the development and continuing improvement of services to women and children who are victims of domestic violence. Other examples include:

- * Domestic Violence Units Committee;
- * Police Department's Victims of Crime services;
- * project addressing needs of children in women's shelters;
- * Community Sector Review; and
- * Review of Generic and Family Services.

It seems that coordination and communication develops best around 'issues' and projects where workers cooperate on dealing with tasks. In South Australia understanding of others' roles in the area has increased dramatically and involvement in a number of projects, in particular in the area of child abuse in working on Operation Keeper, a joint project with Family and Community Service and Police; Operation Paradox phone-in, the development of Care link in the northern suburbs of Adelaide, a project based to provide an integrated service for pre-school children and their families. This is a cooperative venture involving Family and Community Services, Children's Services Office and Child and Adolescent Family Health Services.

The initiatives that were previously outlined for domestic violence have continued. Some additional developments that have occurred are:

- * the network of Domestic Violence Action Groups has expanded so that there are now sixteen groups (eight country and eight metropolitan). The coordination of services to domestic violence victims is an issue that has received broad attention amongst these groups; and
- * under the auspices of the Crime Prevention Strategy, twenty local Crime Prevention Committees were established. These committees consist of representatives from the public and non-government sectors. The issue of domestic violence and child abuse are on the agenda of many of these committees.

Interagency guide-lines outlining roles and responsibilities of a range of government and non-government agencies were released by the South Australia Child Protection Council in November 1991. They are being evaluated and will be revised.

The Child Protection Policy and Planning Unit and the Domestic Violence Prevention Unit have begun publicity and distribution of a quarterly newsletter for professionals working in the area of child abuse and domestic violence.

The South Australia Domestic Violence Prevention Committee is mindful of the need for improved coordination between the public and non-government services to domestic violence victims. The committee includes representatives from both of these sectors. The establishment is imminent of a Domestic Violence Resource Unit which will have the coordination of domestic violence responses as one of its main functions.

Tasmania

The Department of Community Services established an inter departmental committee to consider the recommendations that arose from the Steward Report in 1990. The Department of Community Services is currently working towards establishing the Tasmanian Domestic Violence Advisory Committee. This committee will comprise members of six Government Departments and six non-Government representatives. The Government agencies represented will include:

- * Department of Community Services;
- * Department of Premier and Cabinet;
- * Department of Health;
- * Department of Police and Emergency Services;
- * Department of Justice; and
- * Department of Education and the Arts.

In addition, the Child Protection and Domestic Violence Program has a significant role to play in ensuring effective co-ordination and provision of services to the community.

Department of Health will establish the State Reference Group on Sexual Assault to provide a statewide focus on this issue.

Northern Territory

A Crime Victims Advisory Committee was established by legislation. The role of the Committee will include the coordination of services to victims of violent crimes.

Australian Capital Territory

The ACT Government supports this recommendation.

The ACT Law Reform Committee presently has before it a reference on the general question of victims of crime. It has released an issues paper which, among other things, addresses the question of the adequacy of services available to victims. Issues of coordination and communication will be considered in the light of the Law Reform Committee's report.

A Coordinating Committee, consisting of representatives from Family Services, the Hospitals, the Police and the Youth Advocate, was established to ensure effective communication and coordination between these agencies on child abuse matters.

Diagnosis And Referral Of Victims Of Assault

Recommendation 14.

Institutions which provide education and training for health and welfare professionals should offer training in the recognition, treatment (including counselling and support services) and management of victims of violence, especially domestic assault, sexual assault and child abuse. Issues relating to gender inequity and its implications in relation to violence, should be included in this training. This should include provision for continuous in-service training.

Commonwealth

Responsibility for curricula matters in training programs for health and welfare professionals lies with the individual institutions. Neither Commonwealth or State Governments have any direct say on the inclusion of specific issues on curricula.

Nevertheless the Commonwealth has committed itself to support a Co-ordinators of Alcohol and Drug Education project in Australia's ten medical schools. It has provided funding for the project for a three year period through the Department of Employment, Education and Training. The project is designed to provide medical practitioners with a better understanding of drug and alcohol problems. This initiative will address the link between drug and alcohol problems with violence.

On 21 August 1990 the Commonwealth Ministers for Higher Education and Employment Services and the Minister for Aged, Family and Health Services announced that the Government will fund a new Centre for Education and Training on Addictions at the Flinders University of South Australia. This key centre of research will have a national focus through the development of information networks with other higher education institutions and bodies throughout Australia involved in teaching and research in the addictions field. The objective of the centre is assist professionals and others involved in the treatment and rehabilitation of persons with drug and alcohol addiction problems.

The Commonwealth has also made a contribution in the areas of concern covered by the recommendation through such programs as the training component of the National Domestic Violence Education Program, and the recent grant to the Department of Immigration, Local Government and Ethnic Affairs for its Migrant Access Projects Scheme.

The establishment of the Human Services Industry Training Council, presently being developed by the Department of Employment Education and Training, is also likely to provide an appropriate vehicle for the Commonwealth to participate in the setting of priorities for appropriate training curricula.

The Department of Immigration, Local Government and Ethnic Affairs reported that its settlement programs have targeted non-English-speaking women and their needs as one of the national priority areas. Of specific relevance to Recommendations 14, 15 and 16 is a grant under the Department's Migrant Access Projects Scheme. The grant of \$50 000 was awarded to the Centre Against Sexual

Assault in Melbourne to assist recently arrived women gain greater access to family intervention services by developing networks, training and community education.

The Commonwealth has made a community education contribution in this area with regard to domestic violence through the National Forum on Domestic Violence Training included in the National Domestic Violence Education Program.

New South Wales

The New South Wales Department of Community Services, the New South Wales Department of Health and the New South Wales Department of Housing have tailored the New South Wales Domestic Violence Core Training package to the specific needs of their officers.

The Department of Health's Women's Health and Sexual Assault Education Unit coordinates training of service providers state-wide through the New South Wales Domestic Violence Core Training package. It also trains workers in sexual assault services in respect of people with an intellectual disability.

The package is currently being adapted to address the needs of rural/isolated women and cross-cultural issues for women of non-English speaking background and Aboriginal women.

The New South Wales Police Academy also provides training in domestic violence, sexual assault and child abuse.

The New South Wales Department of Community Services provides training to its staff on entry to its service about domestic violence, child abuse and family work.

The New South Wales Domestic Violence Advocacy Service, funded by the New South Wales Legal Aid Commission, provides training for solicitors. This training is accredited under the mandatory continuing legal education scheme.

Some tertiary institutions, including TAFE colleges, offer modules on violence, as determined by individual course conveners, in the faculties of Law, Medicine, Social Work, Welfare Studies, Education.

The New South Wales Department of School Education employs School Counsellors, Home School Liaison Officers and Student Welfare Co-ordinators. These officers are trained in the recognition, treatment options and management of victims of violence. This training is ongoing and has increasing emphasis on gender inequity.

The TAFE Commission of New South Wales provides training for a range of health and welfare para-professionals including:

- child care workers;
- enrolled nurses; and
- welfare workers (including youth workers, carers of the aged)

In these courses issues relating to the recognition, treatment and management of victims of violence are treated in a range of ways depending on the focus, depth and breadth of the training provided as either core or elective studies. (For example, child care students are trained to recognise and appropriately follow through indicators of abuse. They also learn ways of empowering young children with protective behaviour skills. The Commission also has a unit dealing with drug and alcohol abuse and it prepares teaching/learning resources for use in TAFE courses.

Victoria

The former Community Services Victoria played a key role in determining the content in the Social Worker and Welfare Officer courses in Victoria. In addition, in-service training is provided to social workers on child protection measures and strategies.

The Department also undertook a major campaign of educating professionals who work with children about the appropriate identification and management of cases of child abuse and neglect. The Department has a recurrent budget for this initiative of approximately \$480 000. Examples of the activities undertaken as part of this campaign include:

- * a major professional education initiative on child abuse targeted at general practitioners which includes a training video which explores issues for doctors in dealing with child sexual assault as well as an information booklet and plasticised card. Networks were established by the Department with the major universities to encourage the use of these training resources for professionals;
- * a major campaign targeting teachers (refer to Recommendation 38); and
- * a program aimed at facilitating locally-based in-service training initiatives.

The Standing Strong program is an educational resource for young people aged thirteen to eighteen years designed to assist them in making sense of violent and sexually abusive relationships and examining gender stereotyping. The program also encourages young people to develop communication and conflict resolution skills. The former Department of Community Services has provided funds for training workshops for workers and teachers. The former Department of School Education funded a reprint of the Standing Strong kit consisting of a revised teachers manual and student booklets and distributed multiple copies to every government post primary school in 1991 as well as conducting 'train the trainer' programs for school and school support personnel in each of the eight regions.

Both the Community and Professional Education Taskforces of the Family Violence Prevention Committee were constructive in assisting in the education of professionals as well as the community at large. Funding was provided through these committees to community groups and agencies to develop awareness around family violence issues.

A notice of protocol between the former Community Services Victoria and the former Department of School Education, *A guide to assist teachers to identify and respond to child abuse and neglect*, was sent to all school principals and school councils. The protocol reaffirms the consistency in the response to child abuse and neglect by schools and promotes consistency in the response to child abuse and neglect by schools and Community Services Victoria. A copy of the booklet *Child Abuse and Neglect - A Teacher's Response* was distributed to every teacher. A professional development program for teachers to support the program was conducted by school support centres in 1991. The Department of Education cooperates with the Department of Health and Community Services campaign against sexual abuse of children and young people.

Officers at the Peace Education Resource Centre, the state and regional Equal Opportunity Resource Centres and the Victorian Community Council Against Violence have provided assistance to schools and pre-service training institutions.

The Professional Education Task-force has developed a textbook and core curriculum units for use in TAFE Colleges. The text *Family Violence: Everybody's Business, Somebody's Life* was launched in August 1991. Promotion of the text and the development of curriculum offerings in family violence took place in the higher education sector as well as TAFE during 1992.

The Professional Education Task Force facilitated the development of an elective course in Domestic Violence which was included in the Associate Diploma of Community Development TAFE and accredited in May 1992 to be offered in 1993. A two day in-service for TAFE teachers has taken place. The Task Force has prepared a tertiary educators resource list as a teaching aid to be used in conjunction with the text *Family Violence Everybody's Business Somebody's Life*. Training has also been made available for nurse educators.

A two year training program is being developed to educate health and welfare providers about violence against women. This will include identification and support for victims of child abuse. The project is auspiced by the Centre Against Sexual Assault in Melbourne, which has already produced training resources, such as the recently published *Desperately Seeking Justice*, a training manual for providers working with women victims of violence from culturally diverse communities. The framework for the training program is based on a structural analysis of gender and power. It will complement the development of hospital policies and protocols.

This training will link with that being developed by the Sydney College of General Practitioners as part of the professional education of health providers around Violence Against Women currently being funded through the National Women's Health Program.

In-service training is also provided to service providers via agencies such as Domestic Violence and Incest Resource Centre and the Centres Against Sexual Assault on an ad-hoc basis.

The Victoria Police Crime Prevention Bureau, with funding from the former Ministry for Police and Emergency Services, produced a personal safety program, the Defensive Living Program, designed specifically for women in the community. One aspect of the initiative was to train education professionals involved in teacher training in this anti-victim program.

Queensland

The Department of Family Services and Aboriginal and Islander Affairs is primarily responsible for the protection of children from child abuse. This occurs through the development of policy and direct service delivery in recognising, treating, and managing the interests of families experiencing child abuse. Joint training has occurred with the Queensland Police Service to improve services to children who were abused or sexually assaulted. Churches and other non-government organisations are provided with funds through the Division of Community Services Development to respond to the needs of abused children and their families.

The Sexual Abuse Counselling and Support Service is a specialist unit which offers counselling for victims and perpetrators of sexual assault. The unit continues to provide training and information to professionals working in the area of sexual abuse.

The Domestic Violence Policy Unit is responsible for the ongoing evaluation and monitoring of the *Domestic Violence (Family Protection) Act 1989*. The Act has recently been amended and it was anticipated that the amended Act would be proclaimed early in 1993. The amendments are designed to enable the Act to better fulfil the functions for which it was intended: the protection of victims of domestic violence from further injury, damage to property, threats, intimidation, abuse, or harassment.

A training package is being developed by the Domestic Violence Policy Unit on the amended legislation and associated regulations. The training will incorporate an understanding of the broader issues of domestic violence and their implications. This training will be conducted jointly with the Queensland Police Service and the Department of Justice and Attorney-General, and will target police, court officers, and staff of non-government organisations. It is anticipated that this training will be undertaken prior to proclamation. A number of locations across the State will be targeted.

The Domestic Violence Resource Centre was approved for recurrent funding in the 1991/92 financial year in order to improve its capacity to provide training and to develop resources and information on domestic violence for organisations across the State. In addition, the Centre has initiated a number of significant community education strategies including the launch in 1992 of the Kiah Bettridge Memorial Fund, which seeks to raise funds and increase community awareness on the issue of child victims of domestic violence.

One objective of the Department is to allocate the equivalent of 1.5 per cent of salary subsidies for training in the non-government sector. A number of initiatives were put in place to attain this objective. These include:

- i) The implementation of an integrated training plan under the SAAP for a 12 month period from April 1992. Funds (\$328 420) for the strategy are managed on a regional basis by approved non-government training sponsors. A training development officer is employed in each region to facilitate the delivery of training to SAAP organisations.
- ii) For 1991/92, funding (\$45 785) under the Alternative Care and Intervention Services Program was provided to approved training organisations.
- iii) Specialised training under the Child Abuse Prevention Program will be provided by the Queensland Child Abuse Prevention Unit for staff of five information and education centres located throughout the State.

The Queensland Centre for the Prevention of Child Abuse provides an advisory service, and funds a range of strategies that target professionals, educators, and parents, educational and community awareness as well as survivors of abuse.

In June 1992 the Women's Health Policy Unit of Queensland Health conducted a Statewide Training Course on Domestic Violence Protocols and Procedures. Key personnel from the thirteen Health Regions attended the course. These personnel carry responsibility for in-service training and are currently being supported in discharging this responsibility by the Women's Health Policy Unit. Domestic Violence in-service training was conducted by the Wide Bay Regional Health Authority and at the Logan, Longreach, Cairns, Princess Alexandra, Queen Elizabeth II and Mater (Public) Hospitals. The position of Domestic Violence Protocol Officer was created specifically to design strategies for effective and continuous training. The focus of such in-service training acknowledges domestic violence as an abuse of power as a result of gender inequality.

A Prevention of Violence Against Women Training Program was established. The responsibility for this Program lies with the Director-General, Department of the Premier, Economic and Trade Development and the Director, Women's Policy Unit, Office of the Cabinet. Through this program, Program Development Branch, Queensland Health has received funding for training in the implementation of the Sexual Assault Protocols.

Queensland Health is also implementing the Domestic Violence Protocol for Emergency Departments and is assisting with the statewide promotion and distribution of the Domestic Violence Protocol for General Practitioners produced by the Department of Family Services and Aboriginal and Islander Affairs in co-operation with the Royal Australian College of General Practitioners. The Department of Health has addressed this at only a marginal level through the Domestic Violence Protocols and Procedures. It is recognised that training and education is of prime importance. One of the objectives of the Women's Health Sexual Assault Program is to make recommendations regarding training and education as well as protocols and procedures in the area of rape/sexual assault.

Through the Technical and Further Education (TAFE) curriculum, program initiatives for the training of Health, Welfare and Early Childhood professionals include modules on:-

- * domestic violence (spouse abuse);
- * marriage counselling;
- * adolescence in crisis; and
- * child abuse.

These modules were to be implemented in 1992.

Life skills components in many programs include conflict resolution and mediation skills.

The Department of Family Services and Aboriginal and Islander Affairs has a Division of Protective Services which is primarily responsible for the protection of children from child abuse. The Division takes responsibility for policy development, direct service delivery in recognising, treating

(counselling and support services) and managing the interests of victims and perpetrators of child abuse.

Within the Division of Protective Services is a Sexual Abuse Counselling and Support Service which focuses on the provision of individual and group counselling for victims and perpetrators of sexual abuse, and their families. This specialist unit provides training and information to professionals working in the area of sexual abuse to maintain their skills in the identification, awareness of issues, and appropriate treatment techniques.

The Queensland Centre for the Prevention of Child Abuse provides a range of strategies that target professionals, educators, and parents as well as survivors of abuse in an effort to prevent child abuse by providing education and awareness programs. Preventative strategies are taught to children in the form of personal safety skills.

The Domestic Violence Unit responsible for increasing awareness of the domestic violence issues, has introduced domestic violence legislation and (after monitoring this legislation) has made recommendations for amendments to this Act. The Unit has responsibility for funding domestic violence services in the community and for the funding of research in the area.

Intellectual Disability Services provides a series of seminars relating to sexual assault and child abuse as part of its in-service training for staff. An internal report on the prevention and management of aggressive behaviour (for example, seriously disruptive behaviour) in institutions has recently been commissioned.

Western Australia

The Department for Community Development has produced a manual for staff entitled *Responding to Domestic Violence, Spouse Abuse, Guide-lines to Practice*. In December 1991, the Department's Executive:

- * reaffirmed the Department's Domestic Violence Policy;
- * supported a commitment to ongoing domestic violence training program; and
- * supported a domestic violence liaison person being appointed in each division within current staff establishment.

Issues relating to gender inequity and its implications in relation to violence are included in the training.

South Australia

Through the South Australian Child Protection Council's Education and Training Subcommittee a systematic evaluation of pre-service training curricula is being carried out to ensure that all professionals involved in child abuse are adequately trained to assume their responsibilities in this area. This involves examining training at both pre-service and in-service levels. Large numbers were trained to carry out their responsibilities in the mandated notifying of child abuse.

Recommendations of the external evaluation of the mandated notifiers training program run under the auspices of the South Australian Child Protection Council will be used to determine the future directions of that program.

The South Australia Domestic Violence Prevention Unit has, in consultation with the Domestic Violence Prevention Committee, initiated a project whereby those post-secondary institutions which provide training for health and welfare professionals are being encouraged to include the study of domestic violence in their curriculum. This was also one of the recommendations of the Domestic Violence Council Report (1987).

The Domestic Violence Service and Domestic Violence Action Groups have continued to provide training for graduates working in a range of occupations through their Domestic Violence Workshop program.

A difficulty is in the lack of general awareness in the community of the issues of abuse and violence in the home; professionals are part of that community and hold attitudes and values which minimize the extent or even deny the existence of these problems in the community. There is in some places, a lack of understanding within some professional groups of their role, a fear of being overwhelmed and perceived problems with resources and time. For all these reasons, effectiveness of initial training and commitment to ongoing in-service training can be a problem.

Strategies and policies are being developed to explore the usefulness of providing training in both domestic violence and child abuse concurrently in some instances.

The South Australia Child Protection Council also has approached the tertiary institutions about the current provision of pre-service training in child abuse with a view to determining requirements for future programs. The Department contributes to the pre-service training of nurses, police, teachers, some allied health professions and doctors.

In-service training for those persons mandated by law to notify child abuse has been undertaken in South Australia since 1988, using a training package developed by Department for Family and Community Services. An evaluation of the program is under way.

Groups who have received training include government and non-government welfare workers, teachers from government and independent schools and kindergartens, registered nurses, doctors, police and ambulance workers, allied health professionals and community health workers.

In conjunction with the South Australia Film Corporation the Child Protection Policy and Planning Unit and the Domestic Violence Prevention Unit are producing a video for use with both professionals and the community on the issues of violence in the home.

Funding was provided by the CPPPU for training in skill development of workers in these areas.

The South Australian Domestic Violence Prevention Committee's Education sub-group and the Domestic Violence Prevention Unit have continued with the curriculum development project previously outlined.

Tasmania

In-service training is currently provided for health staff and will continue to be provided within the context of the regional planning process.

Northern Territory

The recommendation was brought to the attention of the Department of Health and Community Services, which has advised that all new welfare staff will required to hold appropriate tertiary qualifications.

The Northern Territory University is offering a four year Bachelor of Arts (Social Work) course in 1993 which will contain a core unit on family violence intervention skills, for victims and perpetrators.

The Diploma in Basic Nursing Course looks at specific incidents relating to violence throughout the course. The post registration nursing courses look at issues as a whole, and at related strategies, within a specific unit.

The recommendation will be drawn to the attention of the Director of Batchelor College for consideration in the training of Aboriginal Health Workers.

Australian Capital Territory

Several community organisations, which provide direct services to victims of violence, also provide training to other direct service providers, educational institutions and other related professionals. Areas of training offered include a legal forum, in-service training for twenty-four hour crisis operation and also training sessions with the Australian Federal Police and through the ACT TAFE Colleges.

A comprehensive training and development program is in place to address in-service training needs of Government child welfare staff. Ongoing discussion regarding syllabus content occurs between the Government welfare agency and the TAFE Welfare Studies Course.

The ACT Government supports the recommendation. A number of non-government organisations and government agencies assist with the provision of such training but any further enhancement of these services may require the examination of additional resources.

Recommendation 15.

All health service providers should develop specific procedures for the identification and treatment of victims of violence, especially domestic violence, sexual assault and child abuse.

Commonwealth

Insofar as this recommendation relates to general practitioner services, it is covered by consultation items on the Medicare Benefits Schedule. The recommendation will be referred to the Royal Australian College of General Practitioners (RAGCP) with a request that the development of appropriate procedures be seen as a matter of priority. The National Health and Medical Research Council will also be asked to examine the development of service provider procedures.

The Commonwealth has also made a grant to the Centre Against Sexual Assault in Melbourne as part of its Migrant Access Projects scheme and the Commonwealth's Women's Health Initiatives also take these issues into account and provide a guide to procedures relevant to women.

The Women's Health Initiatives recognise these issues and provide an alternative to Medicare Benefits to address them.

As with Recommendation 12, responsibility for procedures of health institutions and providers rests with the States.

Also refer to response to Recommendation 12.

New South Wales

The New South Wales Department of Health has specific procedures in place for identification and treatment of victims of violence.

Domestic Violence

The Department has produced a Domestic Violence Policy. Implementation of this policy across Areas/Regions will ensure early identification of victims of domestic violence who access a range of health services. The policy directs Areas/Regions to develop domestic violence protocols and procedures.

The New South Wales National Women's Health program has produced a video 'Hitting Home' for medical and social work staff in accident and emergency departments to assist in early identification and appropriate response to domestic violence victims presenting in accident and emergency departments.

Sexual Assault

The Department has produced a Sexual Assault Services Standards Manual. This manual provides a quality assurance mechanism for service development and planning and as an evaluation mechanism.

The Department's Women's Health and Sexual Assault Education and Training provides a range of training programs for sexual and other health workers in the public health sector. The Unit also produces a range of training and education resources, including videos, manuals and support resources across a broad range of sexual assault issues.

All doctors are required to notify the Department of Community Services where there is a suspicion of physical or sexual abuse of children under the age of 16.

Child Abuse

A Ministerial directive requires other health workers employed by Second, Third and Fifth Schedule public hospitals and Area Health Services and Regions who form the belief upon reasonable grounds that a child was or is in danger of being abused to notify the Department of Community Services. Procedures to be followed are in accordance with *The Guidelines for the Investigation and Management of Child Sexual Assault Cases* produced by the Attorney General's Department.

See also the comment on recommendation 12.

Victoria

In March 1992, the Chief Commissioner of Police issued a Police Circular Memorandum (92-5) on 'Police Code of Practice for Sexual Assault Cases' which had been compiled in conjunction with the former Law Reform Commission of Victoria and the Victorian Centres Against Sexual Assault. These guidelines are designed to inform all members of Victoria Police of the procedures to be followed when a sexual assault is reported and are designed to provide a coordinated and supportive police service to sexual assault survivors.

Refer also to response to Recommendations 12 and 14.

Queensland

The Department of Family Services and Aboriginal and Islander Affairs has initiated research to inform policy development in the health area. An example of this is the three-year research study into the incidence of domestic violence-related injuries reported at casualty wards of hospitals. This research, which is nearing completion, is being used in the development of domestic violence protocols by the Queensland Department of Health.

As stated in response to Recommendation 12, Sexual Assault Protocols are being drafted by Queensland Health. These protocols will provide guidelines for all public sector and non-government services who support women who were raped and/or sexually assaulted.

As outlined in Recommendation 14 the Department of Health is developing these.

Western Australia

This was implemented in all major hospitals and some country hospitals. The Authority for Intellectually Handicapped Persons (AIH) has extensive procedures for its own services, and works cooperatively with funded non-government organisations (NGOs) to use similar policies and practices. The Bureau for Disability Services will take over this role.

In the area of domestic violence, this issue is being addressed by the Domestic Violence Advisory Council and the Health Department of Western Australia.

South Australia

The South Australia Domestic Violence Prevention Unit has, in conjunction with the Domestic Violence Prevention Committee, instigated a project whereby health and other service provider organisations were approached with the view of assisting them develop a policy and procedures on domestic violence. An integral part of this project is to ensure that appropriate procedures for identifying and treating victims of domestic violence are established.

The response to this project was most encouraging. Many organisations are now in the process of drafting guide-lines which address their response to this issue.

Domestic Violence continues to be addressed through the policy and protocol development project referred to in recommendation 12. In addition to focusing attention on hospitals, the project has also targeted other health service providers, in particular, the network of community based health services.

Tasmania

As mentioned previously, specific procedures and protocols are currently being developed within the regions. It is envisaged that a domestic violence policy and protocol developed in one region will be applicable to the rest of the state. The Health Policy Division will provide appropriate input for this process and assist in the development of cohesive state policies

Northern Territory

Relevant protocols exist in Northern Territory hospitals. Existing Child Welfare legislation places obligations upon all health service providers in respect of child protection matters. The full implementation of this recommendation is incapable of enforcement by Government, in that it places obligations on service providers in the private sector such as general practitioners, osteopaths, physiotherapists, podiatrists and masseurs. Service providers in the private sector will be encouraged to develop such procedures.

Protocols also exist for Community Health Centres and for School Nurses.

Australian Capital Territory

The ACT Government supports this recommendation. As detailed under Recommendation 12, the ACT public hospitals already have protocols in place for treating victims of violence.

Recommendation 16.

Service provision to domestic violence and sexual assault victims should address the diversity of needs for people from non-English-speaking backgrounds, Aboriginals and people with disabilities.

Commonwealth

The Commonwealth is concerned to address the diversity of needs of people from different ethnic backgrounds and people with disabilities in all its social treatment and prevention programs.

The Office of Multicultural Affairs comments that when preparing public information material on any matters relating to violence, departments should prepare material in languages spoken by target audiences, and it should not be assumed that people are literate in their first language. Information

campaigns should recognize that people of different cultural backgrounds may have different perceptions of law enforcement agencies and bureaucracies.

Recent studies in the Northern Territory, North Queensland and South Australia into the extent of domestic violence and sexual assault have indicated a significant and widespread problem in some Aboriginal and Torres Strait communities. The Aboriginal and Torres Strait Islander Commission is now in the process of conducting further research to develop strategies for consideration to address the issue.

Also refer to response to Recommendation 12.

New South Wales

The particular needs of persons from non-English-speaking backgrounds, Aboriginals and persons with disabilities with regard to the protection of children against assault (including sexual assault) are catered for by the New South Wales Department of Community Services. In localities where the community make-up justifies it, staff positions are identified as requiring knowledge of specified non-Anglo/Celtic cultures and fluency in their languages.

Similarly, positions in appropriate District Centres are identified as Aboriginal positions, and an Aboriginal Specialised Unit (Gullama) is situated at Alexandria.

In order to ensure that persons with disabilities are appropriately served, the Department of Community Services has almost forty District Officer (Disability Services) positions providing direct field services to persons with disabilities.

In cases where the investigation of possible child abuse involves persons from non-English-speaking backgrounds, or who are Aboriginals or persons with disabilities, it is standard practice for appropriate specialised staff from the Department to participate in service provision.

NSW Police have access to telephone interpreters to assist police in making inquiries.

The New South Wales Department of Health's Domestic Violence training package has now been revised to address issues relating to people of non-English speaking background and Aborigines.

The Department has contributed to procedures launched by the Women's Co-ordination Unit for assisting victims of sexual assault who have an intellectual disability. There are Departmental procedures in relation to sexual assault and people with intellectual disability.

NSW initiatives under the National Women's Health Program will enable provision of Aboriginal Sexual Assault Services.

A training package will be developed for health workers on issues relating to Aboriginal communities and sexual assault.

A training program will also be developed for workers dealing with sexual assault and intellectual disability.

See also the comment on recommendation 14.

Victoria

The former Health Department has provided grants through the Community Education Taskforce on family violence for a conference on strategies for dealing with family violence in the Aboriginal community, and for projects to identify the needs of women from non-English-speaking backgrounds and their support groups. Booklets were produced in thirteen different languages by the Community Education Taskforce, which explain the *Crimes (Family Violence) Act 1987*.

The review of the Community Education Taskforce on Family Violence is examining the success of the Taskforce strategies in meeting the needs of culturally diverse groups and will recommend future work in this area.

The Training Program outlined previously will be based in the multi-racial and multi-cultural perspective of the Centres Against Sexual Assault Project. Thus, all training of sexual assault centre workers and health providers will include these considerations.

The former Community Services Victoria provided support for parents from non-English speaking backgrounds and Koori communities. The Maternal and Child Health Service has an interpreter facility as part of its After Hours Service. Included in May 1991, about 3 calls a month use the interpreter service.

Also see below, Recommendation 28.

The Maternal and Child Health Unit is currently working on providing information on the service to new parents of non-English-speaking backgrounds. The leaflet distributed to parents at the birth of a new baby through maternity hospitals will be translated into several languages. The Maternal and Child Health Unit is also currently funding a project aimed at finding ways of better providing support to parents in Koori communities.

The former Community Services Victoria, through the Supported Accommodation Assistance Program (SAAP), funds the Refuge Ethnic Workers Program which provides ethnic outreach workers to service providers when they are required. An Aboriginal refuge is also funded through SAAP. The SAAP Standards program which is in developmental stage, will ensure that services will have policies and protocols for equal access.

Community Support and Development Grants programs, including the Family Violence Initiatives Fund (FVIF), also provides funding for ethno-specific family violence programs.

During 1992, the Family Violence Initiatives Grants have changed name to become the Family Violence Prevention and Support Fund. It increased its funding for the 1992/93 budget to \$190 000.

A community education campaign on child sexual abuse was undertaken by the former Community Services Victoria during 1992 and includes the publication of material in 12 community languages.

The Domestic Violence and Incest Resource Centre employs a worker to specifically deal with the problems of women from non-English-speaking backgrounds.

The Centre Against Sexual Assault House is also undertaking a research project which investigates the services they provide to women from non-English-speaking backgrounds. It is expected that new service models will be developed.

A study was carried out by Kalparrin Centre Against Sexual Assault looking at the service needs of Koori women in the Gippsland region.

The Aboriginal Women and Children's group, facilitated by the former Department of Health, is addressing family violence as an issue of importance.

The Office of Ethnic Affairs liaises with other agencies and is available to provide advice on programs for people from non-English-speaking backgrounds.

The Family Violence Prevention Committee has established a Non-English-Speaking Background Women's Family Violence Task Force to ensure that services for victims/survivors of family violence address the needs of women and children from non-English speaking backgrounds and that ethnic communities are aware of relevant legislation.

As an initiative of the former Ministry for Police and Emergency Services, \$30 000 was allocated in 1992 to increase the availability of the Defensive Living Program, which is an anti-victim program conducted by Victoria Police designed to empower women. The program was developed in response to the increased need for dissemination of information to women in relation to violent crime. The aim of the program is to provide women with a sense of control over their own lives by demonstrating that there are practical, physical and even psychological exercises which can give women confidence to carry out everyday routines with less fear of assault. The program attempts to break down the commonly held beliefs about rape and sexual assault which have encouraged women to be passive which can lead to increased violence against women. Funding for this initiative in 1992 was targeted to women in the workplace, women in various non-English speaking communities and educational settings.

Training for recruits to the Victoria Police includes training in the diverse needs of victims from non-English speaking backgrounds, Aboriginals and people with disabilities and the Force actively seeks to recruit police officers from aboriginal and non-English speaking backgrounds.

The former Ministry for Police and Emergency Services also provided funding in 1992 for a Victim Support Program through Court Network in three pilot regions, Prahran, Ballarat and Morwell. The program is designed to provide comprehensive support to victims of crime, including those from non-English speaking background, Aboriginals and people with disabilities, from the time of the offence until after the court hearing, if required.

Queensland

The Domestic Violence Initiatives Program of the Department of Family Services and Aboriginal and Islander Affairs provided funds in the 1991/92 financial year for a number of culturally appropriate services for Aboriginal and Torres Strait Islander people. This included both recurrent and non-recurrent funding. The projects provided counselling and support for women and children experiencing domestic violence, counselling for perpetrators of violence, as well as the implementation of community education strategies.

Funds of \$10 000 were made available through the Domestic Violence Policy Unit in the 1992/93 financial year to implement a consultancy project which will examine the effectiveness of the *Domestic Violence (Family Protection) Act 1989* on Aboriginal and Torres Strait Islander communities. The Queensland Domestic Violence Council will oversee this project.

The Queensland Domestic Violence Council has developed a work plan which will guide future activities. Within the work plan, priority was given to addressing the needs of Aboriginal and Torres Strait Islander women and women from non-English speaking backgrounds.

The Queensland Centre for the Prevention of Child Abuse has established as a funding priority for 1992/93 the provision of child abuse prevention resources within Aboriginal and Torres Strait Islander communities. This is in line with 1993 having been declared the International Year for Indigenous People.

The Alternative Care and Intervention Services Program provided funds of \$715,000 in 1991/92 to community organisations which provide services that respond specifically to the needs of Aboriginal and Torres Strait Islander children who were abused and neglected.

Within Queensland Health the Domestic Violence Management Guide was re-written to incorporate culturally appropriate responses to Aboriginal and Torres Strait Islander women and women from Non-English Speaking Backgrounds. Culturally appropriate support responses are being integrated in all training material currently being produced by the Women's Health Policy Unit.

Management steps for women with disabilities who were subjected to domestic violence were included in the second print-run of the Domestic Violence Management Guide. The Aboriginal and Torres Strait Islander Health Policy Unit is currently drafting a discussion paper on rape and sexual assault on Aboriginal and Torres Strait Islander women.

The Sexual Assault Protocol Working Parties have representation from both Non-English Speaking Background Women and Aboriginal and Torres Strait Islander women.

Western Australia

In relation to disabilities, the Department for Community Development has finalised a set of reciprocal policies and procedures with the Authority for Intellectually Handicapped. AIH is the primary agency that deals with children with handicap and disability. The reciprocal policy will deal with the exchange of information and expertise in both areas of child protection and disability.

The Department for Community Development attempts to address the diversity of needs of these groups in all its service provision, also including services for victims of crime.

The Department for Community Development has recently updated its *Child Protection: Guide to Practice*, which is a guide to workers intervening in child protection matters. Included in the update is a chapter called Aboriginal and Cross cultural Issues. This chapter alerts people to the issues they must consider when intervening with Aboriginal families and families from non-English speaking backgrounds.

The government also funds the community based Women's Refuges Multicultural Service, which employs bilingual ethnic support workers who assist victims of domestic violence. The Department for Community Development has developed a policies and procedures manual for workers on the issues of domestic violence, which has specific sections on the social needs of women from NESB and Aboriginal communities.

Through SAAP, the government also funds a specific Aboriginal Women's Refuge.

The Police Department provides specific training to recruits on Aboriginal issues.

South Australia

The inclusion of Aboriginal and non-English speaking background women is a high priority with specific goals being identified in the Supported Accommodation Assistance Program state plan. Some Women's Shelters are able to provide appropriate accommodation to women with physical disabilities, but only one service has the capacity to deal with women with tested intellectual disabilities. Other examples include:

- * Migrant Women's Emergency Support Service
- * Nunga Mimini's
- * Women's Sector Advisory Committee has documented concerns and addresses specific issues
- * The Unit has made funding available to print information in different languages
- * Funding was made available for training of workers involved with Aboriginal and non-English-speaking background women and children victims of Domestic Violence
- * Funding is available to staff and management committees to increase skills required for management and administration

The provision of services to victims of violence necessarily requires a high degree of sensitivity to the needs of the victims, and this includes cultural, ethnic and other issues.

Some of the strategies available to ensure that the differing needs of victims are met include the use of interpreters, use of multi-lingual, bi-lingual workers and Aboriginal workers at both policy and service delivery levels.

However there is concern amongst professionals working in the area that cultural mores of some groups intensify the difficulty experienced by all victims in disclosing assault and that much violence

is unreported. Cross-cultural training of workers experienced in working with victims of violence is necessary to increase understanding of the different needs of service provision.

Specific strategies undertaken in this area in South Australia include the employment of an Aboriginal Child Protection Worker in the Child Protection Policy and Planning Unit and the running of an Aboriginal National Workshop on Child Protection in October 1991.

A new development in Adelaide in 1991 was the opening of the Nunga Mimini's Shelter, which will provide culturally appropriate services to Aboriginal women and children who were victims of domestic violence.

The Language Services Centre (LSC) forms part of the Office of Multicultural and Ethnic Affairs and provides interpreting/translating services to persons of non-English speaking background (NESB) through government and non-government agencies. NESB women are reported to be the predominant users of this service.

In the past year, the Interdepartmental Working Party was established to develop a five year strategic settlement plan for South Australia. The Settlement Plan Project design being developed by the Commonwealth/State Migration Committee (COSMIC) aims to build upon previous settlement plans by developing a strategic plan that identifies existing gaps in services and facilitates a process of inter-agency co-operation and co-ordination for new arrivals.

Although still in its developmental stages, the proposed plan has identified ten major settlement needs areas. Within each category 'Women at Risk' are accorded high priority. Strategies for implementation are being developed with the aim of addressing the disadvantage suffered by migrant and NESB women due to their multiple needs, both prior to and after arrival in Australia.

Recent developments by Family and Community Services include:

- * The establishment of a NESB Domestic Violence Action Group which has brought together service providers who assist people from a broad range of cultures, some of whom are victims of domestic violence.
- * A Domestic Violence Outreach Service focussing on the particular needs of Aboriginal women living on the West coast of South Australia is being established. It is being funded through the Supported Accommodation Assistance Program.
- * The Intellectually Disabled Services Council was approached as part of the policy development initiative (recommendation 14) IDSC has indicated its willingness to receive more information on the issue as part of its staff development program.

Tasmania

Domestic Violence pamphlets are being printed in ten languages including English, Spanish, Thai, Tagalog, Arabic and Vietnamese. In developing services for the community, the Department will take full account of the problems confronted by people from non-English-speaking backgrounds and Aboriginals.

Northern Territory

Hospital policies and procedures for identifying and treating victims of violence are well established in the Territory. They will be subject to ongoing review and evaluation.

There is close cooperation between the Department of Health and Community Services, the Commonwealth's Telephone Interpreter Service, and the various non-government ethnic organisations in the Northern Territory. In addition, the majority of the Department's programs take special account of the needs of Aboriginals and people with disabilities.

Australian Capital Territory

The ACT Government supports this recommendation.

Services funded under the Supported Accommodation Assistance Program (SAAP) which assist victims of domestic violence and sexual assault have, or are currently developing, policies and programs for user rights and service quality. These policies will address the needs of people from non-English-speaking backgrounds, Aboriginals and people with disabilities.

All SAAP services in the ACT are able to participate in a cross cultural awareness program, funded by SAAP. One of the outcomes of this program was the development of an ongoing resource manual for SAAP services.

In addition, many services have employment strategies that encourage the employment of people from non-English-speaking backgrounds and Aboriginals.

Coordination between government agencies and these services ensures that these services are aware of training and other resources available to assist them in meeting the needs of people from non-English-speaking backgrounds, Aboriginals and people with disabilities.

Recommendation 17.

Funding by Federal and State Governments for direct service providers and community education programs relating to domestic violence, sexual assault and child abuse should be increased.

Commonwealth

Intervention and education services in respect of violence, assault and child abuse are largely provided at State level.

The Commonwealth allocated \$2.1 million to community education on domestic violence through the National Domestic Violence Education Program (NDVEP). A further \$1.35 million was allocated over the next three years to continue community education on violence against women.

The family services program of the Office of Legal Aid and Family Services provides direct service and education and addresses the problems of violence, sexual assault and child abuse albeit in wider contexts. For example, marriage counselling organisations (which receive support from the office) report that one third of cases involve domestic violence. The parent/adolescent mediation pilot programs deal with youth homelessness which is closely correlated with child abuse and domestic violence. The budget for the family services programs was increased by 40 per cent in 1990/91 to a total of \$13.2 million.

The Commonwealth will be extending the pilot phase of the national family skills program to provide better access to the service. Improving family skills is regarded as critical in arresting the inter-generational cycle of emotional deprivation, violence and abuse.

New South Wales

The New South Wales Department of Community Services administers the Community Services Grants Program. This program is divided into two sub programs, the Community Resources Program and the Family and Child Support Program.

The Community Services Grants Program includes as part of its target group young women and women with children who are victims of domestic violence and provides crisis support and specialist

counselling services including individual and family counselling and referral; personal and practical assistance; skills development programs; and mutual support and self help activities.

Young women with children who are victims of domestic violence are often eligible for priority in child care services.

The total budget allocation for the Community Services Grants Program in 1992/93 is \$41 million, a large proportion of which is targeted to families. Many of these families experience domestic violence.

The Supported Accommodation Assistance Program (SAAP) is a joint State/Commonwealth program which provides assistance to community groups to operate a variety of supported accommodation services and related support services to homeless people in crisis who are either temporarily or permanently homeless as a result of crisis and who need assistance to move towards independent living.

Women's Refuges in New South Wales are funded through the SAAP program. Currently there are 59 women's refuges catering for women on their own and women and children escaping domestic violence. The Program funds other projects targeting domestic violence victims such as three multi houses (medium to long term accommodation) located in rural areas and three medium term houses attached to refuges, NESB domestic violence follow up workers, services specifically for Aboriginal women, etc.

The Women's Housing Program is also funded under the SAAP. This Program provides medium to long term accommodation to women on their own and women and children escaping domestic violence. Currently there are 26 services across the State.

In 1984/85 the expenditure of the Department on projects which include victims of domestic violence as part of the target group was \$7.025m. In 1992/93 the estimated budget for projects will be \$20.044m.

Funds are provided through the SAAP and the Youth Social Justice Strategy to assist young people who are homeless and in crisis.

The primary aim is to provide supported accommodation and related support services to young people who are homeless and in crisis to move towards more appropriate accommodation options including independent living.

The Youth Social Justice Strategy was established in 1989/90 to provide additional funding for accommodation and other support services for young people who are homeless or at risk of being homeless, long term unemployed, from low income families and/or in remote areas and Aboriginal. The YSJA targets under 21 years olds with particular emphasis on 16-17 years.

In 1991/92 approximately \$22m was allocated to fund 172 young accommodation services.

In recognition of the need of young women 'at risk' and young women who are victims of abuse a number of the services include accommodation and non-accommodation specifically for young women in metropolitan and rural areas.

Under the National Women's Health Program, the New South Wales Department of Health is expanding sexual assault services (additional funds total \$950 000).

The New South Wales Domestic Violence Committee does not recommend the allocation of funding to community education campaigns, apart from pamphlet materials, until policy, procedures and training programs within services were implemented in accordance with the recommendations of the New South Wales Domestic Violence Strategic Plan.

However, the New South Wales Police Service is currently implementing a six-month community education campaign on domestic violence and the role of the police. The campaign includes television advertisements, pamphlets and multi-lingual advice lines.

Victoria

The Victorian Government has shown a continuing commitment to initiatives directed at addressing the reduction of family violence. Funding for specific initiatives (referred to under other recommendations) has totalled approximately \$1.4 million annually since 1988. An additional one-off sum of \$200 000 was provided in the 1991/92 budget.

Other additional community initiatives and groups aimed at addressing family violence funded by the Government include women's refuges, community health centres, women's information services, and many child protection initiatives.

During 1992, the former Community Services Victoria conducted the first ever Victorian community education campaign on child sexual abuse. Incorporating television and press advertisements, an information booklet and an expansion to the capacity of the child protection crisis telephone service, the campaigning cost approximately \$800 000. The campaign was subsequently evaluated and resulted in some significant shifts on community attitudes and an increase in the reporting of child sexual abuse.

Funding for 15 sexual assault services and over one hundred community health centres to provide direct service provision and community education is provided in Victoria through the health budget. Most of the services provide some support for victims and programs for perpetrators of family violence. Funding is provided for hospital services, where victims of violence are treated, some with specific links to sexual assault services.

The provision of the Telephone Service Against Sexual Assault counselling provides coordinated crisis care and after-hours counselling and support, including a toll-free rural access line. Many women experiencing family violence use this service. Any future funding for community education will be targeted after the review of the Community Education Taskforce is complete and will be linked to Federal initiatives in this area.

The former Ministry for Police and Emergency Services, in conjunction with Victoria Police launched the 'Violence is Ugly' campaign which aimed to change the attitudes and behaviour of men who inflict violence on women, and also to provide information to women on support services available to them. The second phase of the 'Violence is Ugly' Community Awareness Campaign was undertaken over the summer period in 1991/92 and was aimed at informing women that sexual assault and family violence are criminal behaviour and that no woman should have to put up with it. Phase 3 was aimed at encouraging the community that they have a responsibility to report and support. It was also aimed at informing men that violent behaviour is illegal and criminal.

Queensland

As part of its commitment to addressing domestic violence, in the 1991/92 financial year, the Queensland State Government allocated an increased recurrent amount of \$1,216,000 to the Domestic Violence Initiatives program within the Department of Family Services and Aboriginal and Islander Affairs. A framework was developed for the design and distribution of crisis and support services. Emphasis was placed upon providing a network of services that are co-ordinated and linked across the State. The framework for the design and distribution of crisis and support services is as follows:

- * a statewide 008 domestic violence telephone service is being established to provide 24 hour access to crisis telephone counselling, information, and referral. An access and equity policy was developed by the service to ensure that it meets the needs of Aboriginal and Torres Strait Islander women and women from non-English speaking backgrounds (\$542 000 in a full year);

- * five regional domestic violence services were established in each of the Department's regions (a total of \$790 000 per year in a full year). These were established in Caboolture, Gold Coast, Toowoomba, Emerald and Cairns. The services provide information, counselling, and support to individuals and groups, and undertake community education and training. They link closely with existing services and networks, and offer support to more isolated community-based projects;
- * twelve services were transferred from a non-recurrent funding basis to a recurrent basis. Priority was given to previously funded services which link with existing networks and the new regional domestic violence services (\$420,819 in a full year). Examples include local Queensland Marriage Guidance offices, the Women's Legal Service, and the Domestic Violence Resource Centre; and
- * forty-five services for women experiencing domestic violence are funded under the Supported Accommodation Assistance Program (SAAP) (recurrent funds of \$6,884,092 in 1992/93). The services comprise forty-two refuges, eleven of which are directed to Aboriginal and Torres Strait Islander women. There are two information, support and referral services and one support and advocacy service for women from non-English speaking backgrounds.

These arrangements aim to provide a system in which a woman experiencing domestic violence can gain immediate access to advice, and referral; access to refuge accommodation and support if she leaves home; and access to local counselling and support.

Five regional information and education centres were established under the Child Abuse Prevention Program in 1991/92. These centres provide a focus for networking and mutual support for child abuse prevention activities in each of the regions.

Services to children who were abused, including sexually abused, and their families are provided centrally through the Department's Protective Services Branch and locally through 41 area offices located throughout Queensland.

As a priority for 1992/93, the Alternative Care and Intervention Services Program has established support for the development and piloting of innovative service models which are designed to increase the possibility of children being maintained within their families. Such programs will target children at imminent risk of being admitted to the care of the Director-General. Planning for these services will take account of family preservation style programs and other models already in existence.

Community Education

Community education is a role undertaken by a number of domestic violence services, and for which the Department contributes one-off grants. For example, a one-off grant was allocated for a bill board campaign in the north of the State. Some ten billboards with anti-domestic violence messages were located in prominent locations in towns and cities. The effectiveness of the posters was found in the extent to which referrals increased and in attention drawn to the issue in those communities. In addition, one of the roles of the recently funded regional domestic violence services is to undertake community education.

The Queensland Centre for the Prevention of Child Abuse continues to play a major role in initiating community education strategies. An example of this is a campaign conducted in 1992 which sought to educate the community on the emotional abuse of children. This was achieved in a number of ways including the display of posters on taxi backs in five locations across the State.

The Centre played a key role in co-ordinating activities for National Child Protection Week, which was held in all major Queensland centres in 1992.

The Department is well represented on the management committee of the Queensland Co-ordinating Committee on Child Abuse. The Committee planned the fourth International Conference on Child Abuse and Neglect held in Brisbane in 1993. Family violence was to be a key feature of this conference.

Prevention and Early Intervention

The Department through the Domestic Violence Initiatives Program, has placed particular priority on the development of prevention and early intervention strategies.

In 1991/92, thirty-six projects received non-recurrent funds to conduct early intervention initiatives (\$400 570 for the year). The projects were directed to community education, research and service provision on a fee-for-service basis. Priority was given to building on activities undertaken with previous grants, and to responding to rural and remote communities and Aboriginal and Torres Strait Islander women.

The Domestic Violence Initiatives Program provided funding for a number of programs to work with perpetrators of domestic violence in the 1991/92 financial year. The Queensland Domestic Violence Council will oversee a consultancy project which will examine the effectiveness of perpetrator programs drawing on literature available both within Australia and overseas.

The Centre for the Prevention of Child Abuse provides non-recurrent funds for a number of prevention and early intervention services. Of significance in the 1991/92 financial year was the funding of five Child Abuse Prevention and Education Centres, with each centre receiving recurrent funding for a part-time worker. The centres provide local access to resources and information relating to child abuse and its prevention, as well as initiating community awareness campaigns at a local level.

A number of support groups for adult survivors of child sexual abuse are also funded through the Queensland Centre for Prevention of Child Abuse, with such groups being located at Inala, Goodna, Riverview, Logan West and Kingston East.

Early intervention through the provision of resources and information in regard to parenting was a focus on the Centre. In response to the fact that over 30 per cent of substantiated cases of child abuse recorded by this Department relate to children aged 0 to 4 years, the Centre developed a parenting video designed for parents of very young children.

The Women's Health Sexual Assault Program within Queensland Health was established in 1991/92 financial year. It has a \$4.1 million budget over three years and provides funding to statewide rape crisis/sexual assault services. Funding was created for a training and education program on the health consequences of domestic violence.

The Queensland State Government has significantly increased expenditure for the provision of services for domestic violence. The budget allocation was increased from a total of \$499 963 in the 1989/90 financial year to \$874 000 in 1990/91 and with the expected expenditure of \$1 585 000 in the 1991/92 financial year on Domestic Violence Initiatives.

Through the New Initiatives Program of 1991/92 Health Budget, the Women's Policy Unit received \$4.1 million over three years for funding of Rape Crisis and Sexual Assault Services throughout Queensland, starting in 1991.

Western Australia

In the 1992/93 budget, the Western Australian Government substantially increased funding for direct service provision in the area of domestic violence. The increased funding will be provided directly to community based agencies through the Department for Community Development. The Department for Community Development also provides recurrent funding to several non-Government direct service providers.

Funding for the government's Child Sexual Abuse Treatment Services Scheme was increased by \$100 000 for the 1991/92 funding period and is expected to be increased by \$200 000 for the 1992/93 and subsequent funding periods.

The Government has also allocated \$500 000 over 3 years to an Aboriginal communities domestic violence education program.

Funding for small community education projects is also available through the Social Advantage Grants Program (Community Groups).

Additional funding was made available under joint Commonwealth-State funding as a part of the National Women's Health Program for sexual assault education programs.

South Australia

Since the mid 1980s, South Australia has established the Child Protection and Domestic Violence Prevention Units, funded child abuse assessment Units, developed and delivered training in dealing with child abuse and domestic violence and appointed specialist Aboriginal workers. It has also targeted Social Justice funding to prevention in these areas, in the Elizabeth Munno Para Project. In addition, there is an on-going commitment to substantial expenditure in the community education area.

Community education, professional training and service provision in these areas are interrelated. A commitment to preventative educative strategies, and identification of abuse must include a commitment and increase in direct service provision. There is a dearth of services in these areas and a constant and heavy demand for services.

The Federal Government, through the Office of the Status of Women, convened the National Committee on Violence Against Women in 1990 and South Australia is represented by the Director of the Domestic Violence Prevention Unit and a community representative. The National Committee on Violence Against Women aims to ensure greater uniformity in policy, program and legislative responses to violence against women across Australia.

The Committee is in the process of developing a comprehensive national strategy on reduction of violence against women.

It is anticipated that the National Committee on Violence Against Women will devote part of its future work program to community education activities.

The State government has continued to contribute to the funding of services to victims of domestic violence such as women's shelters, Domestic Violence Outreach Service, Crisis Care Unit, Domestic Violence Prevention Unit, Domestic Violence Service, Emergency Financial Assistance and fast-track public housing. In addition there are generic services and community-based health services funded by the State government which also offer assistance to both victims and perpetrators.

The South Australian Health Commission has increased funding for the specialist Child Protection Service to enable fast tracking of assessments of children alleged to have been abused.

Through the National Child Protection Council, funding was made available to conduct a national community awareness campaign on child abuse. Funding was provided through the Australian Film Corporation to produce a video on violence in the home and its effects.

Tasmania

Fifty thousand dollars was provided this year for community education and training in both domestic violence and child protection.

The Tasmanian Domestic Violence Committee has prepared a draft community education strategy for consultation and implementation in 1993.

Northern Territory

The Department of Health and Community Services has provided the following estimate of the portions of annual grants currently paid to non-government organisations which can be attributed to domestic violence:

The joint Federal/States/Territories SAAP Capital Assistance Program is funded on a ratio of 60 per cent Federal: 40 per cent Territory contribution. This program funds direct service providers. Total amounts are shown below for 1992/93 financial year:

| | |
|---|-----------|
| Salvation Army Catherine House | \$156 000 |
| Aboriginal Women's shelter | \$241 000 |
| Darwin House | \$351 000 |
| Ruby Gaea, Darwin Centre against Rape | \$139 000 |
| Katherine Women's Refuge | \$229 000 |
| Gove Crisis Accommodation | \$ 24 000 |
| Tennant Creek Women's Refuge | \$176 000 |
| Women's Shelter Alice Springs | \$348 000 |
| YMCA Youth Accommodation | \$241 000 |
| Youth Accommodation Service Alice Springs | \$247 000 |

| | |
|--------------|--------------------|
| <u>Total</u> | <u>\$2 152 000</u> |
|--------------|--------------------|

Australian Capital Territory

The ACT Government is committed to the adequate resourcing of this area and examines funding for such services in each funding cycle.

The ACT has a range of services targeted directly at domestic violence, sexual assault and child abuse, which are funded by the Government. The ACT Domestic Violence Crisis Service is widely recognised as the best in Australia.

Furthermore, a refuge for women unaccompanied by children who are homeless due to domestic violence is being established.

Counselling For Violent Men

Recommendation 18.

The recent development of preventative programs, such as counselling for violent men, is commendable. These programs should be encouraged by State and Territory authorities, subject to systematic controlled evaluation.

Commonwealth

This recommendation is supported in principle, but the Commonwealth is not involved in the development of preventative counselling programs in respect of violence.

Also refer to response to Recommendation 12.

New South Wales

The New South Wales Community Corrections Service administer what are known as Attendance Centres. These Centres provide a range of programs tailored to the developmental needs of various offender groups. Offenders perceived to have a problem controlling violent or aggressive tendencies may be ordered by the courts to attend appropriate programs at an Attendance Centre, as an

alternative to incarceration. Programs for such offenders focus on the acceptance of responsibility for one's actions and the development of anger management skills.

The New South Wales Community Corrections Service regularly has referred to it for supervision of large numbers of offenders with some history of violence. A significant proportion of these offenders have committed violent acts within a family unit. In accordance with the New South Wales Domestic Violence Strategic Plan, the Service has recently surveyed the incidence of domestic violence offenders within its care. On the basis of these findings, the Service is now formulating a Domestic Violence Policy. This policy will provide clear guide-lines for assessing and supervising offenders for violence within the home. Case management strategies will be aimed at establishing an appropriate regime of control and encouraging offenders to accept responsibility for their behaviour.

The New South Wales Department of Corrective Services does not at this stage run any programs solely directed at violent inmates. The Department does, however, provide counselling for violent male inmates as part of its Special Care Program at Long Bay Correctional Centre. The Program includes material on such topics as: aggression against others; anger management; and self-control. The Program enables offenders to deal with issues related to their own aggressive behaviour in the context of intensive group counselling. Inmates with specific therapeutic needs related to anger management are involved in individual counselling sessions, undertaken by psychologists and probation and parole officers.

The Department proposes to develop a program specifically for violent offenders. While the program is still in the planning stages, the Department envisages that it will be a highly structured program, delivered within a small therapeutic community setting and with a heavy emphasis on conflict resolution.

The New South Wales Department of Health's Pre-Trial Diversion of Offenders (Child Sexual Assault) Program provides intensive treatment for a limited number of offenders and their families. The categories of persons who are eligible for assessment for admission to the program are set out in the *Pre-Trial Diversion of Offenders (Child Sexual Assault) Program Act 1985*. The general goals of the program are:

- i. the protection of children;
- ii. the prevention of further sexual assault in families where assault has occurred; and
- iii. an increase in responsible thinking and behaviour by offenders.

The provision by the Department of other counselling services for violent men will be underpinned by principles and policies developed by the New South Wales Domestic Violence Committee and will only be considered within the context of the criminal justice system.

Victoria

The Department of Community Services Victoria (CSV) was funding men's programs through the Family Violence Initiative Fund. Current expenditure is \$29 125.

The Family Violence Prevention Committee has circulated a discussion paper identifying issues to be addressed in relation to perpetrators of violence.

The Domestic and Social Violence Service are currently compiling a directory of men's services in Victoria.

In September 1991 the Victorian Community Council Against Violence launched 'Treatment and Counselling of Perpetrators of Family Violence'. The report resulted from their inquiry into services for those affected by family violence.

Queensland

Queensland makes the point that it is a subtle but nonetheless important distinction to make that counselling programs for violent men are *not* a preventative program but that they are primarily a remedial measure after a problem was identified. This distinction has important implications when making decisions concerning the allocation of resources and potentially appropriate sources of funding for such programs.

Perpetrator Programs that provide counselling for violent men are being provided by community organisations around the State in Aboriginal, Ethnic and rural communities as well as in the larger communities. These programs are funded by the State Government as part of the Domestic Violence Initiatives Program.

In addition treatment programs are administered through the Forensic Mental Health Services of Queensland Health.

Western Australia

Although no empirical evidence exists as to their effectiveness, the Western Australian Government nonetheless believes that re-education programs for domestically violent men provides an alternative for women who want the violent behaviour of their partners to stop but do not want them charged. They widen the choice for victims and should be provided in the interests of prevention and early intervention.

In the 1992/93 budget the Government increased funding available for such programs. The Government concurs with the recommendation that these programs should be rigorously evaluated and will ensure that this occurs. Programs are also available within the prison system for violent offenders.

South Australia

There is some controversy still about the status of programs for violent offenders.

There is a reluctance to commit funding to running programs; the needs of victims, non-offending partners or parents compete for funding with programs for perpetrators, in a climate of financial restraint and lack of commitment to working in the area of abuse.

Despite this, South Australia has led Australia in the development of strategies for dealing with perpetrators.

Programs for perpetrators of domestic violence have continued to be developed and offered by the Domestic Violence Service and other human service organisations. The Domestic Violence Service's evaluation of its men's group program for perpetrators was completed and published in February, 1991. The results were encouraging and it is anticipated that future programs will include an evaluation component.

The Sexual Offender Treatment and Assessment Program was operating for two years and was recently reviewed.

Evaluation of such programs is essential, to provide information on usefulness of strategies used, in order to refine programs.

Tasmania

Given the limited funds available, priority this year was given to the establishment of two medium to long term support services pilot programs for women and children. It is unlikely that counselling services for men will be established in the near future. Moreover, the Tasmanian government has some concerns as to the effectiveness of these programs.

Northern Territory

The Department of Health and Community Services operates a Sexual Offenders Treatment Unit (SOTU) as part of the department's Mental Health Services. The program will be carefully monitored and evaluated.

The Northern Territory Department of Health continues to fund preventive programs such as counselling for violent men. The nature of the Northern Territory is such that it is difficult to make these counselling programs available outside of major urban areas.

In addition, protective behaviours programs for children conducted by school based police constables or specially trained teachers are available in many Northern Territory schools. It is expected that eventually this program will be available in all Northern Territory primary schools.

Australian Capital Territory

The ACT Government's first priority is the safety of women and children, and in this context, the Government's view is that programs for perpetrators of domestic violence should not be used instead of criminal sanctions. The Community Law Reform Committee's current review of domestic violence laws (discussed under Recommendation 63) will consider the use of behavioural change programs as sentencing options for violent offenders convicted of a criminal assault.

Health Promotion And Stress Reduction

Recommendation 19.

Stress identification and management should become an integral part of health promotion programs.

Commonwealth

The National Better Health Program (NBHP) has provided funding of \$117 388 to the Uniting Church for a 'Better Health Rural Health' project to help rural communities to deal with the health consequences of the recession and to take action to prevent problems arising. The project will:

- * address the relationship between the rural crisis and health;
- * document two existing innovative programs - the Mallee Crisis Committee in Sealake, Victoria and the Farm Safety Action Groups in Moree, New South Wales - which have successfully used community development techniques in relation to community health;
- * use this material to conduct a pilot community development program in Rochester Shire in Victoria; and
- * develop a resource package to be used by rural communities across Australia to help address the effects of the rural crisis.

In addition the NBHP has funded the revision and reprinting of 100 000 copies of a pamphlet called 'Coping with stress in our country communities' at a cost of \$14 000. Copies were distributed to key government departments and community agencies.

New South Wales

Health promotion programs provided through Area and Regional Health Promotion Units in New South Wales address the issues of stress identification and management in a wide range of programs.

Stress Management is one of the key ideas in the mandatory key learning area of Personal Development, Health and Physical Education in New South Wales Government schools.

Victoria

The Victorian Better Health Action Plan 1991/92 includes strategies for substance abuse and injury prevention and will include recognition of the role of domestic violence and sexual assault.

Queensland

The suggestion to include stress management courses in health promotion programs has merit and is, in fact, often a component of community health practice.

A range of stress management programs are already available for health workers to use. In addition, programs that promote and assist participation in recreation and physical exercise should be encouraged. However, caution must be exercised when proposing to implement stress management programs. Stress management courses can be used as a substitute for action - 'addressing the symptom, not the cause'. Effective stress management requires that the person or group become involved in finding solutions to their issues.

Western Australia

Implementation has commenced on this recommendation - a partially implemented Health Education Officer, Mental Health Promotion was appointed to consider this issue across the Health Department's Programs

South Australia

While supporting any measures to address stress management including health promotion strategies, such programs need to include clear information about the nature and causes of stress in the individual, and the relationship of stress to violence and abuse.

A commonly held belief is that enough stress inevitably leads to violent behaviour. Any programs aimed at reducing the incidence of aggressive, abusive or violent behaviour in the community must correct this misconception.

Tasmania

In-service training is currently provided for Department of Health staff in the area of stress identification and management through the Staff Development section. Often this knowledge is used by Health professionals in the development and conducting of stress identification and management courses for consumers. These are usually conducted at a localised level.

Northern Territory

Stress identification and management is an integral part of health promotion programs within the Territory.

Australian Capital Territory

The ACT Government supports the recommendation.

Through ACT Health, the ACT Government administers a number of health promotion programs which relate to stress identification and management.

Stress identification and management components are included within health promotion programs developed and managed by the Health Advancement Service (HAS) of the Board of Health which include components on stress identification and management. In particular, courses are offered on:

- * stress management and relaxation;
- * raising self-esteem; and
- * assertion training for women.

The ACT hospital system also offers a number of stress reduction programs through a health promotion unit at one of the hospitals. These programs cater for staff, patients and other members of the ACT community and provide referral to relevant services.

ACT Community Health Centres also conduct programs which include stress management and self-esteem components.

The Women's Information and Referral Centre also runs a program of courses which include relaxation and stress management, and assertion courses for women.

Child Abuse

Recommendation 20.

The Federal Government should sign and ratify the United Nations Convention on the Rights of the Child as a signal of its commitment to the well-being of Australian children.

Commonwealth

Australia was an active participant in the development of the Convention. Most of the matters with which the Convention is concerned are traditionally the responsibility of State and Territory Governments. The Federal Government asked all State and Territory governments to undertake as a matter of urgency a review of their laws and practices with a view to establishing whether there are any inconsistencies with the terms of the Convention. Issues raised by those States and Territories which have responded have not revealed any insurmountable obstacles to Australian signature of the Convention.

New South Wales

Commonwealth matter. Australia has signed and ratified the convention.

Victoria

Implemented.

Western Australia

The Western Australian Government has taken an active role in the community education, promotion and support of the Convention. In particular, the Children's Advisory Council has convened a number of seminars and consultations on the topic and the council is actively lobbying for the establishment of a Western Australian Children's Commissioner.

Northern Territory

The convention was signed and ratified.

Australian Capital Territory

It is noted that Australia ratified the Convention on 17 December 1990 and it became binding in Australia on 16 January 1991. The ACT Government reported to the Federal Government on its compliance with the terms of the Convention and the ACT Report indicated that ACT laws generally comply with its requirements. Legislative initiatives such as the *Adoption Bill 1992* comply more fully with its requirements.

Recommendation 21.

A national campaign for the prevention of child abuse should be conducted.

Commonwealth

The Commonwealth considers that this is one of the more important recommendations of the Report. The Report has done a lot to focus attention on violence against children and how abused children often develop into parents who have violent attitudes towards their own children and other people. Although child welfare is primarily a responsibility of the States and Territories, the Commonwealth is determined to do what it can to break this cycle.

The Commonwealth, as a consequence, initiated a national campaign against child abuse to build upon the Government's social justice policy which already addresses recommendations which identified poverty as a major underlying cause of violence and will reinforce the Government's efforts to improve opportunities for children. The campaign is also an important demonstration of Australia's commitment to the principles behind its ratification of the United Nations Convention on the Rights of the Child.

The national campaign against child abuse involved an extension of the pilot Family Skills Program of the Office of Legal Aid and Family Services (Attorney-General's Department). The Family Skills Program, (which was allocated \$213 000 in 1990/91) provides direct assistance and education on problems such as violence, sexual abuse and physical abuse. The Commonwealth increased funding to provide wide enough coverage of service to impact on child abuse.

The national campaign has been considered by the Council of Social Welfare Ministers. The Council was concerned that there should not be duplication with State or Territory initiatives but developed a proposal for a media campaign focusing on positive parenting. The Council approached the Commonwealth for resources. The Commonwealth's response was that it would provide resources for an extension of the Family Skills Program as the centre-piece of the national campaign which provides for direct assistance combined with a carefully targeted media campaign. A Commonwealth, State and Territory Taskforce under the auspices of the Council was involved in the development of strategies for the campaign to ensure that there is no unnecessary duplication.

The program concentrates on a primary child abuse message emphasising positive parenting. This is achieved by extending the basic training package relating to positive parenting and problem solving which is currently being developed and will be used directly with vulnerable families. The add-on components allow the training packages to be used by professionals and community workers and also by schools, health services, community organisations and self-help groups so that it will reach a broad cross-section of the community. The program also provides for the direct counselling of families through Family Skills Training Centres in each State and Territory. Currently there are plans for four pilot centres. It includes a vigorous education campaign using selective print media, video tapes and workshops with a goal of achieving acceptance at the grass-roots level.

The programs have the advantage of enhancing autonomy and resources of the family while respecting and promoting its integrity and survival as a social unit. Other advantages are that the services will be located within established Government-funded family organizations which have

public acceptance and can provide back-up services; it will reach suburban communities; and will be self-propagating.

Attorney-General's Department report, October 1991

The Family Skills Training Program was funded as a pilot project for three years during the 1989/90 budget as one element of the Youth Strategy announced by the Government as part of its broader Social Justice Strategy. The program is tailored to meet the needs of low income families and where relevant, families with Aboriginal children, children with disabilities, children from non-English-speaking backgrounds, sole parents and locationally disadvantaged families.

The Family Skills Training Program extension was announced as part of the Commonwealth's response to Recommendation 21 of the National Committee on Violence Report. The extension funded four new programs. This initiative to assist in preventing the incidence of domestic child abuse in Australian families has been complemented by the work of the National Child Protection Council.

The Family Skills Training program is a preventative program which aims to provide families with a constructive model of parenting and family functioning, thereby breaking the cycle of disadvantage often perpetuated by the absence of alternatives to the parenting model received as a child.

Funding for the Family Skills Training Program of \$520 000 was granted for 1991/92. A further amount of \$278 000 was granted in the 1991/92 budget for the establishment of four new projects.

Phase 1 of the Family Skills Training Program consisted of six pilot programs located in Tasmania (Centacare, Hobart); South Australia (Marriage Guidance, Adelaide); Victoria (Broadmeadows, Glenroy); New South Wales (Centacare, Campbelltown); Queensland (Sunnybank); and Western Australia (Marriage Guidance and CLAN, Perth).

The programs are targeted at disadvantaged families. They focus on teaching parenting skills and provide support which enables parents to more effectively understand their own parenting, relate to their children better, and effectively parent without resorting to child abuse. The programs have contact with similar programs in their State.

A project officer was appointed in January 1991 to develop educational core materials on positive parenting and to review relevant State and Territory programs. These materials, which include a video and resource material for group leaders are now completed and are of a high standard.

All of the programs have provided monthly reports of their operations. Three programs have undertaken an internal evaluation of the first six months of operation. Clinical monitoring visits and information from the programs indicate that service delivery is proceeding well. The Family Services Section has prepared a plan for comprehensive evaluation of the first four pilot programs.

Extension of the program has been closely coordinated with the States involved and more directly addresses the issue of prevention of child abuse. Consultation with State departments indicates that the target group could be disadvantaged families who have already been referred to State Department Child Protection programs. The content of the new programs more directly attempts to teach skills to prevent the recurrence of abuse and reduce the long term harmful effects to the families and society.

The Family Skills Training pilot program meets a particular and pressing need in the community. The program provides families at risk of domestic violence and child abuse with positive living, parenting and problem-solving skills in a supportive group atmosphere. In addition, service providers in the program are sharing their expertise with the wider community thereby extending the ambit of the program.

Early evaluative information from the four programs in the first phase of the Family Skills Training program indicated that the programs were efficacious with the target group. When the evaluation of the first phase of the pilot program is completed it will be possible to assess whether the programs

should be extended to provide a more complete coverage in each State and Territory in metropolitan and rural areas.

It has been recommended that when the evaluation of the first phase of the Family Skills Training programs is completed consideration be given to increasing State and Territory program coverage to metropolitan and regional areas.

Office of the Status of Women

The Office of the Status of Women noted the likelihood of public criticism from women's organisations and the National Association for the Prevention of Child Abuse and Neglect in the absence of a Commonwealth response to this recommendation for a national campaign for the prevention of child abuse. The National Women's Consultative Council, representing a wide range of national women's organisations, made strong representations to the Prime Minister in support of this recommendation.

National Child Protection Council

As part of the Commonwealth Government's continued response to implementing recommendations of the National Committee on Violence it has decided to establish a National Child Protection Council.

Formation of the Council is consistent with the recommendations of the National Committee on Violence and the Convention on the Rights of the Child as it will work to focus the attention of all levels of Government and the community on the need to reduce the incidence of physical and sexual assault of children, and to assist in the development of strategies to do so.

The Council, which was allocated \$1.2 million over three years, will comprise representatives from each State and Territory and the Commonwealth as well as community members. The aim of the Council is not to duplicate the work of the State and Territory governments but to make a contribution of value to all governments in the prevention of child abuse.

In its response to Recommendation 22 the Commonwealth has asked the National Health and Medical Research Council to investigate and report on current research capacity and mechanisms for enhancing that capacity.

It is proposed by the Government that the National Child Protection Council will promote and conduct research on the prevention of child abuse, including on community attitudes and the effectiveness of community education programs.

The Council will also report as soon as possible on the potential value of a national community education program and examine the feasibility of conducting such a program in conjunction with the States and Territories.

In doing so the Council will take into account the special child protection needs of children from non-English-speaking backgrounds, Aboriginal children, children with physical disability or developmentally delayed children.

The terms of reference for the Council respond to Recommendations 21 and 5 of the National Committee on Violence Report. The first meeting of the Council was planned for November or December 1991 following the November Special Premiers' Conference; but the Premiers held their meeting separately in Adelaide and the former was slightly delayed.

Department of Health Housing and Community Services 1993

The National Child Protection Council is examining the feasibility of conducting a national prevention strategy for child abuse and neglect.

New South Wales

This matter was discussed at the meeting of the Council of Social Welfare Ministers, held in Adelaide on 25 March 1991.

The Commonwealth Minister for Justice, Senator Tate, announced in Federal Parliament in December, 1990 that the Commonwealth Government had decided to tackle the issue of violence against children as the corner-piece of its initial response to the National Committee on Violence Report.

While New South Wales would support the development of a national campaign managed jointly by the States and the Commonwealth, funding of the campaign would need to be a Commonwealth responsibility.

New South Wales participates in the National Child Protection Council which has this matter on its agenda.

Victoria

Responsibility for child protection rests with State and Territory Governments who work closely with other agencies and levels of government.

The Council of Social Welfare Ministers has a long standing interest in this issue and in March 1989 established a State and Commonwealth Working Party to develop a National Child Awareness campaign. The Working Party has met on a number of occasions and in December 1990 drafted a proposal, including statements on the respective roles of the Commonwealth and States. The March 1991 meeting of Social Welfare Ministers recommended that further work be done on clarifying the focus and management of such a campaign.

Since November 1992, Victoria has been represented on a National Child Protection Council which is auspiced by the Department of Prime Minister and Cabinet. The council has, as part of its terms of reference, commenced work toward a national campaign that would focus on the prevention of child abuse. It has also established a national clearinghouse for child protection information.

Queensland

This recommendation is supported with the suggestion that the focus of the campaign be to promote positive parenting.

Western Australia

Western Australia is represented on the National Child Protection Council. The Council has undertaken national research preparatory to a national campaign for the prevention of child abuse. The Department for Community Development provided submissions to the National Child Value Campaign. Also Western Australia has forwarded recommendations to the Federal Minister assisting the Prime Minister on the Status of Women for the funding of a national campaign.

Northern Territory

This went before the Social Welfare Ministers. Money was allocated.

Australian Capital Territory

The ACT considers that resources should continue to be allocated in the Federal Budget for Prevention of Child Abuse Campaigns which either link to State campaigns or support State campaigns directly.

The ACT has both an ACT Government representative and an ACT community representative on the National Child Protection Council. The ACT Government understands that the Council is currently conducting an attitudinal survey of the community's perception of child abuse and supports this initiative.

Recommendation 22.

A national research centre on child abuse should be established by the Federal Government.

Commonwealth

There are already a number of mechanisms available at the Commonwealth level that can provide support for research into child abuse and a number of researchers working in the field. The National Health and Medical Research Council was to be asked to investigate and report on current research capacity and on mechanisms for enhancing that capacity.

The Department of Health, Housing and Community Services agrees with Prime Minister and Cabinet that the establishment of a clearinghouse for reporting research would serve a more useful function than a research centre and supports this proposal.

National Child Protection Council

Refer to response to Recommendation 21.

Department of Health Housing and Community Services 1993

The national clearinghouse for information and research on the prevention of child abuse and neglect was established in late 1992 under the auspices of the National Child Protection Council. It is located within the Australian Institute of Criminology.

The work of the National Clearinghouse has four elements:

- * repository - the collection of relevant material;
- * databases - the incorporation of this material within established databases with public access;
- * advisory - the provision of clients with relevant advice on primary and secondary prevention programs and research; and
- * networking and outreach - the dissemination of information on a regular basis and in response to specific requests and the establishment of contact with other relevant agencies including local government and voluntary organisations.

New South Wales

Commonwealth matter.

Victoria

Refer to response to Recommendation 21.

Queensland

It is suggested that the states should be funded to carry out research, with a requirement that these be coordinated between states. States have better access to the data collected by relevant departments and have an established infrastructure to support the research. The program evaluation requirements of Treasury could also link effectively with research activities.

Western Australia

The Federal Minister assisting the Prime Minister on the Status of Women has announced the establishment of a national clearinghouse for information and on the prevention of child abuse. The clearinghouse has been established under the auspices of the National Child Protection Council.

Northern Territory

For action by the Federal Government.

Australian Capital Territory

The ACT Government supports the concept of a program of national research into child abuse and considers that such a program would be best located in a recognised research and training centre for professionals so these issues become an integral part of professional training.

People With An Intellectual Disability

Recommendation 23.

Governments should ensure that safeguards exist to protect institutionalised persons who have an intellectual disability from abuse by staff or fellow patients.

Commonwealth

The whole matter of rights of consumers of disability services is being reviewed by a National Working Group on consumer rights. Draft recommendations under consideration include measures: to ensure consumers are aware of and educated about their rights; to extend grievance handling and advocacy provisions; and to provide for sanctions where necessary.

Accommodation services operated under the Disability Services Program, including nursing homes and hostels approved under former legislation, are required to operate consistently with the Principles and Objectives of the Disability Services Act which outline rights of consumers and responsibilities of service providers.

Provisions include the requirements for consumers to be consulted on and participate in decisions, for advocacy support to be provided, and for there to be appropriate grievance handling processes.

External advocacy services and pilot grievance handling mechanisms in NSW and SA have also been funded to provide support to consumers.

The Department of Health, Housing and Community Services has developed a set of Minimum Outcomes for Commonwealth funded services, which include formalised grievance mechanisms, privacy safeguards and consumer involvement in management decisions.

In addition, work is proceeding on the movement into the community, with appropriate support, of people accommodated in large congregate care facilities. No new facilities of an institutional or quasi-institutional nature will be funded under this Program.

Department of Health Housing and Community Services 1993

The National Child Protection Council sponsored a very successful workshop in March 1993 on the child protection needs of children with disabilities to identify key problems, issues and effective strategies for examination and action. The outcomes of the workshop were used as a basis for developing a research proposal to develop a plan of action in consultation with key disabilities groups.

The underlying philosophy of the *Disability Services Act 1986*, as expressed in its Principles and Objectives, is based on statements made in the United Nations Declaration of Civil and Political Rights, the Declaration of the Rights of Disabled Persons, and the Declaration of the Rights of the Mentally Retarded.

In June 1992 the Disability Services Act was amended to allow for the introduction of standards for disability services funded by the Commonwealth to operationalise the Principles and Objectives.

A Disability Service Standards Working Party, consisting of representatives from peak disability consumer and service provider organisations and State and Commonwealth Governments, has developed, consulted on, and agreed to a set of eight proposed national standards to apply to State and Commonwealth funded services for people with a disability and a further three standards to apply to Commonwealth disability employment services.

In October 1992 the Commonwealth Minister determined the eleven standards developed by the working party as Disability Service Standards under section 9C of the Disability Services Act. The Standards took effect on 1 March 1993. The eight proposed national standards are to be put to State health and welfare ministers for their endorsement and adoption, thereby extending the requirements under the standards to all consumers of Government funded services for people with a disability.

The Standards empower consumers of disability services by clearly defining their rights and responsibilities when accessing government funded disability services in the areas of:

- * service access;
- * individual needs;
- * decision making and choice;
- * privacy, dignity and confidentiality;
- * participation and integration;
- * valued status;
- * complaints and disputes; and
- * service management.

With the implementation of standards and the development of a standards monitoring process, work continues on moving people with disabilities away from large institutions and into the community with appropriate support. Such transition is in line with the philosophy that underpins the Disability Services Act - ensuring people with disabilities have the opportunity to enjoy a reasonable quality of life within the least restrictive alternative.

On present indications, from 1 July 1993 responsibility for all accommodation and related services funded under the Disability Services Act will transfer to the relevant State and Territory Governments.

Accordingly, the Commonwealth will no longer have direct responsibility for accommodation settings for younger people with a disability.

State and Territory Governments have enacted legislation complementary to the Disability Services Act which has a rights orientation and are also taking action to ensure adequate complaints mechanisms.

Disabled Peoples International (Australia) received funding through the Office of Disability to enable it to run a series of consumer rights workshops for people with a disability across Australia. The workshops are directed at users of Commonwealth and State Government services. Key elements of the target group include people with an intellectual disability, particularly in larger institutional settings.

In addition, the Commonwealth has implemented a new Disability Discrimination Act and appointed the first Disability Discrimination Commissioner to address complaints about discrimination on the basis of disability.

New South Wales

Section 66F of the New South Wales Crimes Act makes it an offence for any person to have sexual intercourse with another person who has an intellectual disability and who is under the authority of the person in connection with any facility or program providing service to persons who have intellectual disabilities.

The New South Wales Department of Community Services has a range of procedures to respond to concerns about protecting persons with intellectual disability in both Departmental institutions and private institutions from abuse.

A working party of Departmental officers and representatives from a wide cross-section of community organisations has recently met to develop a coordinated response in this area. They have prepared a report containing detailed recommendations about complaints and appeal mechanisms which will directly address the needs of children and adults in care. The report is the subject of community consultation. After the consultation process is finalised the mechanisms approved by the Minister for Community Services were expected to be established in 1993.

Victoria

The Community Visitors Program and the Intellectual Disability Review Panel, established under the *Intellectually Disabled Persons Services Act 1986*, seek to provide safeguards to protect people who have an intellectual disability.

The Community Visitors Program is funded by the Attorney-General's Department through the office of the Public Advocate. It provides for access by community visitors to residents and institutions so as to monitor their standard of care and protection. The community visitors can refer concerns to the Department of Community Services Victoria for attention. An Annual Report on the activities and findings of community visitors is tabled in Parliament.

The Intellectual Disability Review Panel is responsible for monitoring practice issues, reviewing general service plans, and dealing with appeals and complaints by clients or their representatives.

Community Services Victoria are implementing a new nursing and direct care structure for Intellectual Disability Training Centres. The new centres' organisation structure has a clear and single line of responsibility for the client from the direct care staff through senior management to the Minister.

Queensland

The Department of Family Services and Aboriginal and Islander Affairs has devised a policy on the management of seriously disruptive behaviours. An intensive training program is being implemented with staff caring for people with an intellectual disability in institutional settings.

A client grievance mechanism is in the process of being established within the Department with an emphasis on the use of independent representatives.

Western Australia

Safeguards are in place.

The staff at the Authority for the Intellectually Handicapped (AIH) have been trained to recognise indicators of abuse. AIH staff are skilled in advocacy on behalf of the more disabled person. AIH has also recently completed a draft 'Guidelines for the management of Allegations of Sexual Abuse against AIH Employees'.

A Protective Behaviours Pilot program, which involves learning skills of identification, avoidance, resistance and help seeking in situations of potential abuse or violence is being used for people with an intellectual disability. The preliminary workshops were quite successful. In addition, booklets, audio tapes and videos are to be developed to maintain the Program participants anti-victim skills.

A 'Challenging Behaviour' Program was implemented, which enables clinical psychologists to train supporting staff to prevent and manage seriously disruptive behaviour.

A Draft Consumer Participation Policy was developed, which outlines strategies to ensure that consumers can participate in decision making. Regional Advisory Councils comprising families, consumers and other service providers, act as advisory bodies to regional management.

South Australia

In South Australia Section 44 of the Mental Health Act provides protection from abuse in institutions. In the future, the proposed Office of the Public Advocate will provide mechanisms additional to this Act and Guardianship Board provisions.

Intellectual Disability Services Council has recently developed new policy and procedures for dealing with suspected abuse of clients

Tasmania

The Department for Community Services has developed an advocacy system for people with intellectual disabilities living in institutional settings such as Willow Court Centre. Initiatives such as the liaison officers of the Willow Court Parents and Friends Association provide an independent mechanism as a further safeguard. The Willow Court Centre Advisory Committee ensures that management, advocates and liaison officers will act in concert to identify and address abuse by staff or residents. In the past eighteen months the committee has not had to deal with any complaints of abuse or neglect.

In the longer term the movement of the majority of residents from Willow Court and the upgrading of some of the houses will address those environmental aspects that can give permission for violence to occur. Recent modifications to Alcheringa House for example have enabled the establishment of a 26 bed modern facility for people who exhibit challenging behaviours.

Community support teams were developed which provide both direct intervention, coordination and case management services to people with an intellectual disability and their carers. The Department also provides training for the staff and management of non-government organisations that provide services.

Support services and programs developed for people with intellectual disabilities are models that can and should be applied to support people with psychiatric disabilities or mental illness. Given the recent formation of the Department of Community Service and Health, this coordination will be readily achievable.

The Department of Health established a manager of Community Integration and a State Advisory Group on Community Integration in August 1991.

These initiatives were designed to provide strategic direction and planning to the process of de-institutionalisation and community integration of people with a mental illness, drug and alcohol dependency and the aged.

In the 1991/92 budget strategy, \$1.7 million was identified to provide 'hump' funding in the context of community integration. A significant proportion of this went towards improved community mental health services including in-patient and out-patient treatment services, prior to the further down scaling of institutions and the eventual reallocation of institutional resources to the community based services.

This process will significantly increase the ability of mental health services to monitor people in the community who are at risk, and to intervene with suitable treatment strategies when necessary. In patient care and long term secure care will continue to be provided as required.

Northern Territory

The Department of Health and Community Services does not operate any institution in which the intellectually disabled are held. Such people are maintained in the community as much as is practicable. Some respite care is provided in acute psychiatric wards from time to time. Guardianship legislation exists to ensure their welfare is assured. The need for separate advocacy services for the disabled is being explored. Consideration is also being given to legislation which will provide for the creation of an office of sexual exploitation of intellectually disabled persons.

Australian Capital Territory

The ACT Government supports the recommendation.

Detailed policies and procedures were developed covering suspected incidents of abuse of residents by staff and incidents where residents become violent. In addition accountability and standards of care for residential programs are being developed.

Cabinet approved the *Community Advocate Bill 1991* and the *Guardianship and Management of Property Bill 1991* on 9 September 1991. The Bills were introduced into the Assembly on 12 September 1991 and were adjourned for debate until the next Legislative Assembly sitting. The legislation creates the Office of the Community Advocate. This statutory office will provide advocacy for, and protect the rights of, persons with intellectual or mental disabilities, as well as provide the continuation of youth advocacy in the ACT.

1993:

Since the previous report on this recommendation, a number of legislative changes were made which give effect to its provisions. The *Community Advocate Act 1991* and the *Guardianship and Management of Property act 1991* have come into operation, and amendments were made to the *Childrens Services Act 1986* to create the position of Official Visitor.

A Community Advocate was appointed who provide advocacy for people with a disability. Under the Community Advocate Act, specific functions of this position include the responsibility to 'promote the protection of such persons from abuse and exploitation', as well as 'to protect the rights of such persons'.

Under the Guardianship and Management of Property Act protection is also afforded to people with a disability by an application of an Order of the Guardianship and Management of Property Tribunal either on an emergency (10 days) or last resort basis. Such an Order confers legal authority upon the Community Advocate to act as guardian or manager of the person. These safeguards were instituted by the ACT Government to protect individuals, including those in institutions who have an intellectual disability, from abuse by staff or fellow patients.

The position of Official Visitor created under the Children's Services Act empowers the officer holding this position to enter the institution listed in the Act to hear complaints from children who are institutionalised by an order of the Act. On hearing complaints, the Official Visitor is able to act as an advocate for a child and make recommendations to either the management of the institution or the Minister responsible if necessary. The Official Visitor also makes an annual report to the Minister.

Recommendation 24.

Governments should ensure that adequate support services are available for people with an intellectual disability who are living in the community, including those living in hostel and boarding house accommodation.

Commonwealth

A major reform of income support and related programs aimed at enabling people with disabilities to participate in employment was developed by the Departments of Social Security (DSS), Education and Training and Health, Housing and Community Services.

An integral part of the reformed income support system will be the expansion of both Commonwealth rehabilitation services and community based employment programs funded under the Disability Services Act.

In the 1990/91 Federal Budget, the Government allocated an additional \$172 million over the following four years, to provide over 12 000 additional places in rehabilitation, employment, respite care, accommodation and attendant care services. The Commonwealth funds 861 accommodation services, providing support to some 16 000 people with disabilities. All these services are bound by the Commonwealth's Minimum Outcomes, designed to protect the user rights of service clients.

Beginning in 1991/92, an early intervention strategy to assist people who apply for Sickness Allowance will be instituted in cooperation with the Department of Social Security. This will ensure that people who are temporarily incapacitated for work have priority access to rehabilitation programs, when that assistance is most effective. The number of places in this early intervention program commences at 6 000 for 1991/92, and will be increased to 8 000 per year for 1992/93 and beyond.

It should be noted that these increased rehabilitation places for people receiving Disability Support Pension or Sickness Allowance do not preclude people receiving other Social Security payments from participating in Commonwealth rehabilitation service programs with vocational or independent living goals.

Commonwealth and State Governments also provide a significant level and range of support services for intellectually disabled people living in the community. A major aim of the Commonwealth's Disability Services Program is to assist people with disabilities to achieve positive outcomes such as self reliance and community participation, and funds are increasingly being directed to maintaining people in the community.

Adequate support services for the intellectually disabled include the provision by the Department of Social Security of income support payments. Invalid pension may be paid to people aged sixteen years and over if they are permanently blind or not less than eighty-five per cent permanently incapacitated for work as a result of mental or physical impairment. The Department also provides income support for those who care for a severely handicapped age or invalid pensioner in the home.

Child disability allowance is also available to parents or guardians who provide care in the home for a child under sixteen (or a full time student aged between sixteen and twenty-four) who is physically, intellectually or psychiatrically disabled.

Department of Health Housing and Community Services 1993

The Disability Reform Package (DRP) was implemented in November 1991 and included a major expansion of available services to assist people with disabilities to participate in employment. The DRP ensures clients enjoy a co-ordinated plan of access to the services of the Department of Social Security (DSS) the Department of Education Employment and Training (DEET) and the Department of Health Housing Local Government and Community Services (HHLGCS) including the Commonwealth Rehabilitation Service (CRS). To ensure adequate access to programs of assistance,

CRS offered 7400 new places in 1992/93 to eligible DRP clients; community based employment programs funded under the Disability Services Act were also significantly expanded.

In the 1990/91 Federal budget, the Government allocated an additional \$172 million over the following four years to provide over 12 000 additional places in rehabilitation employment respite care accommodation and attendant care services.

It should be noted that these increased rehabilitation places for people receiving Disability Support Pension or Sickness Allowance do not preclude people receiving other social security payments from participating in CRS programs with vocational or independent living goals.

In July 1992, Queensland, Victoria, Tasmania and the ACT transferred responsibility for all accommodation and other support services for people with a disability to State governments under the provisions of the Commonwealth/State Disability Agreement (CSDA). The remaining States and Territories are on target to transfer under the agreement by the end of the 1992/93 financial year.

A key feature of the CSDA is that each State and Territory is required to enact legislation which is complementary to the Commonwealth Disability Services Act before services are transferred. This is to ensure that the social justice principles embodied in the Commonwealth legislation are extended to all consumers, not just those who use Commonwealth funded services.

As part of the agreement the Commonwealth Government has offered the States/Territories \$245 million in additional funding over the term of the agreement. This \$245 million consists of \$145 million for improved services and \$100 million for increases in disability services.

The agreement also provides for the Commonwealth to be involved together with States in broad planning and evaluation of services. The Commonwealth is committed to exercising its influence under this provision to ensure that people with a disability have access to high quality appropriate accommodation and support services.

New South Wales

The Director-General of the New South Wales Department of Family and Community Services has, under section 6 of the New South Wales *Disability Services and Guardianship Act 1987*, the function of assisting in the provision of the following services for or with respect to persons who have disabilities:

- (a) accommodation;
- (b) maintenance;
- (c) care;
- (d) medical and dental treatment;
- (e) advisory services;
- (f) employment;
- (g) any other service prescribed by the regulations or any other service belonging to a class of services so prescribed.

The Department of Family and Community Services has almost forty specialist field staff available to provide a range of services to persons with disabilities. Other elements of this administration, such as the Home Care Service, also provide invaluable assistance to persons with disabilities.

The Department of Community Services is continuing to expand its community support services to people with an intellectual disability and has established Area Disability and Community Support Services Committees to improve service planning, development, management and delivery. The Department continues to monitor and regulate standards of boarding houses and hostels under its Disability Services Licensing Program and has instituted measures to ensure the appropriate referral and follow-up of clients in these centres.

Victoria

Since 1988/89, the community based residential services strategy adopted by the former Department of Community Services Victoria (CSV) for people with intellectual disability has focused on the establishment and expansion of Community Living Support Services (CLSS). These teams of staff provide support to clients in their own homes on the basis of their individual needs. At 30 June, 1990, Victoria was providing community residential services to 1430 people with intellectual disabilities. Of the 1430, around 390 were being supported by Community Living Support Services.

The Intellectual Disability Services State Plan is providing for ongoing expansion of the CLSSs. The former Department of Community Services Victoria also provides a range of respite, crisis and emergency supports to supplement longer term options.

The *Crimes (Sexual Offences) Act 1991* provides a range of provisions that are designed to safeguard persons with intellectual disability from sexual assault.

Queensland

Each Region of Intellectual Disability Services has developed, as part of the Procedures Manual a set of relevant Standard Practice Instructions which inform staff of their responsibilities in reporting suspected abuse.

Currently, the Resource and Assessment Service of Intellectual Disability Services provides a support service to those people, who meet its criteria for service, living in the community and who reside in hostels. Resources, however, are limited.

The Resource and Assessment Service has developed strategies, such as liaison and referral to generic agencies (for example, rape crisis, life line, etc.) to improve access for people with an intellectual disability to adequate support services.

Western Australia

Support services are available in Western Australia.

The AIH is responsible for providing and funding non-government agencies to provide a range of support services for people with an intellectual disability. These include respite care, carer support, recreation and leisure options, advocacy and support with daily living skills.

A policy of AIH is to educate and support other community agencies to respond effectively and appropriately to the needs of people with an intellectual disability. For people who may be victims, or perpetrators of violence or abuse, this has involved liaison with staff from Sexual Assault Referral Centre.

South Australia

There are a range of services available at this time to provide support for carers and those with an intellectual disability in the community, though still inadequate to meet the demand

Community Support Incorporated (Intellectual Disability Services Council) began operation mid 1991 to provide respite care, in response to individual needs for support on a short and long term basis.

Tasmania

Refer to response to Recommendation 23.

Northern Territory

The further development and maintenance of already existing support services for the disabled is both a government and Departmental priority.

Australian Capital Territory

The ACT Government supports the recommendation. A range of services for individuals and their carers, including a range of respite care, home help, assessment, counselling and therapy, are available in the ACT.

The Mentally Ill

Recommendation 25.

Governments should assess the impact of de-institutionalisation of the mentally ill and should improve community support where appropriate in order to reduce the risk of their becoming victims or perpetrators of violence.

Commonwealth

In the past people with psychiatric disabilities were accorded a low priority under the Commonwealth Disability Services Program administered under the Disability Services Act, as their support needs were regarded as a State Government responsibility. However, under the Commonwealth and State Disability Agreement (CSDA), signed by Commonwealth, State and Territory Heads of Government on 30 July 1991 the barriers to service delivery between levels of government which have existed in the past will be removed.

On 15 October 1992 the Senate passed Commonwealth Disability Discrimination Legislation. The legislation will make it unlawful to discriminate against people with a disability, including psychiatric disabilities, in much the same way as existing anti-discrimination legislation relating to race and sex.

Under the Commonwealth and State Disability Agreement, the Commonwealth will be responsible for the provision of employment services for people with disabilities, including people with psychiatric disabilities, and the State and Territory Governments for the provision of accommodation and other services.

Eleven pilot special psychiatric Rehabilitation Units were established from 1991/92 for an initial two year trial period with the objective of providing vocational rehabilitation for people with psychiatric disabilities. Twelve hundred places per annum will be available in this pilot project. 679 places were available in the pilot in 1992/93. The results of the evaluation were due at the end of 1993.

Psychiatric services are the responsibility of the States and Territories. The recommendation will be referred to the National Health and Medical Research Council with a request that it be given priority by the Council. It will also be referred to the Mental Health Task Force of the Australian Health Ministers Advisory Council, as part of the development of the National Mental Health Policy.

The Department of Social Security income support payments are available for intellectually and psychiatrically disabled persons.

New South Wales

Major de-institutionalisation movements occurred in the 1960s and 1970s. The last program of de-institutionalisation in the period 1983/87, under which 208 people with mental illness were moved to community based accommodation, was evaluated by Professor G. Andrews.

Professor Andrews' survey traced 207 of the 208 individuals and involved interviews with 85 per cent of the total group of 208 persons.

The findings included:

- * 78 per cent of the samples said they preferred their new living arrangements, the privacy, facilities and their relationships with staff and other residents;
- * people returned to the community were not a danger to themselves or to the community: 4 per cent had been arrested for minor offences; one had been charged following an assault and was back in a locked hospital ward; and no-one was in gaol;
- * of those alive at the time of the survey:-
 - 64 per cent were living in group homes;
 - 10 per cent were in nursing homes;
 - 16 per cent in private accommodation; and
 - 10 per cent were back in hospital;
- * of those who had died since discharge, the number of causes of death were:
 - natural causes - 13
 - suicide - 3
 - drowning - 1
- * 25 per cent returned to hospital for treatment although for most it was only a few weeks before they were back in the community;
- * the suicide rate among those surveyed was no greater than the average among psychiatric patients;
- * the group appeared to be as law-abiding as the rest of the community.

The recently released Department of Health state-wide strategic plan for mental health services clearly provides a commitment to ensuring access to comprehensive service networks.

The New South Wales Department of Community Services licenses private boarding houses and places emphasis on checking those boarding houses used by de-institutionalised people.

Victoria

In May 1989, the Minister for Health requested that the Social Development Committee of Parliament inquire into Mental Disturbance and Community Safety. The Committee provided an Interim Report in May 1990 on strategies to deal with persons with severe personality disorders who pose a threat to public safety. The Committee reported in April 1991 on community safety and young people. The final report of the inquiry was published in August 1992. The Government is preparing a response.

In 1992, the Office of Psychiatric Services established a sexual health working party to look at organisational change strategies which would respond to the sexual health needs of clients and promote a sexually healthy environment.

Since 1991/92, the balance of spending between hospital and community based care has shifted, with spending on community based services reallocated from 5 per cent to 20 per cent of the budget. The policy is to continue to improve the budget allocations in this direction.

In addition, other community based initiatives have improved, such as mobile outreach and crisis teams, community housing programs and greater availability of day programs. Other initiatives include 'Project Focus', a two year research project investigating the work of community mental health services to assess their strengths and weaknesses prior to mainstreaming and general review/service development process of community based services will be implemented prior to mainstreaming.

The Office of Psychiatric Services recognises that only a small percentage of mentally ill people at risk in the community are at risk from injury to self. The use of community treatment orders under the *Mental Health Act 1986* for maintenance of 'at risk' patients within the community is increasing. Protocols for the reporting of sexual offences against people undergoing psychiatric treatment or who have a mental illness.

The *Crimes (Sexual Offences) Act 1991* provides a range of provisions to safeguard persons with mental illness from sexual assault.

Queensland

The Inter-Departmental Hostels Working Party has developed a number of recommendations relating to standards in hostels. Other issues which safeguard the well being of people with mental disorders and mental health problems living in the community are also addressed.

Liaison between service delivery agencies and organisations that provide shelter for the homeless is increasing.

Liaison with Department of Housing and Local Government has resulted in increased access to affordable housing by people with mental disorders and mental health problems.

Queensland Health is endeavouring to increase funding to community organisations that provide support services. An extra \$250 000 was allocated in the 1991/92 budget for this purpose.

Increased liaison with police is occurring at both a service delivery, education and training level.

An ongoing review of the *Mental Health Services Act 1974-1991* ensures the treatment of people with mental illness in the least restrictive environment.

Programs are being developed in the area of forensic psychiatry which target violent offenders.

An inter-departmental committee was established to look at the issues associated with people with mental illness. The impact of de-institutionalisation and the need for on-going community support is recognised. This issue was raised with the Department of Housing and Local Government as part of the review of their programs highlighting the need for adequate accommodation provision to be made for people with psychiatric disabilities, particularly those who were formerly residents of institutions.

The Office of Disability is coordinating a committee with representatives from the Department of Family Services and Aboriginal and Islander Affairs, the Queensland University of Technology and the community to develop a two-day workshop focussing on young people with disabilities who are at risk. This workshop was to be held in March 1992 and was expected to produce more effective models of care and a mechanism for advocacy for these particularly disadvantaged young people.

Western Australia

Community support is being improved through the allocation of increased funding for community and rural mental health services to support clients and their families. Additional funding is also available to enable people to obtain independent housing in the community.

South Australia

As part of the South Australian Mental Health Services (SAMHS) incorporated in August 1991, services were to be devolved from Hillcrest Hospital with no reduction of beds or services.

Resources released will be used to develop a comprehensive, coordinated community mental health service. A complete range of area-based services including supported accommodation, counselling, vocational and rehabilitation services will be provided on a statewide basis.

Included in these services will be an emergency mobile team operating twenty-four hours, seven day per week to provide crisis intervention.

Tasmania

Refer to response to Recommendation 23.

Northern Territory

There never was any long-term psychiatric care facility in the Northern Territory and thus the institutionalisation of local patients has not been a problem. Further, since the inception of the Northern Territory Mental Health Service, efforts were directed towards:

- * the maintenance of good mental health in the general population;
- * the maintenance of the mentally ill in the community where possible; and
- * limiting institutional care to short-term admissions for patients in an acute phase of their illness. Basically, it can be said that the Northern Territory Mental Health Service is primarily community-based.

In addition, the Northern Territory Government funds non-government mental health organisations such as Gow International, the Northern Territory Mental Health Association and Crisis Line to support the mentally ill in the community.

Australian Capital Territory

The ACT Government maintains its support for this recommendation.

Services available in the ACT to reduce the impact of de-institutionalisation include a range of residential options, therapeutic, recreational and occupational programs, skills development and domiciliary care. The ACT Government is committed to ensuring that the de-institutionalisation of the mentally ill is undertaken in an appropriate manner.

The ACT Government will be responding positively to a report entitled *Balancing Rights: A Review of Mental Health Legislation in the ACT* which contains many proposals which specifically address this recommendation.

A central theme of the report is the protection of the rights of those who are mentally ill and the provision of a better service to clients, including continuation of the trend towards de-institutionalisation.

A Mental Health Advisory Council has also been re-established. It consists of community representatives who advise the Minister responsible on issues relating to mentally ill people.

ACT Health also provides grants to a range of community based organisations which provide information advocacy and support services to those who are mentally ill. The Government carries out on-going reviews and evaluations on current policies and programs in this area to ensure that they are effectively meeting client needs.

The ACT Government was also recently required to assess the impact of its policies in preparing a submission to the Human Rights and Equal Opportunities Commission Inquiry into the Human Rights of the Mentally Ill.

General Crisis Intervention Services

Recommendation 26.

Governments should provide effective, adequately resourced 24-hour mobile crisis intervention services and should introduce them as soon as possible where they do not already exist.

The Committee commends the recent review of Residents Rights in Nursing Homes and Hostels and endorses its direction as the most appropriate strategy for ensuring the security and well-being of aged persons resident in institutions.

Commonwealth

Crisis intervention in the area of psychiatric services is a State and Territory area of responsibility.

The Department of Social Security's Social Work Service liaises closely with community service providers to ensure continuity in service provision for clients and development of services to meet changing client needs. This includes a focus on legal, health, family support and housing needs.

Also refer to response to Recommendation 27.

New South Wales

The New South Wales Department of Family and Community Services provides a full range of crisis intervention services throughout the State during working hours and supplements these with an after hours counselling and call-out service in the Sydney, Wollongong and Newcastle metropolitan areas. In most country areas, local staff provide an on-call service to emergency situations notified to them by the Department's control crisis service. The Department's services are limited to assisting children in need of care, although of course in some situations ancillary assistance may be made available to adult carers of children. The Kings Cross Adolescent Team provides a similar service in the Kings Cross area.

The New South Wales Department of Health is developing comprehensive service networks for people with mental illness. The provision of extended hours/crisis services represents a component of such a network. There are at present 30 extended hours services and more will be developed as funds permit.

The Charter of Residents Rights and Responsibilities and an agreement for residents and proprietors of nursing homes was circulated to all nursing homes.

The New South Wales Police Service provides a 24-hour immediate service in respect of incidents where crime is involved. The Police Service has access to all other agencies and calls upon their assistance as required.

Victoria

The former Community Services Victoria (CSV) operates an after-hours Child Protection Service which provides a comprehensive after-hours child protection service, covering metropolitan Melbourne and since 1992, all rural areas.

The Crisis Support Unit is jointly funded by the former CSV, the Health Department of Victoria, Ministry of Police and Emergency Services with Victoria Police providing the infrastructure. The Unit provides an after-hours service to persons in crisis and comprises a police member and counselor working together. It services the inner-metropolitan area and has recently extended its service to cover the inner-north and west region. Its main clients are women who are victims of domestic violence.

The Office of Psychiatric Services have four mobile twenty-four hour crisis intervention services which service outer-east, north-east, north-west and middle-south and inner-north regions of the metropolitan sector. A further service is being developed for the inner-south region. Services for rural regions are being considered.

Queensland

There are no twenty-four hour mobile crisis intervention services, apart from ambulance services, in Queensland. Consideration is being given to piloting an extended hours community mental health service in Brisbane, as the first step in the provision of twenty-four hour mobile crisis services.

General hospitals in all major population centres in Queensland have psychiatric units with specialist mental health professionals on call twenty-four hours per day.

Intellectual Disability Services provides twenty-four hour care for some of its Alternative Living Service houses. Other houses, and community clients, who receive less support are encouraged to utilise existing crisis services and clients and their families are educated about the nature of these services.

One of the objectives of the Women's Health Sexual Assault Program within Queensland Health is to plan and implement Statewide 24 hour Rape Crisis Sexual Assault Services.

Western Australia

Implemented. The Department for Community Services provides the Crisis Care Unit which is a mobile twenty-four hour crisis intervention unit. In 1992 the CCU received a high rate of calls for violence related issues:

- * 2540 calls for child at risk;
- * 1898 parent/child disputes; and
- * 3836 family violence.

The family violence calls constituted 11 per cent of the CCU's calls in 1992.

Also funded is the Perth Sexual Assault Referral Service which has a 24 hour 008 crisis call line and four regional SARCs.

South Australia

A twenty-four hour crisis intervention service (Crisis Care Centre) was established in South Australia for a number of years.

The South Australian Government through the Department for Family and Community Services funds the Crisis Care Unit which operates twenty-four hours, seven days a week. The Unit has a facility whereby it can attend crisis situations, including domestic violence incidents. A 008 number is available for country callers.

The South Australia Mental Health Service plans to introduce a twenty-four hour seven days a week emergency team to respond to crisis situations involving psychiatric patients.

The Department of Family and Community Services funds the Crisis Care Unit. The Unit operates 24 hours a day on weekends and public holidays and has the facility to attend crisis situations. A 008 number is available for country callers. During 9.00am to 4.00pm Monday to Friday, crisis callers are directed to their local Department for Family and Community Services office.

Tasmania

The Department of Community Services provides a mobile after hours service for victims of domestic violence as well as an on call child protection and separate child welfare service.

The State Government participates in joint Outcome Standard monitoring arrangements in non-government nursing homes, which incorporate the principles associated with the Ronalds Report.

State Government nursing homes incorporate quality assurance practices.

Northern Territory

The Northern Territory Government funds Crisis Line telephone counselling services in both Alice Springs and Darwin. Both these services can be accessed by telephone by people in remote areas, as can the Rehabilitation Services, Child and Family Services and Forensic Services clinics situated in the Tamarind Centre at Parap. The Department of Health and Community Services provides a 24 hour child protection service in the major population centres.

Australian Capital Territory

The ACT Government supports the recommendation.

In November 1990 a twenty-four hour Mental Health Crisis Service commenced operation, staffed by 2 full-time psychiatric nurses and 2 part-time psychiatric nurses with additional psychiatric registrars and consultants being available when required. The staff member on duty also provides advice by telephone when this is sought by clients, families or others. An evaluation of the initial operation of this service provided directions for further improvement.

The ACT Domestic Violence Crisis Service also operates a twenty-four hour mobile domestic violence service.

Other crisis intervention services in the ACT include emergency child protection through the Youth Advocate and Family Services Branch; child abuse assessment and treatment through the Hospital's Child at Risk Assessment Unit; a crisis service for alcohol and drug problems and the twenty-four hour service provided by the Police, including its Sexual Assault Unit.

Family Support

Recommendation 27.

Additional respite child care should be funded by the Federal Government and be made available to all low income families.

Commonwealth

Children at risk of serious abuse or neglect receive third priority for access to Children's Services Program (CSP) long day care services (behind children whose parents are in the labour force and disabled children). Care for children at risk is for a limited period only while the State Welfare Department attempts to resolve the circumstances leading to the child being at risk.

The main objective of the CSP is to support workforce participation of families with young children in order to help alleviate poverty through encouraging employment stability. Due to excessive demand for long day care places the program would not be able to expand respite care.

The CSP funds occasional care centres where parents can leave their children on an hourly or sessional basis when needed. This service can provide some relief from full time parenting. Under the National Child Care Strategy, the Commonwealth is developing, in conjunction with States, more

flexible models of occasional care. These arrangements offer opportunities for respite care for children at risk, with the States retaining primary responsibility for case monitoring.

The Department of Social Security's Social Work Service liaises closely with community service providers to ensure continuity in service provision for clients and development of services to meet changing client needs. This includes a focus on legal, health, family support and housing needs.

The establishment of 'Neighbour Networks' or neighbourhood support networks, as introduced by the National Association for the Prevention of Child Abuse and Neglect (NAPCAN), could deal with the need for many parents for relief on an informal and relatively low cost basis.

New South Wales

In its report, the National Committee on Violence emphasised the importance of mitigating the effects of economic difficulties on families, and the need for facilities for families in periods of crisis.

The New South Wales Department of Community Services sees respite care as an effective way of reducing stress on families in periods of crisis. The timely provision of respite care increases the ability of a family to cope with severe difficulties and makes it more likely that such a family will stay together. Respite care also reduces the likelihood of children being physically abused.

The New South Wales Government supports the provision of additional Commonwealth funding for respite child care.

Victoria

The Commonwealth make funds available to the Department of Community Services Victoria to assist them in the provision of respite child care services.

The Take a Break Program allocated 250 occasional child care places across Victoria in July 1991. The program was designed to focus on neighbourhood settings to encourage use by low income families by providing a low cost easily accessible service. A further 250 places were to be allocated by 1992, following a review of the initial allocation.

Queensland

Limited respite child care is available through the Department of Family Services and Aboriginal and Islander Affairs, Intellectual Disability Services Division and through the Bush Children's Health Scheme. The Mamre Association also provides such care in Brisbane and Toowoomba. There appears to be a dearth of places for adolescents.

The State Government's initiatives in creating an additional 6 000 places in child care will no doubt alleviate much of the stress on young families.

Families seeking respite care often make use of Occasional Child Care Centres. Three hundred and sixty additional occasional child care places were to be provided in Queensland by 1991. There will be three purpose built centres providing a total of 125 places, while 235 places will be provided in existing community facilities, such as Neighbourhood Centres. The latter are known as Limited Hours Care services and are jointly funded by the Queensland and Commonwealth Governments. These services will assist in meeting the child care needs of communities too small to utilise a larger centre. Services will be provided in areas as far as Mornington Island, Hervey Bay and Laidley.

The Commonwealth provides fee relief to low income families using occasional care services.

The implementation of the Commonwealth/State Disability Agreement in June 1992 transferred the responsibility for administration of funding programs associated with accommodation support from the Commonwealth to the State Government. This will include funding of \$2.364 million to community based organisations for the provision of respite care services.

In 1991/92, the Office of Child Care within the Department of Family Services and Aboriginal and Islander Affairs established 57 new occasional care places with another 303 places being developed in mainly small and isolated communities.

The Office of Child Care continues to fund and support the Remote Area Aboriginal and Torres Strait Islander Child Care Program (RAATIC) within twenty-one remote communities in Cape York and the Torres Strait. The Program responds to a range of child care needs including requests for respite care as a result of domestic violence.

The Alternative Care and Intervention Services Program in conjunction with Aboriginal Hostels Limited which is a Commonwealth funded program, funds the Beemar Yumba Family Group Home in Cherbourg. Beemar Yumba works in conjunction with the SAAP-funded Jundah Women's Shelter to provide respite care for children whose families are experiencing domestic violence.

Western Australia

Federal issue

South Australia

The South Australian Government made an additional allocation of funds in the 1991/92 budget to ensure the establishment of 32 occasional care services which, in terms of location and fee structure, were specifically targeted to the needs of low income families. Eighteen of these services were operational by June 1991; twenty-two by October 1991.

Twenty-four additional services will be created through joint State and Commonwealth Government funding. Of all these occasional care services, seventeen are in rural settings.

Northern Territory

For action by Federal Government.

Australian Capital Territory

Respite child care is provided by occasional care services which are funded by both the Commonwealth and ACT governments. These services are supplemented in the ACT by two long day care centres which are targeted towards children of non-working parents and are available to provide respite care. In addition, Commonwealth-funded centres may provide respite care to children who are at risk. Every effort is made to place such children.

Both Commonwealth and ACT funding are committed to expanding child care services under the current National Child Care Strategy. Respite care may be available in these services although children of working parents are given priority of access to these centres.

In 1992, the ACT Government also funded an additional twenty place Occasional Care Centre which will increase the number of places available for respite child care. The ACT Government supports this recommendation. Available and affordable child care is a significant factor in the management of child abuse.

Recommendation 28.

Each State and Territory should establish a 008 hotline for parents to call for support and advice in dealing with children.

Commonwealth

This recommendation will need to be examined by the States and Territories.

New South Wales

The central crisis call-out service operated by the New South Wales Department of Family and Community Services has an 008 number to enable no-cost contact from all parts of the State. Calls made to the service are assessed with respect to urgency and danger to children. Those calls that may be adequately dealt with by telephone counselling and referral advice, and which are to be acted upon in working hours, are dealt with by the provision of these services.

Victoria

The former Department of Community Services Victoria developed a service model for an after hours telephone counselling service for families with children 0 to 6 years. The Maternal and Child Health After Hours Telephone Service began in May 1991. The service is available from 6pm till midnight Monday to Friday and midday to midnight on weekends and public holidays. The service is staffed by qualified Maternal and Child Health Nurses. Country people can access the service on (008) 134853 and the number for metropolitan callers is 853 0844.

Calls were averaging 1600 a month during 1991. The 1991/92 budget allocation was \$211,870 and for 1992/93 is \$256,000. An interpreter service has handled an average of 3 calls per month since inception. A campaign aimed at Vietnamese and Chinese speaking parents is planned for 1993.

Queensland

Queensland has a '008 hotline' for parents to call for support and advice in dealing with children and the 'Kids Help Line', a non-government national service based in Queensland, is examining the possibility of establishing a national 'parents' helpline'.

Western Australia

Implemented. The Crisis Care Unit has an 008 hotline which can provide this service.

South Australia

South Australia has several services of this kind operating, however the toll-free 008 number available is for country callers only.

Child and Adolescent Family Health Services operate a twenty-four hour telephone counselling service for parents, on both a local metropolitan and a 008 number for country callers. This service is staffed by trained nurses, and offers a range of information, resources as well as emotional and crisis support.

The Flinders Medical Centre provides a hotline for parents (Parent Support Group) which operates from five to eleven at night. Calls are diverted from the hotline number to a volunteer, another parent who provides support and counselling for parents in distress.

The Adelaide Children's Hospital provides a twenty-four hour service via casualty, and child protection assessment service as necessary, with staff on call.

Crisis Care (Department for Family and Community Services) provides a twenty-four hour crisis and call-out service, on both a local and 008 number.

Lifeline (Adelaide Central Mission) provide a twenty-four hour crisis telephone counselling service for a range of personal and relationship problems, including parenting issues.

Tasmania

Not established. Refer to response to Recommendation 11.

Northern Territory

Currently the Department of Health and Community Services funds a twenty-four hour 'Crisis Line' counselling service in Alice Springs and Darwin. The Darwin Crisis Line has an 008 hotline.

Australian Capital Territory

Whilst this recommendation may be of more relevance to jurisdictions with a large, scattered and isolated population, the ACT Government recognises that social isolation is also an issue in urban communities. The ACT has in place a wide network of community and government organisations able to provide support and advice to parents on dealing with young children.

Evaluation Of Child Protection Programs

Recommendation 29.

Agencies dealing with child abuse should undertake systematic evaluations of their child abuse intervention programs.

Commonwealth

It is the responsibility of individual agencies to evaluate their own programs. The Commonwealth has a policy of evaluating all its programs and so any agencies funded by the Commonwealth would be required to undertake such evaluation.

Department of Health Housing and Community Services 1993

The National Child Protection Council is funding an evaluation of the Victorian State Government campaign against child sexual abuse with the aim of developing a standard evaluation for child abuse programs.

New South Wales

The New South Wales Department of Health has recently carried out a Review of Sexual Assault Services.

An evaluation has also been completed on the Pretrial Diversion of Offenders Program which is a child protection initiative.

Within the New South Wales Department of Community Services two units have responsibility to evaluate the Child Protection Program: the Research and Data Analysis Unit collects and analyses the statistics on the Department's intervention in child protection cases; and the Program Evaluation Unit conducts reviews of certain aspects of the Child Protection Program in conjunction with the Care and Protection Unit. The Care and Protection Unit conducts an ongoing and systematic review of the trends and in child protection work and the implications for policy and casework in the area.

Some community based agencies providing services to victims of child abuse are funded by the Department. These agencies are regularly reviewed by the Department and continued funding is tied to a favourable and positive evaluation of the services provided.

The Child Protection Council monitors and evaluates all New South Wales Government Services involved in child protection programs.

Victoria

The Department of Community Services Victoria undertake child abuse program evaluations and ongoing review at an estimated cost of \$20 000 per annum. Evaluation of various aspects of Victoria's child protective services include general overviews by Victoria's child protective services, the Victorian Family and Children's Council and independent audits of the Children at Risk Register.

Queensland

The Queensland Centre for the Prevention of Child Abuse is undertaking a 12 month research and evaluation project in conjunction with the Department of Education. The study examines the effectiveness of personal safety education within Queensland's schools, and is being piloted in the Brisbane North Region. This is the first comprehensive study of its kind in Australia.

The Department of Family Services and Aboriginal and Islander Affairs assists funded agencies which provide child abuse intervention services to evaluate their programs. Service agreements are being established with all organisations which are funded through this Department in this area.

All Suspected Child Abuse and Neglect (SCAN) teams in Queensland have a mandate to provide education and early intervention programs for child abuse and neglect, but at present few have the resources to devote to this.

Western Australia

This has not been implemented.

Data collections from individual agencies is available but a systematic approach has yet to be considered. An evaluation of the Child Sexual Abuse Treatment Service Scheme was planned for the 1992/93 funding period. The department has a Data Collection System (Child Protection Information System) that provides ongoing data for research and evaluation purposes.

The Authority for Intellectually Handicapped Persons (AIH) and the Department for Community Services work closely in this area. The AIH policies and practices are regularly reviewed, both internally and by external consultants.

South Australia

There are a large number of agencies and organizations in the health, welfare and non-government areas running child abuse intervention programs at primary, secondary and tertiary levels. Some of these programs are more developed and better defined than others.

The Department for Family and Community Services Child Protection Unit has undertaken some evaluations of child protection programs, focussing on outcomes in terms of re-abuse. The South Australian Child Protection Council, through its Research and Evaluation Committee, has also initiated a review of agency practice and the outcomes for children and families. Evaluation will be given continued priority.

Evaluation research has to date tended to be carried out on specific programs and projects in the area of child protection.

Advice is available from a number of evaluation and research facilities within government departments, in the setting up of projects and immediate and long term evaluation.

The South Australian Police Department undertakes regular evaluations of its child abuse intervention programs.

Tasmania

The Department of Community Services maintains a systems data base which records a substantial amount of information on the clients of the Child Protection Unit. Systematic evaluation of programs is performed against program criteria.

Northern Territory

The Department of Health and Community Services child protection program is under continuous review and evaluation.

Australian Capital Territory

The ACT Government supports the recommendation and gives effect to it through the Child Abuse Coordinating Committee which provides a mechanism for key Government agencies involved with dealing with child abuse to review the effectiveness of their operations for investigating cases of child abuse. In addition, Regional Directors of Family Services have commenced meeting on a regular basis with the senior social work staff at the principal hospital in the ACT to discuss the prevention of child abuse and related issues.

Reciprocal protocols and procedures on dealing with cases of child abuse are being developed between Family Services Branch, the Australian Federal Police, the Royal Canberra Hospital Child at Risk Clinic and other relevant non-government organisations. Systematic evaluation of Family Services Branch's child abuse intervention programs will be further facilitated by the current development of the Branch's strategic plan.

Income Support

Recommendation 30.

The Federal Government should maintain its income support programs for the most disadvantaged members of Australian society.

Commonwealth

The recommendation is consistent with current policy and also with the policy changes in income support arrangements for unemployed persons, as announced in the Government's Economic Statement of February 1990. From July 1991 there were two separate payments for people aged eighteen years and over: a short term Job Search Allowance (JSA) during the first twelve months of unemployment and a Newstart Allowance for those unemployed longer than twelve months. Job Search Allowance will continue to apply to unemployed sixteen and seventeen year olds. The job search allowance puts the obligation of finding work more clearly on the jobseeker, through more active and effective job search. It aims to promote early return to employment and to help avoid long-term unemployment.

The Newstart Allowance involves a more comprehensive and intensive process of contact, assistance and client obligation to deal with the more complex problems of prolonged unemployment. It is subject to a formal agreement between the client and the Commonwealth Employment Service. The agreement sets out planned activities to help job seekers improve their job prospects.

Education income support (student allowances, including AUSTUDY) is a major component of the expenditure of the Department of Employment, Education and Training. This area of expenditure has the objective of promoting equality of educational opportunity and improved educational outcomes through the provision of financial assistance.

AUSTUDY was considerably simplified in the Budget for 1991/92, making it easier for students to understand. Complex academic rules were removed. Allowances were increased in line with indexation and there was an increase in the personal income test threshold for students on AUSTUDY. Provision was made for hardship cases in the application of the assets test, which came into operation from 1 October 1991. Eligibility for AUSTUDY is being extended to students attending privately provided courses; this last provision is to be phased in over several years.

Income support programs are closely monitored to ensure maximum possible access by members of disadvantaged groups.

The Department of Social Security notes that the recommendation is consistent with current social policy and social justice objectives to promote equity in the distribution of resources in order to protect the economically disadvantaged.

The Government's income support programs are accompanied by measures designed to promote clients' financial independence. Programs such as Jobs, Education and Training (JET) and Newstart provide a range of measures to assist sole parents and the unemployed to enter or re-enter the workforce and thereby to improve their economic position. In addition, the Social Work Service in the Department of Social Security aims to assist disadvantaged clients to improve their social and economic circumstances.

Assistance to families, through Family Allowance and the Family Allowance Supplement, is provided subject to income and assets tests to ensure payments are targeted to those who genuinely need assistance with the costs of children. These payments are directed to the primary child carer, generally the mother, who is responsible for the household's expenditure on children.

The Child Support Scheme (CSS) aims to ensure that families receive adequate levels of financial support from non-custodial parents. Under Stage two of the CSS, maintenance payments can be determined by a formula, collected by the Tax Office and distributed by Social Security to custodial parents.

Underpinning these programs are service delivery mechanisms which provide clients with a secure and regular source of income support. Service delivery is supported by training to assist staff to identify clients' entitlements and to provide access to the appropriate form of income support.

These aspects of the Government's income support programs contribute to reducing the potential for violence in the community by providing the socially and economically disadvantaged with adequate and timely income support payments.

Through the Children's Services Program, income related fee relief is provided to ensure that low and middle income working families are not denied access to child care because the fees are prohibitive. This is particularly important for parents making the transition from reliance on income support payments to the workforce. Fee relief payments are administered by the Department of Social Security.

New South Wales

In its report (p.96), the National Committee on Violence noted that most violent offenders are drawn from the disadvantaged strata of Australian society and that general economic decline is likely to be accompanied by an increase in violence. The New South Wales Government notes that the Committee called on the Commonwealth to provide adequate income support to the most disadvantaged members of society to assist in preventing the growth of an underclass.

Victoria

The Income Maintenance and Projects Unit of the Department of Community Services Victoria (CSV) advocates for CSV clients and other disadvantaged groups in cases where there are problems in gaining access to social security payments. The Unit prepares reports, in conjunction with the Social Welfare Administrators Standing Committee on Income Security, for the consideration of Federal and State Welfare Ministers.

Northern Territory

A Federal Government responsibility.

Australian Capital Territory

The ACT Government supports the recommendation.

PUBLIC SECTOR AGENCIES: EDUCATION

The Department of Employment Education and Training comments that Recommendations 31 - 42 are broadly consistent with current policy that aims toward the improvement of Australian schooling within a framework of national collaboration.

The framework is outlined in the Hobart Declaration on Schooling, which resulted from the 60th meeting of the Australian Education Council. State, Territory and Commonwealth Ministers of Education reached agreement on common national goals for schooling in Australia. The goals are intended to assist schools and school systems to develop specific objectives and strategies, particularly in the areas of curriculum and assessment.

This process was complemented by the current national negotiation on the quality of teaching in schools which aims to reach national agreement on the development, training and employment of Australia's teaching force.

The Hobart Declaration also refers to the establishment of the Curriculum Corporation. It is intended that the Curriculum Corporation will become the major vehicle for collaborative curriculum development throughout Australia. Its work will be available to all systems but no system will be bound to use it.

Non-Violent Curricula

Recommendation 31.

Education authorities should include conflict resolution strategies as an integral part of school and other education curricula, and should evaluate their effectiveness.

Commonwealth

NOTE: State and Territory Governments have primary responsibility for school education matters under the Constitution, so the main avenue for the Department of Employment, Education and Training to respond to recommendations concerning violence is through the national collaborative curriculum program being conducted under the aegis of the Australian Education Council (AEC).

At its April 1990 meeting, the AEC endorsed eight areas of learning upon which national collaborative curriculum activity should be based. These are: Mathematics, Science, Technology, English, Languages other than English (LOTE), the Arts, Studies of Society and Environment, Health (which incorporates Personal Development and Physical Education).

Issues relating to violence in all its forms, whether anti-racist, domestic or in the community generally, may be covered in the national statement of common curriculum principles for Studies of Society and Environment. The more personal aspects of violence, self-defence (Recommendation 40), conflict resolution (Recommendation 31) and abuse (Recommendation 39) may be covered in the Personal Development component of the national statement for Health Education. In addition, the national statements for English and the Arts may provide a context for discussing and illustrating the causes and effects of violence in a range of settings. With respect to the study of Aboriginal history and culture in school curricula (Recommendation 51), funds are being provided through the Projects of National Significance Program to secure Aboriginal Studies within the Studies of Society and Environment national statement and other curriculum-related work; this initiative forms one element of a program of national reconciliation being developed by the Commonwealth Minister for Aboriginal Affairs, the Hon Robert Tickner.

The design briefs for the development of national statements for the Studies of Society and Environment, Health and the Arts curriculum areas; and work on the development of a national statement for English, is under way. The Commonwealth will ensure that recommendations in the National Committee's Report concerning the inclusion of violence-related issues in school curricula are referred to the project teams for the relevant national collaborative projects.

The Gender Equity in Curriculum Reform Project provides three million dollars over a three-year period (commenced in June 1990) with the objective of facilitating the development of curriculum which acts equally in the interests of girls and boys, and leads to equality for women and men in home, work and public life. The Project supports the incorporation of the principles and objectives of the *National Policy for the Education of Girls in Australian Schools* into national collaborative curriculum activities with the aim of ensuring that, for example, the statements of common curriculum principles developed for each of the eight curriculum areas along with any associated curriculum materials are all gender inclusive, for example, equally applicable to girls and boys. Gender equity curriculum consultants, funded through the Project, were appointed to work on a full-time basis with each of the project teams established to date including for the Studies of Society and Environment, and the English national projects. Expressions of interest have been sought for gender equity curriculum consultants for the Health, Arts and LOTE projects. This initiative will ensure that, for example, issues relating to gender roles, parenting responsibilities (Recommendation 35), and male and female socialisation (Recommendation 40) are covered in the national statements.

Finally, it is likely that national collaborative curriculum statements, one endorsed by the AEC, will each be subject to a systematic monitoring process with a review of each statement conducted after three to five years (Recommendation 31).

Commonwealth, State and Territory governments are considering the recommendations of the recently completed Review of Young People's Participation in Post-compulsory Education and Training (Finn Review). The Review makes a number of recommendations for increasing young people's participation in employment, education and training, including those most likely to be at risk in the labour market. One recommendation concerns the acquisition of key areas of competence seen as essential for all young people engaged in post-compulsory education and training. Personal and inter-personal skills is one suggested area of competence, encompassing personal management and planning, including career planning; negotiating and team skills; initiative and leadership; adaptability to change; self-esteem and ethics. If this and other key competencies are endorsed by governments for inclusion in curricula of TAFE and other education and training courses, they should assist young people to become socially competent; to develop a respect for individuals' rights and a sense of social responsibility.

The Office of the Status of Women noted that curriculum materials on the gender basis of patterns of violence and violent behaviour would also be necessary to address the forms of violence identified in the National Committee on Violence Report.

A resource of this kind, targeted at fifteen and sixteen year olds, was produced by the National Domestic Violence Education Program and is being widely distributed through youth groups and schools.

New South Wales

The New South Wales Department of School Education has included materials on conflict resolution in a document which it has produced, entitled *Resources for Teaching Against Violence*. This document was distributed to all regions within the Department in 1991. The Conflict Resolution Network was working with the Department to train teachers with the result that Conflict Resolution is being taught in many schools. Material taught in schools is routinely evaluated.

Victoria

This recommendation will be brought to the attention of the board of studies when established by the Department of Education.

The 'Violence is Ugly' Community Awareness Campaign provides copies of the Community Information Kit produced for the third campaign to all Equal Opportunity Resource Centres, in the Department of Education, all Equal Opportunity officers in TAFE Colleges and all equal opportunity co-ordinators in tertiary institutions. The kit included a video made for the campaign entitled 'Break the Cycle'. Other resources arising out of the campaign were also made available to schools and other educational institutions.

In addition, the Defensive Living Program Train the Trainer initiative targeted the education sector, by conducting a one day training program, which included the examination of the cycle of violence and issues around the psychology of male perpetrators.

The establishment by the Victorian Government of the Peace Education Resource Centre (PERC) represents a significant initiative in facilitating the teaching of conflict resolution skills to school children. The PERC has both a reactive and a pro-active role in Peace Education. The reactive role involves responding to schools requests for advice or resources. Proactively, PERC promotes peace education in schools and the broader educational community by initiating professional development for schools and teacher training institutions, developing curriculum materials, conducting workshops for students and providing information in PERC newsletters and other Ministry of Education and Training publications.

The Peace Education Resource Centre promotes conflict resolution in schools as part of their consultancy roles provided by two statewide consultants. This includes professional development for teachers.

A number of government and non-government agencies also promote the PERC consultancy services and library through their various networks and publications. The Peace Centre operates on two teachers' wages, a part time word processing officer and a budget of approximately \$6 300 per year.

Queensland

The following curriculum initiatives utilising conflict resolution strategies were developed by the Department of Education.

Political Studies Senior Syllabus:

All units in the syllabus emphasise the development of the knowledge and skills used for decision-making through appropriate social and political institutions. For example, the unit 'What Shapes World Politics' incorporates studies of peace and conflict resolution on a global scale. The syllabus

also emphasises student skills of negotiation, co-operation and compromise at the classroom level of decision-making.

- * An initiative to develop policy and guidelines for Peace Education in Queensland State Schools is at the proposal stage. A major thrust of this initiative is the concept of conflict resolution and its associated skills and techniques.
- * Each region through their educational advisers in behaviour management and Human Relationships Education is able to offer various social skills training programs which incorporate conflict resolution strategies programs such as 'Stop, Think, Do', 'Alternatives to Aggression', 'Talk Sense to Yourself' are taught to individuals and groups of students. Teachers may access 'Managing Aggression Program', 'Alternatives to Aggression: A Classroom Approach' for skills in this area.
- * An initiative of the Department's Gender Equity section is the production of the magazine RAZZ. RAZZ 1992 was produced and sent to all year 8 students in Queensland State schools. Articles which explore the issue of violence in society included 'What Makes a Man', 'Street Wise', 'Advertising - Are You Sold' and 'It's Not Fair'.
- * Through the Technical and Further Education (TAFE) curriculum, program initiatives for the training of Health, Welfare and Child Care professionals include modules on:
 - Domestic Violence (spouse abuse) Marriage Counselling;
 - Adolescence in Crisis; and
 - Child Abuse.

These modules were implemented in 1992 through Human Relationships Education.

- * Life skills components in many programs include conflict resolution and mediation skills.

Western Australia

The Western Australian Government strongly endorses this recommendation, with the proviso that 'conflict resolution' strategies should be taught within a gender and power and control context. Currently, conflict resolution strategies are included in all home economics courses, however most students participating in this unit are female. For this reason, conflict resolution strategies are also interwoven into Social Studies curricula. The Western Australian Government has also developed a Child Abuse and Domestic Violence Prevention Education Program which addresses these issues, as part of the K-10 Health Education syllabus.

South Australia

Many teachers, school counsellors and student services workers across the State are implementing conflict resolution strategies with various groups within their school communities. Some are implementing these strategies as part of a whole school approach to behaviour management. Specific policies such as Sexual and Racial Harassment and School Discipline and programs such as the harassment grievance procedures and the primary school counselling program, highlight the need for the development of conflict resolution processes.

The Education Department's policy *Student discipline: the management of student behaviour* was released in November 1989. The policy highlights the unacceptability of any form of violence and the need for school communities to develop conflict resolution procedures. Schools had two years to implement a local version of the policy and to have it accepted by their school community. The Implementation Kit, which is part of the policy package, contains several entries on developing specific conflict resolution strategies and techniques. This kit is used as the basis for state training and development programs in schools. Whilst the conflict resolution strategies are not evaluated

directly, schools, in conjunction with the Education Review Unit, are expected to evaluate the implementation of this policy which includes these strategies.

Conflict resolution strategies are part of the primary school counselling program which in 1990 introduced school counselling to fifty-eight campuses throughout the state. In 1991 the number of counsellors was 70 on one hundred and three campuses. This program uses a preventative and developmental approach to school counselling which aims to provide early intervention with behavioural problems. School counsellors work with individuals, small groups and classes assisting students, teachers and parents to enhance their skills in responsible behaviour management. Teaching conflict resolution skills is an integral part of this program in the participating schools. The Primary School Counselling Project uses three evaluative measures to monitor the program's impact in participating schools.

A specific example of work being undertaken within the program is Ridley Grove Schools where the staff have chosen to concentrate on understanding and reducing violence within their school community. Many different activities were undertaken with groups of teachers, students and parents. The impact of this work is being evaluated using a pre and post measure of disruptive behaviour.

A number of student services workers, school counsellors and teachers have attended workshops conducted by the Conflict Resolution Network (an international peace organization endorsed by the United Nations). A very useful resource folder full of conflict resolution strategies is supplied to all participants undertaking the two day training program. These strategies and folders are now starting to be used in South Australian schools integrated into Health, English and Pastoral Care curricula.

The Children's Service Office was involved since 1985 in adapting its prime focus of child abuse prevention, Protective Behaviours provides a basis for addressing such issues as resolving conflict between children and intervening early to prevent the adoption of sexist and racist attitudes.

In June 1991 the Children Services Office published *Safe Start: Safe Future*, a curriculum approach to child protection in early childhood settings, based on the Protective Behaviours Program. This manual proved extremely popular interstate as well as in South Australia, and interest was also expressed from England and the United States.

A major evaluation of the effectiveness of the Protective Behaviours Program is being undertaken in cooperation with the Education Department, Catholic Education Office and Independent Schools Board.

Teachers in the Education Department continue to be supported to undertake in servicing to upgrade their skills in conflict resolution, mediation and peer support as part of the implementation of the School Discipline Policy.

Tasmania

Recommendations 31, 32, 33, 34, 35.

The Department of Education and the Arts has several initiatives in place designed to teach effective non-violent means of resolving conflicts. A folder of information on available programs and resources in this area was distributed to all schools and colleges in 1991. The department has encouraged schools to see student support programs as a co-ordinated and integrated part of their overall school planning and organisation rather than introducing as hoc programs in response to a particular problem.

The Supportive School Environment Program helps schools first to develop an overall positive learning and social environment and then to incorporate specific programs for personal and social education, successful problem-solving and interpersonal skills and supportive corrective procedures. The program encourages the analysis of the gender basis of patterns of violence and violent behaviour.

Over half of all schools and colleges have undertaken this program as a major part of their professional development.

The skills of problem-solving and co-operative learning are an important part of conflict resolution and are compulsory criteria for TCE assessment.

The Department also employs 44.8 guidance officers who are registered psychologists and 22.3 social workers to assist schools and colleges in developing appropriate responses to conflicts. On a per capita basis, Tasmania has the highest number of these support staff directly working in schools when compared with other states and territories.

Individual schools have also been encouraged to develop specific conflict resolution programs and to evaluate these. Programs involving effective conflict resolution training which were successful in Tasmanian Schools in the past year include the following:

- * health education programs - a strong emphasis on personal development skills such as communication, decision making and conflict resolution;
- * Peer Support Programs - students develop responsibility for assisting their peers and working together;
- * outdoor adventure programs - students learn to cope with personally challenging situations and are encouraged to develop trusting relationships with others;
- * professional Assault Response training - teachers learn a systematic and planned approach to the intervention and control of students who are potentially violent;
- * teaching Alternatives to Aggression program - a social skills program which teaches students to address personal characteristics that increase the likelihood of aggression and to accept responsibility for their choices;
- * Stop, Think, Do Program - which teaches both teachers and students to resolve conflicts and avoid reacting impulsively to disruptive behaviour; and
- * mediation training - a social skills program where the specific focus is on resolution of conflicts.

Gender equity is also an area where the Department has placed a great deal of emphasis. In addition to a substantial professional development program in this area, the Department has developed policy and processes for dealing with sex based harassment of both students and staff.

Although corporal punishment is not encouraged within government schools, the *Education Act 1932* allows it to be administered according to strict guidelines. A survey carried out in 1990 showed that only 26 per cent of Tasmanian schools had used corporal punishment in the previous year and this figure is probably lower now. As part of the revision of the *Education Act 1932* being undertaken, the issue of corporal punishment will be addressed.

Northern Territory

Conflict resolution strategies are incorporated in educational programs in Primary and High Schools in a number of ways. Firstly, through a South Australian Certificate of Education curriculum as part of the examination of Australian and other cultures. Self-esteem programs as part of Health Curriculum include such topics as problem-solving, conflict resolution, assertion without aggression, interpersonal interaction and effective communication. The Territory also has guidance officers directly involved in assisting teachers and students to develop strategies in these areas. High Schools have Counsellors, part of whose responsibility is to work on conflict resolution and problem-solving with students and teachers. The Behaviour Management Team, through its Effective Teaching Program, has taken this service into 35 schools throughout the Northern Territory.

Australian Capital Territory

The ACT Government supports the recommendation.

Conflict Resolution Strategies is one of several professional development courses being offered within the Department of Education and the Arts.

Conflict resolution strategies are also a feature of programs conducted in schools through student management, school decision-making procedures and appeals procedures.

The Department of Education and the Arts works with relevant non-government organisations - for example the Conflict Resolution Service which provides support and practical help including the training of mediators from both student and teacher populations.

Recommendation 32.

Teacher training institutions should incorporate materials relating to non-violent conflict resolution, including an analysis of the gender basis of patterns of violence and violent behaviour, in their curricula.

Commonwealth

Pre-service teacher education is the responsibility of autonomous institutions within States and Territories.

Matters relating to the curriculum of pre-service teacher education courses could be referred to the Deans of Education group in the higher education sector.

New South Wales

In general, the inclusion of specific curriculum issues in teacher training is a matter to be determined by each institution. Institutions may consult with the Board of Studies and the Department of School Education.

Ongoing consultation is in place between the New South Wales Department of School Education and teacher training institutions in relation to appropriate content of courses to address issues of violence, gender and violent behaviour.

Victoria

The Personal Safety Program was implemented in primary schools since 1989. Teachers are trained in one-day workshops how to inculcate in children the basic ideas for mental and physical well being.

A protective behaviours component was incorporated into the Health Education Program of primary teacher training at Frankston campus, and inservice training was provided to teachers by the State In-service Education Committee.

Dr Dianne Bretherton, Senior Lecturer in Psychology at the University of Melbourne, Ms Andrea Allard, the Equal Opportunity Coordinator at the Institute of Education, University of Melbourne and Ms Linda Collins, a teacher and welfare officer in the Department of Education have produced a video and teachers notes called 'After Gender and Conflict in After School Care'. The video was made with B Ed (primary) students who were trained as group facilitators and were taught awareness of gender issues and conflict resolution skills. The program offers ways in which adults can learn to help boys and girls to relate to each other and to develop skills in dealing with conflict. A Train the

Trainer program for educators who work with teachers, after school care workers and trainee teachers has also been conducted.

The Protective Behaviours Program provided by Victoria Police and other trained personnel was implemented across schools in Victoria.

Queensland

All Higher Education Institutes in Queensland address human relationships issues in terms of:

- * research agendas;
- * Masters and PhD programs; and
- * specific courses - for example, Bachelor of Education, Graduate Diploma of Education and minor specialisations.

The Centre for Learning and Adjustment Difficulties, Department of Education, offers a two-semester inservice program. Teachers participating in the Adjustment Program Teacher In-service Course and the School Support Teacher In-service Course undertake extensive studies and supervised practicum in the use of non-violent conflict resolution strategies. They are encouraged to use these strategies both to meet the needs of students and their families and the professional development needs of teachers.

Western Australia

No action, Western Australia Office of Higher Education. There is a general lack of awareness by the universities of the report of the National Committee on Violence and no evidence that it has ever been drawn formally to their attention.

Nevertheless, the kind of issues raised in Recommendation 32 relating to non-violent conflict resolution and Recommendation 38 regarding training to recognise child abuse are inevitably part of the existing curriculum for the preparation of teachers.

While recognising the importance of these issues there is always a problem of ever-expanding demands being placed upon the curriculum for teachers in training. However, now that these recommendations were drawn to the attention of education faculty there is a stronger likelihood that these issues will be deliberately addressed.

South Australia

The Training and Development Program, 'Protective Behaviours', skills teachers in a process for teaching children non-violent conflict resolution strategies. The materials which support this program draw attention to the gender basis of patterns of violence.

In addition, the implementation of the National Policy on the Education of Girls includes provision for the analysis of gender patterns.

Resource Centre teachers were alerted to the need for critical selection of new materials, and systematic weeding of inappropriate materials.

Graduate teachers also have the opportunity to receive information about violence in the home through the 'Homefront' newsletter. This is produced by the Domestic Violence Prevention Unit, Domestic Violence Service and Child Protection Unit and is sent to all State primary and secondary schools and independent schools throughout South Australia.

The Health Commission established a working party reviewing service co-ordinating for victims of rape, which also looked at ways of funding a 24 hour service.

Tasmania

Refer to response to Recommendation 31.

Northern Territory

Teacher education programs at Batchelor College address and look at social issues. College students are constantly involved in action research and the topics they choose cover a wide range of social issues, some of which are embedded in violence, violent behaviour and child abuse. Conflict resolution is specifically considered in the new Diploma of Teaching particularly in the community studies strand. The Associate Diploma of Management also looks specifically at conflict resolution.

Australian Capital Territory

The ACT Government supports the recommendation.

The ACT Government endorses incorporating Conflict Resolution into teacher training. However, as there are such small numbers of new teachers coming through the system, the Government believes that there is a need, in the short-term, to concentrate on teachers in the system. Efforts in this direction are detailed under Recommendation 31.

Corporal Punishment

Recommendation 33.

Corporal punishment in all schools, public and private, should be prohibited by law.

Commonwealth

This recommendation concerns legislative matters that are the constitutional responsibility of the State and Territory governments.

New South Wales

In New South Wales, each Government school is asked to develop a Fair Discipline Code in consultation with its community. The Code includes ways in which the school will commend appropriate behaviour and deal with inappropriate behaviour. Very few schools and their communities have adopted corporal punishment as part of their Fair Discipline Code. Parents have the right to veto corporal punishment for their children.

Victoria

Education regulation No. 258 of 1988 made under s.82 of the *Education Act 1958*, concerning discipline in State schools, prohibits the use of corporal punishment by any school member.

Non-government schools registered under Part III of the Act are not prohibited from using corporal punishment as a condition of their registration. However, the Registered Schools Board may refuse to register or can cancel the registration of any school if it is satisfied that the instruction given is not or will not be of a satisfactory standard.

Queensland

Queensland has already committed itself to the abolition of corporal punishment. Amendments to the Education Regulations 1989 will take effect from the beginning of the 1995 school year.

This time-line of two years will enable State school communities to develop alternative behaviour management strategies and services which are being promoted and supported. A policy on Managing

Behaviour in a Supportive School Environment guides schools in establishing codes of behaviour and appropriate, non-violent consequences for infringements.

Western Australia

This recommendation was enacted by law in all Western Australia schools since 1986.

South Australia

In 1987, the State Government of South Australia declared its intention to provide legislation to abolish the use of corporal punishment in all schools, both state and independent, following a five year phasing out period. During this period, the use of corporal punishment was to be surveyed regularly each year in all State schools. During 1987, 143 schools used corporal punishment. This number decreased to forty-nine schools in 1989. The community perception that the abolition of corporal punishment leads to an increase in disruptive behaviour was debunked by these surveys which indicate no increase in disruption.

The new policy, *School Discipline: the management of student behaviour* was released in November, 1989 and it is being implemented in all schools as a priority in the Three Year Plan. This policy excludes the use of corporal punishment as a behaviour management strategy and makes the following statements in its Rationale:

Corporal punishment is incompatible with a commitment to child protection and to the reduction of domestic and social violence; it incorrectly models violence as an acceptable way of dealing with difficulties; it does not teach students alternative ways of behaving.

The Education Department is using the School Discipline policy and other policies related to child protection, sexual and racial harassment and gender issues, coupled with the abolition timeline, to assist in the development of a non-violent culture in schools.

Training and development for school staff and the involvement of the school community in decision-making in relation to behaviour are part of an education process to change school community views towards violence in South Australia.

The experience was that, as teachers demonstrate effective behaviour management using non-violent responses, parents begin to question the use of violence at home. School communities request training and development for parents in behaviour management and the whole community becomes committed to the abolition of violence towards children. This attitude change is happening over a two to three year period in many schools. Parenting courses are available from Child Adolescent and Family Health Service and from the Community Health Centres as part of the implementation of the recommendations from an Inter-agency Report.

In mid 1991, regulations were amended to prohibit the use of corporal punishment in all state schools.

Tasmania

Refer to response to Recommendation 31.

Northern Territory

Corporal punishment is permitted in government schools only as a last resort and is very rarely used.

School counsellors, guidance officers and the behaviour management teams are active in the business of assisting schools to find more appropriate methods of discipline and social control.

There is also a trend in Northern Territory schools, in line with other areas of school management, to encourage the involvement of School Councils in the formulation of discipline procedures, and many are evolving discipline processes which exclude any form of corporal punishment.

Section 11 of the Criminal Code would need to be amended to expressly implement Recommendation 33. This is not considered to be a priority issue at the present time.

Australian Capital Territory

Since 1988, the ACT public school system has had a policy prohibiting the use of corporal punishment in its schools. It should be noted, however, that this policy does not extend to the private school system.

Recommendation 34.

Educational authorities should develop constructive, non-violent means of social control to replace corporal punishment.

Commonwealth

The Institute of Criminology, through the Violence Prevention Unit, liaises with Commonwealth agencies, their State and Territory counterparts, community representative groups and others over the identification and development of constructive forms of non-violent social control. It maintains computerised data bases on relevant projects in operation elsewhere, including specific data bases on projects submitted for the Australian Violence Prevention Award, and project data held in the clearinghouses on violence against women and child protection.

Also refer to response to Recommendation 33.

New South Wales

The New South Wales Department of School Education has a policy document entitled *The Values We Teach*. It stresses the importance of positive human relationships, respect for the rights and needs of others and the pursuit of peaceful resolution of conflict. A kit, Resources for Teaching Against Violence, is available to teachers and provides them with materials to develop non-violent relationships.

Victoria

The Ministry of Education and Training has developed 'The Whole School Approaches to Discipline and Welfare 1990'. A pilot was conducted in 1988/89 and the program implemented in Education Department regions during 1990.

All state schools are required to develop a school discipline policy and guidelines which stress the importance of a constructive problem-solving approach. Support material to help schools with the implementation of this approach were developed and professional development programs were developed.

The Peace Education Resource Centre also provides support and encourages schools to develop codes of behaviour and non-violent means of social control.

Queensland

Within the Department of Education policy guidelines and resource materials have been developed for 'Behaviour Management in a Supportive School Environment', to be disseminated to all State schools in 1993.

The Department is committed to:

- * encouraging school communities to adopt a whole school approach to student management practices consistent with social justice policies which are conducive to good discipline and an improved quality of education for all students;
- * enhancing the interpersonal relationships, organisation and management skills of individuals within the school community which will enable them to adopt appropriate student behaviour management practices; and
- * providing an appropriate co-ordinated continuum of fair and just educational services for students who display patterns of more serious anti-social behaviour.

The program IMPACT is one whole-of-school approach to behaviour management which is operating in over 20 schools throughout Queensland. It uses current management principles to support schools in developing their own solutions to problem behaviours. Many such programs are being implemented. Departmental resources will provide information and guidelines to help schools develop the most appropriate approach.

Western Australia

This was implemented through the program on *Managing Student Behaviour: Whole School Approach*, which provides schools with access to a systematic training program to assist teachers in developing non-violent means of resolving conflict.

South Australia

In South Australia State schools, corporal punishment is being replaced by constructive, non-violent means of social control. As part of the five year phasing out period for corporal punishment, strategies on effective non-violent behaviour management used in leading edge schools in South Australia were collected and documented over a two year period. From this information, the main characteristics of good practice schools were identified and developed into the Education Department's new *School discipline : the management of student behaviour*.

The main statements of the policy relate to the creation of a safe, caring, orderly learning environments, the development of individual responsibility for behaviour, an increase in the school's success-orientation for all students and the development of a partnership between staff, students and their families.

This policy requires schools to develop behaviour management strategies which do not involve any form of physical punishment or verbal harassment. Principals have the responsibility to ensure that the consequences of irresponsible behaviour are non-violent and designed to teach responsible behaviour.

Extensive training and development programs are being undertaken at school and Area level in order to assist teachers to enhance their student behaviour management skills.

Parenting courses, conducted by health and welfare agencies as part of the implementation of the recommendations in an inter-agency report, are offered in many school communities in order to assist parents to enhance their student behaviour management skills.

The Children's Services Office has begun to address this issue through staff development programs on Conflict Resolution and Education for Peace and Human Rights. Further thought should be given to the most effective way of developing this initiative throughout the system, with appropriate evaluation mechanisms.

Corporal punishment is banned under the Administration Instruction and Guidelines in all State Schools of the Education Department. The Catholic sector has developed similar bans as have some independent schools. Constructive non-violent techniques are actively taught and modelled as part of the implementation of the school discipline policy. Students, staff and the wider school community participate in negotiations to develop a clear statement of the rights and responsibilities of all members of the school community within the context of the state policy. The consequences for respecting those rights and fulfilling these responsibilities are negotiated as well as the logical consequences for irresponsible behaviour.

The Education Department also developed a new set of procedures for suspension, exclusion and expulsion of students based on the best practices of schools to reinforce and extend the repertoire of constructive non-violent practices. These procedures include conferencing with families limited amounts of time that students can be away from their educational program, behaviour contracts and student development plans. The focus of this initiative is upon the examining the correlation between learning difficulties and behavioural difficulties and taking the appropriate action to ensure all students complete secondary schooling.

Tasmania

Refer to response to Recommendation 31.

Northern Territory

School counsellors, guidance officers and Behaviour Management Services are in the business of assisting schools to develop more appropriate strategies for student management and disciplinary procedures. Schools are also being encouraged to involve their school councils in the formulation of policy in this area.

Behaviour Management Services, through their Effectiveness Training Programs are assisting school communities to design develop and implement whole school approaches to effective discipline. This involves working with students, teachers parents and administrators.

Australian Capital Territory

The ACT Government supports the recommendation.

The ACT Education system has made significant progress in developing and implementing constructive, non-violent means of social control.

Successful initiatives which were implemented in the ACT public school system include programs such as Peer Support and Conflict Resolution which encourage non-violent means of solving disputes; policies and procedures for the management of student behaviour in ACT public schools are being continually developed with the objective of developing self discipline and self-esteem among students, fairness, respect for the rights of others, and promoting healthy emotional and social development.

In addition, the Education Department is establishing off-line education units to deal with the special needs of children in the education system with behavioural difficulties.

In 1992, the ACT Government gave further effect to this recommendation through the ACT Department of Education and Training which established the Adolescent Development Program to provide a developmental program in ACT schools to assist students who may be experiencing behavioural, emotional, educational or social problems. The program provides a range of challenging activities designed to enhance self esteem and living skills of program participants.

Parenting Education

Recommendation 35.

Programs should be introduced into school curricula for instruction in human relationships, including proper gender roles and parenting responsibilities and child development.

Commonwealth

All State and Territory Education Departments and the major non-government education authorities are implementing the *National Policy for the Education of Girls in Australian Schools*. This will be extended by the *Contemporary Curriculum Reform Initiatives for Girls and Boys*, an initiative of the Commonwealth Government designed to promote the reform of school curricula to make them equally relevant to girls and boys and in such a way to assist their move towards a future of equality at home, work and public life.

Though implementation of this recommendation is primarily a matter for the States and Territories, the Violence Prevention Unit liaises with the government agencies and organisations involved in parenting education, over the identification and development of models for instruction in various aspects of parenting and education against violence. This includes those aspects relevant to the child's existing relationship with its parents and siblings, and longer-term training relevant to the child's ability at a later stage to provide effective parenting.

Also refer to response to Recommendation 31.

New South Wales

Personal Development, Health and Physical Education is a mandatory area of study from K to Year 10 and includes the content strand of 'Interpersonal Relationships'. It does not directly include areas relating to parenting and child development but these topics are included in optional courses such as :

- * Years 11-12 2/3 Unit Life Management Studies
- * Joint Secondary Schools TAFE Child Care course.

The Child Protection materials 'Preventing Sexual Assault' which were available to schools since 1989, can also be taught within the Personal Development, Health and Physical Education syllabus. Apart from teaching skills to protect children from sexual assault, a second strand, positive relationships, examines issues of gender and power.

Gender roles are discussed in all of the above courses.

Victoria

Education for parenting is included in the content of two major curriculum initiatives of the Department of Education. In 1992, 13.8 per cent of year 11 and 18.5 per cent of year 12 students enrolled in Human Development and Society. Included in the curricula are 'communication skills', racial and sexual harassment and other gender equity issues. Personnel at Equal Opportunity Resources Centre assist schools to address gender equity issues. Family violence and domestic violence are studied in a range of subjects at Victorian Certificate of Education level including Legal Studies and English.

Queensland

Human Relationships Education (HRE) is an educational initiative of the Queensland State Government administered by the Department of Education and aimed at developing the ability in young people to understand themselves and their relationship with others.

The initiative was introduced into Queensland State schools in 1989 and is in the fourth year of a five year implementation plan.

HRE is implemented from preschool to Year 12, and is designed to ensure continuity for HRE implementation and systematic planning for the development of HRE learning throughout preschool, compulsory schooling and post compulsory schooling. The kinds of learning activities and teaching strategies vary according to the needs of particular groups of young people.

The Interim Policy and Guidelines Statement of HRE advocates that HRE should be part of the total school environment and that HRE be a planned part of the school's curriculum -both formal and informal.

HRE is also a vehicle for the implementation of anti-violence programs developed by agencies such as the Domestic Violence Task Force, the Queensland Centre for the Prevention of Child Abuse and DRUG-ARM. HRE consultants have actively assisted in the development and delivery of such programs and the production of written resources including *Towards Non-Violent Behaviour* and *Grief and Loss*.

Topics included in HRE which contribute to violence prevention are:

- * communication and relationship skills;
- * conflict management;
- * collaborative consultation instead of confrontation;
- * assertiveness instead of aggression;
- * problem-solving skills;
- * personal safety programs provide anti-victim skills, especially in child abuse, domestic violence, drug abuse, sexual harassment and rape (including date rape);
- * self-esteem building;
- * coping skills including those required to cope with bullying and teasing;
- * stereotypical behaviour and type-casting;
- * violence in sports;
- * valuing others;
- * knowledge, understanding and respect of other cultures; and
- * resisting peer group pressure.

The Review and Evaluation Directorate has completed a review of HRE state-wide. At November 1992, 49 per cent of schools were implementing the program, 36 per cent were writing proposals and the rest had yet to begin the process.

'Guidance Tutoring' is a particular approach to pastoral care in schools which focuses on both the stages of student development and the critical incidents students face in a school context. It addresses the guidance and counselling role of all teacher and provides intentional skill-development lesson material.

This is incorporated under a developmental framework comprising four stages and six themes. The stages, based on the critical incidents created by the organisation of the school year are induction, experience, selection and transition. The themes, based on the developmental issues of adolescence are care and support, interpersonal skills, group skills, learning to learn, future planning and health and personal safety.

Over 1000 key personnel from a wide range of schools have participated in training programs designed to assist them incorporate this approach in schools.

The Department of Education has also launched the *Gender Equity in Education Policy* and has as a priority in its Departmental Development Plan 1992-96 the development of implementation plans for the *Gender Equity Policy* and the *National Policy for the Education of Girls*.

In the consultative processes to develop this plan, the Department of Education is developing a specific, dedicated focus to issues of violence in gender relations. This represents a significant change of focus in the development of policy and practice in the area of gender equity in education.

In the past, most gender equity programs have projected the issues of uneven participation rates across various areas of the curriculum, leading to unequal educational outcomes, as the major problem to be addressed. It is now widely recognised that the participation issues are part of the larger problem of unequal gender relations based on discriminatory practices, which are deeply embedded in students' social experience of schooling, and in curriculum and school organisational practices. Such an approach does not regard student choices, and in particular, girls' choices, as the central problem; rather, it locates the problem in the construction of gender.

This change of focus is supported by:

- * OECD research which clearly indicates that practices, designed to achieve gender equity, which focus mainly on improving participation patterns in curriculum areas (particularly in the 'non-traditional' curriculum areas) have not been successful either in enhancing educational outcomes for girls, or in reducing levels of gender segregation in the workforce;
- * the evidence of wide-spread acceptance in the community and especially among school-age boys of rape and violence against women;
- * the report *Listening to Girls*, commissioned for the AEC Committee for reviewing the *National Policy for the Education of Girls*, based on discussions with over 800 schoolgirls across Australia which noted that sexual harassment was the most disruptive influence in girls' daily lives at school, affecting their academic participation and performance, as well as their social experience of schooling; and
- * the recognition that cost-effective responses to the issue of violence against women involve an enhanced role for education in reducing the high level of violence against women in the community as well as in improving educational outcomes based on attainment, retention, and post-school options in relation to income capacity and improved career pathways.

In responding to this change of direction, the Gender Equity Unit has developed a planning framework with six broad aims. These aims closely reflect the priority action areas established for the National Policy for the Education of Girls, which also recommend strategies to address issues of violence. While these six aims are inter-related, the two which focus directly on the issue of violence against women are:

- * to enable all students to realise their capacities and interests, unconstrained by inappropriate social expectations regarding masculinity and femininity.

Objectives:

- to develop in educators, students and parents an understanding of the constraining influences of social expectations regarding masculinity and femininity;
- to enable students to develop a critical approach to construction of gender;
- to develop an understanding of the role of schools in addressing issues of violence which arise from the construction of gender.

- * To provide a supportive school environment free from sexual harassment.

Objectives:

- to increase the number of educators, students and parents with an understanding of sexual harassment;
- to reduce the incidence of sexual harassment in schools.

National Policy for the Education of Girls:

In addition, the Department of Education has endorsed the National Policy for the Education of Girls, and has also participated in the review of this policy over the past year, through its representative on the Australian Education Council's review committee for the National Policy for the Education of Girls. At the meeting of the AEC in September 1992, the revised action plan for the policy was endorsed. The National Policy specifically calls for action on girls whose education is at risk through issues of violence, sexual abuse, pregnancy, or homelessness. Sexual harassment is also a priority action area. Accordingly, the Department is committed to addressing these issues.

The Ministerial Advisory Committee on Gender Equity has developed a policy statement on gender equity in education. It includes the following statements:

- * Schooling will encourage the development of attitudes and behaviours in girls and boys which promote social responsibility, empathy and sensitive, equal, non-violent relationships;
- * Schooling will ensure a supportive learning environment which discourages all forms of sexual harassment (verbal and physical);
- * Schooling will assist students to understand the construction of sex-role stereotypes and to explore their own attitudes to gender roles and the implications of these attitudes for their adult futures; and
- * Schooling will prepare girls for their rights to personal respect and safety, to economic and social independence and to participation in and influence over decisions which affect their lives.

The Minister for Education has accepted the policy statement in principle and the Department of Education is processing its implementations.

Further, the Gender Equity Unit is operating a federally funded project in six Northern Region schools, which are developing teaching strategies which address the development of unequal gender relations in early childhood years. This project is producing valuable information about how masculinity and femininity are enacted, endorsed and extended by early childhood education practice, and is providing practical strategies for teaching students to both recognise aggression and passivity, bullying and harassment, and to deal with these behaviours actively and productively.

The Department of Education has developed a syllabus in Early Childhood Studies for Years 11 and 12. This syllabus is being trialled in 15 State secondary schools in seven Queensland regions. The broad aims of this syllabus highlight human relationships, including proper gender roles, parenting responsibilities and child development. For example, the syllabus aims to develop in students:

- * an awareness of the nature of developmental needs of children from conception to six years;
- * knowledge, skills and attitudes in relation to the caregiving role as it relates to young children, including those with special needs;
- * the ability to support, facilitate and enhance child development;
- * a critical understanding of the parenting role and the implications of this when making life choices;
- * an awareness of support services available to families; and
- * enhanced self concept and effective interpersonal skills in relation to adults, peers and young children.

The two-year trial of this syllabus concluded at the end of 1992. Many schools across the State are committed to implementing this syllabus.

Western Australia

Implemented. Incorporated in Health Education, Social Studies, Home Economics, Aboriginal Studies and Career Education curricula K-10, within specialist post-compulsory courses within these curriculum areas and within Social Justice policy statements.

The Western Australian Ministry of Education feels that this particular recommendation needs defining and rephrasing when using terms such as 'proper gender roles' and 'proper parenting responsibilities'. The Western Australian Office of the Family is very supportive of this recommendation.

South Australia

The South Australian Education Department's *Charter for Education - Educating for the 21st Century* includes the essential study area of Health and Personal Development. This compulsory study area is used to teach about human relationships, parenting and child development. These are all part of current curriculum offerings from CPC-12 in South Australian schools.

However, these three areas will also be addressed through curriculum being developed to increase child protection in our society. The South Australian Education Department launched its Child Protection Policy in March 1990 and the implementation of this policy is based on the curriculum being developed and trialed in South Australian schools. The Education Department has also funded a position for a Child Protection Officer in the new Curriculum Division whose primary function is to oversee the development of the curriculum for child protection and to facilitate its implementation in schools.

Human relationships and gender roles are issues which are also addressed through the implementation of curricula to counter sexual harassment. The Three Year Action Plan for the Education of Girls includes a priority about the development of curriculum materials for use in CPC-12 schools to ensure that boys and girls establish different and more positive ways of relating to each other.

The recommendation states that teaching about 'proper gender roles' be part of a school's curricula. Gender roles are examined and challenged through the programs mentioned above as well as through the implementation of the South Australian Education of Girls Policy (1983) and the National Policy for the Education of Girls in Australian Schools (to which South Australia is a signatory). Schools challenge stereotyped views of gender roles through many aspects of the curriculum. This includes the use of written materials which present an unbiased view of gender or literature which is considered to be non-sexist in its approach and content. Eight teacher support documents were produced for sale to schools. These deal with teaching students skills, knowledge and attitudes based on assumptions about the broad range of achievement possible for girls and boys. Topics include work education, labour market analysis, sexual harassment and teaching methodology. Changes to teaching methods and other school organizational factors add to a school's ability to challenge perceived stereotypes based on gender. The South Australian education system is an equal opportunity employer and through personnel policies traditional roles and responsibilities of teachers based on gender are being changed.

The diversity of approaches to the issues about relationships and gender roles are actively pursued through the South Australian Education Department and initiatives under the Three Year Plan will extend the range of ways of preparing students for a society where men and women may be regarded as equals

The department supports the recommendation but urges some clarification of the use of the term proper gender roles because this may mislead readers about the intent of the statement.

The rationale behind many programs in South Australian schools challenge the notion of roles which are appropriate to gender. This Education Department is committed to changing the perceived stereotypes of gender roles or responsibilities and does this through a broad range of initiatives.

The Children's Services Office publication *Planning for Learning a Framework for planning curriculum in Children's Services*, published in 1991, has a strong focus on the development of life skills and competencies. Children's attitudes towards others begin to develop very early in life under a variety of influences. Early childhood services have a key role to play in introducing and reinforcing attitudes of mutual respect and understanding for all children.

Tasmania

Refer to response to Recommendation 31.

Northern Territory

Both Social Education and Health curricula incorporate this form of programming, supported by specialist input from guidance officers, school counsellors and the behaviour management teams. Education for Girls also reinforces these areas with emphasis on appropriate gender roles. Teacher Effectiveness Training programs, run by the behaviour management teams, encourage parent involvement in child development and management.

Northern Territory Education Department responded to the Draft Action Plan for the review of national policy for the education of girls in Australian Schools. Priorities included eliminating sex based harassment and examining the construction of gender.

Australian Capital Territory

Such programs are already present in ACT schools and are supported by the ACT Government. Programs for school children are targeted widely and encompass both genders at various age levels. Programs include personal development courses; pastoral care programs; integration of personal development issues into all areas of the curriculum, for example, science, social science; and group work done by counsellors.

Recommendation 36.

Education authorities should produce materials to assist parents in developing non-violent means of discipline.

Commonwealth

Refer to response to Recommendation 34 above. Material from such a seminar series would be adaptable either for internal control in schools, or for use by parents in the home environment.

Also refer to response to Recommendation 33.

New South Wales

In New South Wales teachers and parents work closely together in developing appropriate discipline strategies. Materials are developed at the school level to meet the needs of a particular community.

The New South Wales Department of School Education has produced a book called *The Good Behaviour Book* (\$15.00) which, while primarily written to assist teachers, is available for purchase by parents. Many parents have acquired the book and have found its suggestions most helpful in disciplining children in the home.

The programs referred to in the comments on Recommendations 9 and 11 provide written materials which are distributed to parents participating in the programs.

Victoria

Refer to responses to Recommendations 9, 35 and 37.

Queensland

Guidance officers within the Department of Education in each region are trained to provide parent programs in child development and management. Family therapy is also offered to help parents acquire skills in non-violent methods of child management and conflict resolution.

Parents may access services such as Parents as Tutors of Children Program (PATCH) and Management of Young Children Program (MYCP) at School Support Centres.

The Management of Young Children Program (MYCP) is a parent skills training and support program for the parents of behaviourally difficult children aged between 2 1/2 and 7 years. Twenty centres are operational throughout Queensland. Families are referred by a wide range of agencies, professionals, preschools, day care centres and other parents. Many are single parents living in low socio-economic areas. The program aims to promote self esteem and enhance family functioning.

Evaluative studies indicate:

- * reduced oppositional behaviour by children;
- * high levels of parent satisfaction;
- * extensive waiting lists for participation; and
- * low 'drop out' rate of participating families.

Western Australia

The Western Australia Ministry does not see the task of producing materials to assist parents develop non-violent means of discipline as a sole task for its staff. Liaison between the Ministry and the Department for Community Development is seen as critical in the development of such materials.

South Australia

It is the policy of both the Education Department and the Children's Services Office to work with children and their families in recognition of the vital role that families play in the education of children.

However, the Stratman Report has recommended that the Child Adolescent and Family Health Services (CAFHS) be responsible for developing parenting courses for parents.

The Education Department supports CAFHS in this role by publicising the courses and assisting in the monitoring process through the Inter-agency Implementation Committees.

The Child Adolescent and Family Health Services are offering both Systematic Training for Effective Parenting (STEP) Courses and their own general parenting courses. These general courses include courses for parents of children who are one to five, six to twelve and twelve to eighteen years of age. As part of all these courses, support materials are provided for parents to refer to at home.

The Education Department assists parents in schools through the Area Behaviour Management Teams. In general this service is available to parents who are experiencing difficulties with their children and can involve a referral to CAFHS.

Where resources permit, department officers may also offer workshops for parents on the general management of student behaviour.

The Children's Service's Office provides education on parenting for parents in both formal and informal ways. Staff in centres and regional support teams assist individual parents who are experiencing specific difficulties with their children.

Education programs of a general and preventative nature are normally provided by CAFHS but may be provided by regional support teams where resources and priorities permit.

In addition:

- * The CAFHS Resource Centre in North Adelaide is open to both parents as well as staff and offers a variety of materials to assist parents in developing parenting skills.
- * The Protective Behaviours Program is offered to both preschool and school aged children. This program is aimed at assisting children in protecting themselves from physical, verbal or sexual abuse. As part of the program parents are encouraged to become aware of, and support the program at home.

Resources for the Safe Start, Safe Future program have recently been produced and are available to parents in all centres under the guidance of Children's Services Office. The resources include information about the Protective Behaviours Program and strategies for parents to assist them in managing their children's behaviour.

Tasmania

Recommendations 36, 37.

The Department encourages schools to consult closely with parents on the development of school policies in relation to discipline and management of student behaviour and to include parents in all professional development activities in this area. Many parents have taken part in the courses outlined above and are also involved in tutoring students in specific skills. Many schools utilise support staff to run programs which have a particular emphasis on developing parental skills. Parent programs designed to teach positive ways of dealing with children's behaviour which were successful in schools in the past year include the following:

- * Parent Effectiveness Training - a course incorporating strategies for resolving conflicts with children and helping them to take responsibility for their own behaviour; and
- * Management of Young Children's Behaviour - an early intervention program designed to assist parents of children who are not yet school age to change their own behaviour which is shaping the behaviour of their children.

Northern Territory

Material and resources on this issue are readily available to parents through Student Services' specialist personnel servicing Northern Territory schools.

Wherever possible, programming in this field is joint, that is, Home and School, Guidance Officers, School Counsellors, Home Liaison Officers and Behaviour Management Teams all work closely with families and provide appropriate resources to meet needs in this area.

These programs have continued and will be extended as resources permit.

Australian Capital Territory

The ACT Government supports the recommendation, noting that such material is more effective if provided in conjunction with parent training programs, and that this is being implemented in the ACT.

In the ACT materials on non-violent discipline are disseminated by certain parenting programs such as Parent Effectiveness Training (PET), Systematic Training in Effective Parenting (STEP), STEPTEEN, and Living with Children. Individual schools from time to time include similar information in newsletters to parents.

Parent Effectiveness Support

Recommendation 37.

Parent effectiveness programs should be developed in conjunction with organisations dealing with young children and their parents to promote non-aggressive strategies for both parents and children.

Commonwealth

The Commonwealth is committed to facilitating such parent support programs, including family mediation and skills training, through its family support initiatives, referred to in the response to Recommendation 9.

Also refer to response to Recommendation 33.

Department of Health Housing and Community Services 1993

A proposal to conduct a national strategy for child abuse and neglect conducted by the National Child Protection Council is being examined. The proposed strategy, if implemented, will include parenting programs which promote non-aggressive strategies developed in conjunction with organisations dealing with young children. See also Recommendation 9.

New South Wales

The New South Wales Department of Community Services funds over 120 Family Support Services throughout New South Wales. These Services provide a range of preventative services to families under stress. Parenting skills are developed on a one-to-one basis between the Family Support Services worker and parents, or in the context of group activities. Family Support Services run courses which include parenting, building self esteem and effective communications.

A range of parent effectiveness programs (see Recommendations 9 and 11), suitable for use with parents of preschoolers is available through schools. The pilot program 'Parents as Teachers' (see Recommendation 9) has the capacity to teach first time non-aggressive strategies.

Victoria

The Parent-Teacher Education Centre at Monash University offers parent education programs, on a self-funding basis through course fee, donations, book and material sales. The Centre is managed by a committee comprising University and Centre representatives. Sessional staff are employed as required while thirty Masters of Educational Studies degree students assist with parent, teacher study sessions. The work of the Centre is directed by Associate Professor Maurice Balson of the Education Faculty, School of Graduate Studies, Monash University. At present, programs are available for parents with:

- * children below five years;
- * children five to twelve years;
- * adolescents; and
- * special needs children.

These programs are also prepared and available for teachers, and focus on the classroom rather than on the family.

The Centre also offers Open Family Counselling and Individual Counselling programs.

Since 1987, the Centre has provided a six-week course to a total of around 3000 parents and 580 teachers, as well as a range of shorter courses and seminars, including half-day seminars for a total of around 2900 teachers.

The Monash Centre has provided reports to the Department of Community Services Victoria evaluating the effectiveness of parent education courses.

Queensland

Within the Department of Education the Human Relationships Education section develops material which may provide support to parents in the areas of sexuality, conflict resolution, grief, loss and crisis and non-violent relationships.

School communities are actively encouraged to develop parenting effectiveness programs through the School Community Consultative Committee process. There is a particular emphasis on such programs for parents with children in the preschool and early primary years.

Personnel in Human Relationships Education have worked in conjunction with personnel from the Queensland Centre for the Prevention of Child Abuse (QCPCA) in the Department of Family Services and Aboriginal and Islander Affairs to develop training programs and materials for parents in the area of personal safety.

Western Australia

This recommendation is strongly supported by the Western Australian Government and is being implemented.

Effective parenting was a focus in Western Australia with the establishment of a Parent Education Review Committee. The committee examined the extent of parent education service provision and made recommendations about the coordination and promotion of services, improved access for special needs groups, training and resources, quality control and the need for community education about effective parenting practices.

In addition, through Western Australian Family Foundation community groups were encouraged to apply for small scale community grants to support parenting programs. In 1990/91 over 200 of these grants for parenting programs were made.

Parent education courses incorporating Parent Effectiveness Training, Systematic Training for Effective Parenting and Canter-Assertive Discipline are funded throughout the state. These courses are popular and attended by a range of people - to date demands were met through the Social Advantage Grants Scheme.

The recently announced Parenting Skills Program will provide additional funds for the development of culturally appropriate material for Aboriginal families, multi-cultural families and those who are illiterate.

National Programs such as 'Lift Off' and 'Lift Off Outreach', programs conducted in each state have been utilised.

South Australia

Many school parent organisations, particularly parent clubs, are seeking assistance in providing parent effectiveness programs for their parents. This can occur as a response to general parent demand or as a part of the process of developing a school discipline policy.

Currently the Education Department provides some support for parent groups seeking these programs. This support generally takes the form of a referral to the Child Adolescent and Family Health Service (CAFHS). In some instances, Department officers are able to provide programs for parents although generally as a one-off workshop rather than an on-going program.

General parenting courses are most often provided by CAFHS and usually in the form of the STEP - Systematic Approach to Parenting - Program and the STEPTEEN program for parents of adolescents.

Under the direction of the State Interagency Implementation Committee, Area Implementation Committees systematically manage an Inter-agency Referral process which reflects the characteristics of each area.

In partnership with CAFHS, the Inter-agency Committees are offering the opportunity for Primary and Secondary schools to deliver parent training programs. It is proposed that CAFHS manage the delivery of parent programs although they will be jointly run with officers from the Education Department.

This is seen as an exciting inter-agency initiative, providing skilled and focussed parent training courses on a regular basis through schools as the point of access.

Two main areas of the Education School Curriculum - Health and Personal Development, and Society and the Environment - contribute to the development of generation of young people with the skills and capacities needed to lead creative, satisfying and productive lives. (*Educating for the 21st century*).

Ongoing implementation of policies related to child protection, sexual harassment, anti-racism, and the Three Year Action Plan for the Education of Girls have improved human relationships and a safe supportive learning environment as a major focus. All principals were inserviced in the anti-racism policy and have the responsibility for addressing these issues with staff.

The 'whole of school' approach to implementing the School Discipline Policy has meant that many parents were exposed directly via participating in negotiations and indirectly through their children's modelling to non-violent means of discipline. CAFHS, CAMHS and Community Health Centres work in collaboration with local schools to conduct parenting courses for the different stages from babies to adolescents.

Tasmania

Refer to response to Recommendation 36.

Northern Territory

It is accepted that jointly developed planning and programming could be powerfully effective, but this would have resource implications that could be prohibitive. In the mean time, parent effectiveness workshops are being run under the auspices of Behaviour Management Services and organised through individual schools.

Australian Capital Territory

The ACT Government supports this recommendation.

A number of parent effectiveness programs are available and widely used in the ACT school system. The promotion of non-aggressive strategies for both parents and children is an appropriate responsibility for schools, in conjunction with other agencies, and encourages a strong home and school link.

School counsellors assess a variety of programs, for example, Parent Effectiveness Training (PET) Systematic Training for Effective Parenting (STEP) and STEPTEN, Living with Children, and a number of counsellors are running such programs in their schools.

Similar programs are also offered at health centres and these were very successful.

The Legislative Assembly Standing Committee on Social Policy is conducting an Inquiry into Behavioural Disturbance Among Young People which will be examining some of the issues contained in this recommendation.

Through its counselling programs, ACT Health aims to assist parents and children in the development of non-aggressive strategies for resolving problems. In particular, ACT Community provides parenting programs which deal with behaviour management skills. The Child and Adolescent Mental Health Services in ACT Health work individually with children and young people who may be considered aggressive.

During 1992, the Women's Information and Referral Centre ran a course on Mothers of Teenage Sons which was aimed at equipping mothers with skills to deal with aggressive behaviour in their teenage sons.

The ACT Government is also finalising its response to the Report of the ACT Legislative Assembly Standing Committee on Social Policy Inquiry into Behavioural Disturbance Among Young People which made a number of recommendations directed at improved parent effectiveness programs.

Recognition Of Child Abuse

Recommendation 38.

Training in the recognition of child abuse should be an integral part of the teacher training curriculum. To this end, education authorities should utilise the expertise of those who provide services to abused children and their families.

Commonwealth

Pre-service teacher education is the responsibility of autonomous institutions within States and Territories, and is therefore a matter for State and Territory Governments and the institutions themselves.

Also refer to response to Recommendation 32.

New South Wales

Lecturers in teacher training institutions in New South Wales have received training in child abuse and child protection issues from officers of the New South Wales Department of School Education. The materials used in this training were developed in consultation with the New South Wales Child Protection Council, on which service providers in the child abuse area are represented.

In addition, teachers in government schools receive ongoing training in child protection issues.

Victoria

In-service training in the recognition of child abuse is included in training programs for teachers employed in State schools by the Ministry of Education and Training (MOET) and a protective behaviours component exists in the primary teacher training course at Frankston campus of Monash University (refer to Recommendation 32).

The former Department of Community Services Victoria (CSV) has funded and co-ordinated a major professional education initiative on child abuse targeted at school-based personnel. The products of this initiative include:

- * a joint CSV/MOET Protocol outlining appropriate responses to child abuse. This was implemented in October 1990;
- * a booklet, based on the Protocol, for every teacher in the state; and
- * a training package for use through school support centres.

During the last year, the Department of Health and Community Services are continuing to work with the Department of Education in promoting use of the joint protocol and in training groups of principals and school support centre staff in relation to materials produced.

The Department of Education has conducted staff development programs in schools and school support centres in support of the protocol particularly assisting schools to deal with child abuse and neglect issues.

Queensland

The Queensland Government has established the Coordinating Committee on Child Abuse to ensure coordination of the child protection responses of the Departments of Health, Family Services and Aboriginal and Islander Affairs, Justice, Police and Education. As a consequence strong interdepartmental links were developed to address issues relating to child abuse, domestic violence and homeless youth.

The Department of Education believes that schools have an important role to play in responding to the problem of child abuse in the community. While it is not mandatory, the reporting by teachers of suspected child abuse to child protection agencies is strongly supported by the department.

The wide range of Departmental activities addressing child abuse is ongoing. These involve:

- * representation on Interdepartmental Committees, Sub Committees and specific Working Parties which provide ongoing review and evaluation of policies, procedures, and service provision;
- * representation on Suspected Child Abuse and Neglect (SCAN) teams that manage cases of child abuse and neglect;
- * production of the detailed official statement *Suspected Child Abuse* which provides teachers with information relating to the recognition and reporting of suspected child abuse;
- * distribution of materials designed to raise teachers awareness. Examples include *Child Abuse: A Guide for Management* which was issued to all schools;
- * inservice programs for teachers and other professional staff in conjunction with personnel from the Departments of Police and Family Services and Aboriginal and Islander Affairs; and
- * personal safety programs for students developed in cooperation with personnel from the Queensland Centre for Prevention of Child Abuse.

A particularly significant interdepartmental initiative is the development of the ICARE training program for professionals involved in videotaping children's evidence in cases of alleged sexual abuse. This training program is intended to ensure police and child care officers receive appropriate training and achieve competence in interviewing children in line with new legislation which permits videotaped evidence.

Western Australia

Pre-service training of teachers falls under the responsibility of universities and other tertiary institutions. However, the Western Australian Ministry of Education would support moves to incorporate training in the recognition of child abuse and the use of social workers as support to education staff in providing this training in the future.

South Australia

The State Inter-agency Report Implementation Committee has the responsibility to manage the implementation of the recommendations from the report 'Inter-agency Responses to School Children with Social and Behavioural Difficulties'.

The Inter-agency Report stated that 'support to children (and adolescents) in schools is required from agencies outside Education Department...not so much because schools need help, but because health, welfare and development of children (and adolescents) is the responsibility of all three sectors - health, education and welfare'.

As an example, Inter-agency Committees were set up across the State to ensure a co-ordinated approach to students and families.

In particular, resource personnel from Child Adolescent and Family Health service and Health Commission work cooperatively to train teachers in child protection issues.

Within the children's services area this was adopted as a priority area of inservice training for teachers and other mandated notifiers. The Children's Services Office has supported and implemented recommendations of the Child Protection Council, and has undertaken to ensure that all mandated notifiers within the organisation had access to appropriate training by December 1991. This process is well under way in all regions and was enhanced by the development of procedures and guidelines specific to early childhood services.

The Children's Services Office co-operates fully with the State Child Protection Council's initiatives in training for mandated notifiers. By the end of 1992, approximately 95 per cent of all employees should have attended a one day training session. In addition, a considerable amount of training was offered to the child care sector.

Tasmania

Recommendations 38, 39, 40.

The Department has an active role in the implementation of the Child Protection Act. Departmental social workers are often asked to assist officers of the Child Protection Assessment Board and also to act as a direct source of advice and assistance to students who may be in an abusive situation. To complement the intent of the Act, the Department has distributed to all schools two documents: *Child protection and the school: Guidelines for principals* and *Child protection and the school: Guidelines for teachers*. These processes are being revised. The Department supports the recommendation that this area be incorporated into the teacher training curricula and understands that some informal sessions in this area are available to teacher trainees at the University of Tasmania.

The Department also supports the 'Personal Safety Program' which was developed in Victoria to teach students about their right to feel safe and provides support to students in seeking help if they are in an unsafe situation. This program is incorporated in the curriculum in many schools.

The particular need for self protection for vulnerable students was recognised in a project in 1992 where a manual and teaching program was developed entitled 'Self Protection for Young Women with Physical and Sensory Disabilities'. This program was incorporated in schools where these students attend and has attracted wide interest interstate.

The Pete and Penny 'Keeping Ourselves Safe' Program is carried out with the support of the MBF and was disseminated widely through the Health Education Program. It is a comprehensive teaching package designed for use in safety education programs in primary schools. The resource aims to help young children develop safe practices and take a responsible course of action when confronted with a potentially dangerous situation.

Northern Territory

Mandatory reporting of reasonable suspicion of child abuse was law in the Northern Territory since 1984. Bachelor College is the only Department of Education institution offering teacher training and is considering this recommendation. This obligation is more effectively achieved by teachers, when inservice programs include more preventive and positive counselling strategies.

During 1992 the education representative on the child protection team was actively involved in raising awareness of these issues.

Australian Capital Territory

The ACT Government supports the need for teachers to be trained in the recognition of child abuse and considers that this should be done both through teacher training curricula and through inservice training.

The inservice provisions provided in the ACT education system in this area include:

- * a comprehensive series of training courses run for teachers and school personnel on the identification and reporting of suspected child abuse which was successfully conducted in 1989;
- * protective behaviours training programs for teachers which also covered some recognition of child abuse; and
- * Family Services and the Youth Advocate, agencies centrally involved in the reporting and investigation of child abuse in the ACT, also provide information sessions to teachers and other school personnel on child abuse issues.

Education In Protective Behaviours

Recommendation 39.

All school students should be provided with information about what constitutes abuse, the importance of telling someone when abuse occurs, and appropriate individuals in whom they might confide.

Commonwealth

Refer to comments made under the heading 'Education', above.

Also refer to response to Recommendation 31.

New South Wales

The Protective Behaviours Program has operated since 1986 in New South Wales. Under this program, specially trained police officers and other specially trained people speak to school students about how they can give themselves 'power' when faced with physical, sexual or emotional abuse. The program is based on two core concepts: everyone has the right to feel safe all the time; and

nothing is so awful that you cannot tell someone about it. Children are told that child abusers rely on secrecy and that, therefore, a child who was abused should tell a trusted person what has happened.

The program is used by both Government and non-Government schools and is co-ordinated by the New South Wales Child Protection Council (a body comprising Government and non-Government representatives).

The New South Wales Department of School Education provides Child Protection curriculum materials for use with students from Kindergarten to Year Twelve. These materials state that child protection teaching programs should be implemented within the context of a personal development type program which involves teaching in such areas as self-esteem, interpersonal communication, assertiveness, feelings, values, decision-making, gender stereotypes, sexuality and relationships.

Victoria

The Personal Safety Program was developed as an Australian adaptation of the United States Protective Behaviours Program which had been in operation in Australia since the mid 1980s. It is designed to address everyday safety issues as well as abuse and advocates non-violent assertion of the basic human right to personal safety for oneself and others.

During 1992, the former Community Services Victoria has provided some funding support to enable more extensive inservicing of the Personal Safety Program.

The Standing Strong Resource was developed from a New Zealand model by the Victorian Ministry of Education and launched in Victoria in 1990. It is a curriculum program for young people aged thirteen to eighteen designed to assist them in making sense of violent and sexually abusive relationships, within a social and cultural context. It comprises three units and can be used to complement studies in Health Education or Human Development and Society (HDS).

Standing Strong can also be used as an extension of the general themes and strategies used in the Protective Behaviours and Personal Safety material. The Standing Strong material (teacher manuals and student booklets) was reprinted in June 1991.

Workshops were conducted for community providers and groups and for schools and a liaison group established to facilitate use of the program.

In 1992, funding totalling \$118 287 was allocated by the Public Safety and Anti-Crime Council to further expand the Protective Behaviours Program. This decision was based on the recognition of the high standards of this program and the positive impact it is having in the community, particularly with young people.

The Victoria Police through its Police Schools Involvement Program promotes the teaching of protective behaviours in some schools and supporting teachers involved in teaching the program in other schools. Police also conduct a 'Keeping Ourselves Safe' program which includes the 'safety house' program. The 'Violence is Ugly' community education kit produced by the former Ministry of Police and Emergency Services is also used in schools to assist children to recognise abuse.

Refer also to responses to Recommendation 14.

Queensland

Personnel from the Department of Education have collaborated with personnel from the Queensland Centre for Prevention of Child Abuse (Department of Family Services and Aboriginal and Islander Affairs) to develop the *Personal Safety Education Training Manual*.

This manual is aimed at assisting teachers, child care and youth workers and parents to prevent child abuse by teaching self-protective skills to children from four to eighteen years of age.

A further interdepartmental initiative is the locally produced resource *Look After Yourself* for use by teachers. This video and workbook package was designed to assist young people from 12 to 18 years of age to protect themselves from sexual abuse and exploitation.

In response to the Department's responsibility under the Anti-Discrimination Act, the Equity Directorate and the Gender Equity Unit are jointly developing a Sexual Harassment Policy and Guidelines. These guidelines, presently in draft stage for regional consultation, emphasise both the procedural implications of the legislation, and the educational implications, ie the necessity to educate students and school communities about the nature of sexual harassment, the function it plays in maintaining inequality between the sexes, and the relationship between sexual harassment and community attitudes towards violence against women.

The issue of sexual harassment is the priority issue in the Gender Equity Unit's planning for 1993. It is also the priority action area for which reporting is required in 1994, for the National Policy for the Education of Girls.

In addition to the above, the Gender Equity Unit is also:

- * producing a discussion paper for schools/regions on the implications of sexual harassment in learning;
- * developing a sexual harassment resource kit for primary schools; and
- * developing a sexual harassment video and resource kit, *Says Who*, for use with secondary school students.

The Aboriginal and Torres Strait Islander, Cultural Equity, and Student Disability Units within the Studies Directorate are being consulted in the development of strategy materials to accompany the video, to ensure that the materials are sensitive to the concerns of those groups regarding sexual harassment.

The Equity Directorate and the Gender Equity Unit are developing a professional development strategy on sexual harassment, which will establish a regional and school-based framework for dealing with complaints about sexual harassment, but will also provide an infrastructure for developing a curriculum responsive to the increased demand for schools to provide opportunities for students to learn about issues related to gender, and in particular, to learn about the ways in which unequal power relations between the sexes are maintained and reinforced by sexual harassment.

Western Australia

In Western Australia, the Ministry of Education is implementing a protective behaviours program called *Child Abuse and Domestic Violence: Prevention Education*, which is widely used throughout Australia as an anti-abuse, victim support program. Protective behaviour information will be provided to children in the context of the existing health education K-10 Health syllabus. Teachers guides were written for years 1, 4, 7, 8, 9 and 10.

School based police officers were instructed on the basics of abuse and where possible are following the guidelines established in the Ministry of Education K-10 Health syllabus.

South Australia

The Protective Behaviours Program addresses the issues raised in Recommendation 39. This program is systematically being adopted in South Australian schools.

With regard to the Children's Services Office, it is seen as inappropriate to provide specific information to children of preschool age as to what constitutes abuse - indeed to do so might well in itself be abusive to the child's sense of trust. However, the Protective Behaviours Program was

adapted by the Children's Services Office staff to provide a means of communicating with children about this issue without scaring them. Children are taught that they all have a right to feel safe, that when they feel scared they should trust their own feelings, take appropriate action themselves whenever possible, and develop a network of trusted adults to turn to for help. Examples which are not specific to abuse are used to develop these skills.

Tasmania

These issues are being addressed as a matter of priority.

Northern Territory

In 1986 the Protective Behaviour Program was introduced. Teachers are trained to conduct group sessions with children in schools on the theme of 'we all have a right to feel safe all the time' and 'Nothing is so awful that you cannot tell someone about it'. The program provides information to children on what 'abuse' means, and empowers them to seek help for themselves or others when necessary. Protective Behaviours has now been adopted as part of the Health Curriculum and is ongoing. The behaviour management teams, through inservicing in schools and parent liaison, also reinforce identification of abuse, and provide assistance to teachers, parents and students in dealing with victims. Home Liaison Officers play an important role in this field, by way of family support for students at risk.

The Drug Abuse Resistance Education (DARE) Scheme whilst basically dealing with drug awareness, also encompasses this aspect. School based Police Constables have the responsibility for teaching students. This is part of the school curriculum. These Constables were trained recently by instructors from the New South Wales Police, Child Counsellors and Psychologists.

Behaviour Management Services (a team which includes Protective Behaviours Trainers) is now regularly involved in police training for the DARE program. It is proposed that this interdepartmental involvement be an ongoing exercise during 1993/94.

Australian Capital Territory

The Protective Behaviours Program provides a major thrust for such programs in the ACT public school system. It provides information for children, increases assertiveness by helping children identify options to keep themselves safe, and encourages children to develop a network of adults they can trust. As well, the program raises the awareness of teachers, parents and care-givers while giving them strategies to help keep children safe.

The Protective Behaviours Program is also being used extensively in community organisations, child care agencies and Catholic education.

The ACT Government supports the recommendation.

Self-Protection For Older Children And Young Adults

Recommendation 40.

School students should have access to courses in self-protection which discuss issues of male and female socialisation and which are able to be used in conjunction with other school curricula.

Commonwealth

Refer to comments made under the heading 'Education', above.

Also refer to response to Recommendation 31.

New South Wales

Issues of male and female socialisation are addressed in schools through the use of the Department's child protection curriculum materials and existing personal development type courses. These materials are aimed at better equipping teachers to help students learn to protect themselves and to build relationships with others based on trust and equality.

Victoria

Refer to response to Recommendation 39.

Some schools organise self defence programs for young women. There are no licensing requirements to teach self defence, unlike other martial arts. The Martial Arts Board of Victoria is examining this matter to ensure that there are proper standards and that the programs taught to young women and girls are relevant to their safety. Membership of the working party on women's self defence includes members of Victoria Police and the Department of Education.

Queensland

In the development of curriculum on issues such as personal safety, non-violent relationships and gender/sexuality/power, the Department of Education's Human Relationships Education program encourages a process of action research and school community based curriculum development.

Western Australia

Implemented. Offered through curricula in Prevention Education, Health and Physical Education, Home Economics, Career Education and Social Studies, and attention to this as a cross-curricula concern is to be incorporated in development of outcomes statements for the full school curriculum.

South Australia

The South Australian Education Department is committed to teaching about male and female socialisation through a diverse range of existing curricula. The Education Department's Three year Plan has a priority to provide a curriculum appropriate to the requirements of the 21st Century and the 'development of a generation of young people with the skills and capacities needed to lead creative, satisfying and productive lives'.

Educating for the 21st Century includes two main areas of study where issues about socialisation can be addressed. These two areas are 'Health and Personal Development' and 'Society and the Environment'.

The implementation of Child Protection and Sexual Harassment Policies in the Education Department rely on curriculum which teaches about male and female roles and socialisation. Curriculum associated with sexual harassment for example, is used within existing areas of study, in Pastoral Care sessions and in all secondary students' Work Experience preparation.

The Education Department endorses the National Policy for the Education of Girls and has developed the South Australia Three Year Action Plan for the Education of Girls. One of the main objectives of this plan is the provision of a supportive learning environment for girls. Strategies to be used in the achievement of this objective include the production of an extensive range of curriculum materials to be used to counter sexual harassment and the development of guidelines for the use of single-sex methodology in coeducational schools. Both of these strategies will promote examination by students, teachers and parents of male and female socialisation, as an understanding of this is crucial to the creation of a society where 'women and men live and work together as equals in a climate of mutual understanding, security, companionship and support'.

Self Protection is also taught in many South Australian schools through Physical Education Programs or through Self Defence Courses which particular schools introduce according to the perceived needs of their students. Courses such as *Self Defence for Girls*, from the Girls and Physical Activity Program (Department of Employment, Education and Training), are also available to all schools in South Australia.

To confine teaching about male and female socialisation to courses only about self protection would limit the ways in which complex issues such as male and female roles, stereotypes and relationships could be addressed. The Education Department therefore actively supports the recommendation through a range of its current curriculum offerings and proposed developments from the Education Department's Three Year Plan.

By the end of 1992, all Education Department staff were required to have been inserviced in Mandatory Notification of Child Abuse. All staff are legally required to notify Family and Community Services in any situation where abuse is suspected.

Victims of abuse are an identified group in the Social Justice Action Plan implemented in all schools in 1992. Schools are required to document outcomes for each target group in terms of attendance, participation attainment and retention. Baseline data is being established in each school so that improvement is carefully monitored and good practices are being disseminated.

Staff have continued to be inserviced in protective behaviours through the local Teacher and Student Support Centres.

Tasmania

Refer to response to Recommendation 39.

Northern Territory

Social Education, Health, Education for Girls, Career Course and Behaviour Management Programs all address this need. Professionals from other disciplines are utilised wherever appropriate and possible within existing resources.

Modern Home Economics courses in personal development are also enhancing students' awareness of changing gender roles and their ability to establish self confidence and initiative.

School curriculum generally attempt to counter the emphasis in the media on violence, and of its prevalence in some sports. This will remain an ongoing focus of the school system in the Northern Territory.

Awareness programs covering such issues as Child Protection, Drug Resistance, Male and Female Socialisation and Early Intervention were on-going in 1991. Resources permitting, these were to be continued into 1992 and, where possible, extended.

Australian Capital Territory

Many ACT students are receiving help with strategies to keep themselves safe through the Protective Behaviour Program, discussed under Recommendation 39, and through other personal development programs being run in schools.

Self defence type courses are being run in ACT schools, for example, *Standing Strong, Becoming 'Streetwise', A Woman's Guide to Personal Safety*. Youth Centres also run self-defence courses for young women out of school hours. The program 'Standing Strong' is already being used in conjunction with the Protective Behaviours program in many high schools. It is most successful with teenagers.

The ACT Government supports these programs which target issues outlined in this recommendation.

Children Of Pre-School Age

Recommendation 41.

Recognising that preschool children are cared for and educated in a variety of settings, such as child care, kindergartens, and pre-primary programs, these agencies should emphasise areas such as enrichment programs, non-violent conflict resolution and the identification and management of behaviourally disturbed children.

Commonwealth

Refer to comments made under the heading 'Education', above.

As part of the National Domestic Violence Education Program the Office of the Status of Women is working with the Australian Early Childhood Association on production of training materials for early childhood workers addressing domestic violence issues and the encouragement of non-violent behaviour.

The Commonwealth Government, in consultation with representatives of the child care industry, is developing a system of accreditation for child care centres to ensure children have access to quality care. An accreditation procedure is likely to cover the quality of outcomes for children in long day care including the program offered, developmental and enrichment activities and the nature of interactions between staff and children (including strategies for non-violent conflict resolution).

The subsidies provided by the Government for child care services enable the employment of trained staff without prohibitive costs for parents. Trained early childhood staff have skills in developing programs to enrich the experience of young children in long day care settings.

The 1991/92 Federal Budget announced funding of \$1 million for the establishment of a new council to develop, implement and administer a national accreditation system for child care, so that all parents can be confident that their children are receiving high quality care. From 1 January 1994, all child care centres participating in the Federal Government's fee relief scheme will have to be accredited.

Also refer to response to Recommendation 33.

Department of Health Housing and Community Services 1993

When fully implemented the national Accreditation and Quality Assurance System for child care centres will allow parents with children in centres eligible for child care assistance to know that their children are receiving good quality care.

The Federal Government has allocated \$0.3 million in 1992/93 rising to \$3 million by 1994/95 to establish the Accreditation and Quality Assurance Scheme and to provide appropriate support and training of child care centre staff.

A National Child Care Accreditation Council will be appointed to implement and administer the national Accreditation and Quality Assurance System. The system will commence on 1 January 1994 from which date centres will be able to register their intention to participate in the system.

New South Wales

The New South Wales Department of School Education provides materials for preschool teachers to use with children in the area of child protection and non-violent conflict resolution. The Behaviour Disorders Program also promotes the early identification and appropriate management of behaviourally disturbed children.

The New South Wales Department of Community Services is responsible for the licensing, and in some cases funding, of various forms of non-parent care of preschool age children. Staff of the Department of Community Services have standards-setting monitoring and advisory functions with respect to these services. Within this overall responsibility, some advice is given as to ways of enriching programs, encouraging non-violent conflict resolution and identifying and managing behaviourally disturbed children. However, the Department does not set the content of curriculum used at preschools.

The Commonwealth is developing a scheme of accreditation of services provided by operators of private preschools. The New South Wales Department of Community Services supports the Commonwealth's aims in this area.

Victoria

The Office of Preschool and Child Care provide developmental programs based on individual needs in kindergartens and child care services. Curriculum is outlined in general terms but reflects current social values including non-violent conflict resolution. The identification and management of behaviourally disturbed children is included within this developmental framework.

Qualified early childhood staff are required in all State funded kindergartens and child care services. Requirement for qualified early childhood staff in all long-day child care services is being phased in by 1994.

Queensland

The Early Childhood programs offered in a range of tertiary institutions emphasise the development of social competence in young children and close relationships between the environment of the child care service, kindergarten and preschool and the child's home environment. Close collaboration between teachers, parents and care givers is fundamental. Early childhood teacher education programs place explicit emphasis upon non-violent conflict resolution, the recognition of the signs of child abuse and behavioural disturbance.

Western Australia

Initiatives related to developmental programs for 4 and 5 year old children were launched in Western Australia's 'Social Advantage' package, May 1992. Over the next three years all developmental programs for 4 and 5 year olds will be the responsibility of the Department of Community Development.

Programs for 4 year olds are being introduced and resources allocated to employ Children's Services Officers in each Department Division. For 5 year olds, full time non-compulsory pre-primary and preschool schooling will be introduced and commence in 1993.

By the end of 1995 all children's services for preschool children will be governed by the Community Services (Child Care) Regulations 1988.

In addition, 'the Social Advantage' has initiated a new scheme where teachers will be employed to work at home with parents of pre-primary or preschool aged children who are experiencing difficulties with their child's behaviour.

Pre-primary and preschool teachers require professional development to assist them in working with parents in non-violent conflict resolution and in identification and management of behavioural disturbed children.

The Health Prevention Education Supplement for year 1 is very useful for pre-primary teachers and is available with in-service from their district office.

South Australia

This is being addressed through:

- * the Protective Behaviours Program;
- * education for Peace and Human Rights;
- * conflict resolution workshops;
- * mandatory reporting training; and
- * services for children with special needs including those who have a behavioural disturbance.

As outlined in Recommendation 31, the Children's Services Office has found the Protective Behaviours Program the best approach to achieving these goals with very young children where it is important not to use scare tactics as a means of promoting safety.

Some limited evaluation studies and extensive anecdotal evidence show that Protective Behaviours is effective in enhancing children's confidence, self-esteem and ability to solve problems. Children are also more willing to talk with trusted adults about their feelings and experiences. South Australia is about to start on a major evaluation.

Tasmania

Recommendation 41, 42.

Kindergarten teachers are included in all departmental programs detailed above. In addition, the Department has early special education programs for about 220 children aged under four years, including children with disabilities and those deemed to be at risk of having later impaired school performance. This program involved 12 teachers and support staff who work closely with families of the children concerned.

Australian Capital Territory

The ACT Government supports this recommendation and provides a range of services for preschool children in various care and educational settings.

The licence provisions of children's day-care centres require agencies to use appropriate behaviour management techniques and to discipline children by redirecting their activities and not using any form of threatening or violent discipline.

The public school system has access to professional and curriculum development services, counselling services, and access to therapy and medical services. Preschool teachers are able to access in-service activities for behaviour management.

Special education services are available to children from age three, including early entry to preschool. Placement in preschool, however, may not be the most appropriate service to meet the needs of a young child whose home environment is dysfunctional.

In addition, an inquiry into behaviourally disturbed young people is under way in the ACT (Recommendation 37 refers).

The ACT Government further implemented this recommendation in 1992 through the ACT Department of Education and Training which established four Early Intervention Units to cater for three to four year old children with specific problems. The units are supported by a team of professionals from ACT Health, including a Social Worker and a Medical Officer. Parents, teachers and health professionals work together in program planning and implementation which includes the consideration of strategies of behaviour management.

Day care centres in the ACT are also required through their licence provisions to use appropriate behaviour management techniques and to discipline children by redirecting their activities and not

using any form of threatening or violent discipline. A field worker from the Children's Day Care Services works with staff in child centres where there are concerns about the behaviour of a child. The field worker also provides training sessions for the staff at centres.

The ACT Government response to the Inquiry mentioned under Recommendation 37 above will also address the issues canvassed in this recommendation.

Recommendation 42.

Governments should develop preschool enrichment programs. Controlled evaluation should be undertaken and should embrace subsequent school performance as well as the effect of such programs on later delinquent behaviour.

Commonwealth

Refer to comments made under the heading 'Education', above.

The Violence Prevention Unit provides assistance with the evaluation of programs of this nature with regard to assessing the usefulness of programs on similar lines but modified for the Australian environment. It provides a resource on which organisations involved in preschool programming can draw.

The 'Neighbour Networks' mentioned in the response to Recommendation 27 are also suitable for evaluation for possible use in preschool enrichment programs.

Also refer to response to Recommendation 33.

New South Wales

The New South Wales Interdepartmental Task Force - Early Childhood is considering the development of programs to improve early childhood education in the preschool years.

In association with this Task Force the New South Wales Department of School Education is setting up pilot programs, based at three public primary schools, whereby parents of children under three years of age will be assisted in developing in their children self-discipline and a positive attitude to education.

In addition, the New South Wales Department of School Education employs early intervention teachers to assist children aged from two to six years who have behavioural problems.

The New South Wales Department of School Education operates 68 preschools to enable children to benefit from Early Childhood Education programs which develop their social, emotional, intellectual, language and physical skills.

The Parents as Teachers pilot program is a preschool enrichment program for children aged 0-3 years, operating in three centres in New South Wales. Evaluation of the program will commence in 1993.

Victoria

Generally, curriculum content for preschool programs are the responsibility of parents and the Pre-School Committee of Management. The Office of Preschool and Child Care has prepared a Curriculum Guide specifying suggested curricula that can be used by all early childhood services focussing on issues of gender, stereotypes and ethnicity. This guide was released in 1991.

Queensland

The need to provide early childhood educators with specific support for professional development in understanding and meeting the developmental needs of all young children and particularly those from disadvantaged backgrounds is under discussion in the Queensland Department of Education.

A curriculum document on Social Development and the Young Child was proposed. It is anticipated that this document will address the complexity of early social development and the challenges of teaching for positive human relationships. It will explore issues such as coping with antisocial attitudes, feelings, and behaviours, and provide a strong basis for further professional development initiatives.

Western Australia

The Western Australian Government provided \$2.25 million under the 'Social Advantage' package over a period of three years for early education intervention initiatives which target caregivers, developing skills likely to impact on young children's educational and social performance at preschool. Two major projects with both education and health services, will have a research component with evaluation measures for caregiver skills, self-esteem and community access. Links with school and systems will allow the longer term tracking and controlled evaluation of outcomes for caregivers and their children.

A number of smaller projects with parent early education services will operate in metropolitan and country areas. These will evaluate caregivers' skills and the efficacy of the initiatives at the local level. These services include programs for Aboriginal caregivers. All the initiatives were expected to be operational early in 1993.

South Australia

The Carelink program, a joint initiative of the Department of Family and Community Services, the Children's Services Office and the Child Adolescent and Family Health Service, commenced in July 1991. Funded through the State Government's Social Justice Budget, it is located in one of the State's most disadvantaged metropolitan areas. A multi-disciplinary team will respond to cases of identified abuse and disadvantage, as well as focus on preventive and developmental approaches for families and children. A systematic evaluation process was devised to operate from the outset.

The Children's Services Office endorses the recommendation that controlled the long term evaluation of the effects of quality preschool programs should be undertaken and looks forward to a time when the necessary resources might be available to do so.

Tasmania

Refer to response to Recommendation 41.

Northern Territory

The Department of Education, through its Early Childhood and Early Intervention Programs, is involved in preschool enrichment systems and planning.

These programs include inter-agency liaison and community awareness. There is also a high parent-professional interaction component. Children are catered for in Early Intervention from preschool age to six years. They are then taken over by Early Childhood Education (ECE) programming and Primary and then Secondary Education. Current resources are inadequate to conduct research into the effect of such programs on late delinquent behaviour.

Australian Capital Territory

The ACT Government supports this recommendation.

PUBLIC SECTOR AGENCIES: EMPLOYMENT AND TRAINING

Youth Employment

Recommendation 43.

The Committee commends the efforts made by the Federal Government in establishing training programs for young people. In addition to continuing support for programs of this type, the Federal Department of Employment, Education and Training should establish a pilot residential program similar to the United States Job Corps Scheme targeted at particularly disadvantaged young people, and should evaluate the outcome of the program.

Commonwealth

The Department of Employment, Education and Training (DEET) seeks to target young people, and in particular disadvantaged young people, in its labour market programs. The establishment of any new program should be aligned with current labour market assistance offered by the Department.

While special consideration should be given to the training and employment of young people who are within the jurisdiction of the Courts, the concept of a program based on the United States Job Corps Scheme or similar schemes such as those which exist in France (Bonnemaison project) and Western Australia (WorksYde project) may need further investigation as to economic viability, the payment of wages or benefits, and union involvement. The Youth Bureau is investigating models of operation which aim to reduce and prevent juvenile crime.

The Youth Bureau within DEET has funded nine youth crime prevention projects under the Australian Youth Initiatives Grants Program. These innovative projects represent various crime prevention models, including wilderness camps, mentors, community arts, culture specific (Aboriginal) and employment and training. Target groups include Aborigines, young people of non-English speaking backgrounds, youth at risk, those on court orders, parolees, and repeat offenders. The projects are located in city, regional and rural sites in six Australian States. All projects are being comprehensively evaluated by expert consultants from La Trobe University. The evaluation will provide valuable information on the effectiveness of the various models. A summary of the nine projects are detailed below:

AUSTRALIAN YOUTH INITIATIVES GRANTS PROGRAM 1991

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| PROJECT NAME: | Central Reserves Crime Prevention Program for Young Aboriginal Offenders |
| ORGANISATION: | Department for Community Services |
| LOCATION: | Western Australia |
| CONTACT: | Northam, Western Australia |
| | Mr Mike Hebpurn (096) 223144 |

PROJECT:

Project will train and pay community members as mentors to young Aboriginal petrol sniffers upon their release from detention to prevent recidivism and encourage culturally appropriate alternative activities. Grant \$15 000.

COMMENT:

Theoretical basis of project (planned intervention) is sound. Organisation has demonstrated capacity to carry out the proposal. High rate of petrol sniffing leading to criminal activity and lack of alternatives for young people in this remote area make this proposal highly recommended.

PROJECT NAME: Project Turnaround
ORGANISATION: Youth Insearch Foundation (Australia) Inc.
LOCATION: Riverstone, New South Wales
CONTACT: Mr Ron Barr (02) 6275957

PROJECT:

Aims to set up two pilot projects (New South Wales and Western Australia) with police as volunteer partners for young offenders attending a six day Youth Insearch Camps followed up by weekly sessions. Camps include programs to improve self-esteem and productivity in a safe self-help situation. Project Turnaround adds a strong educational component and more physical activities. The target group is young offenders aged between fourteen and twenty-one years of age. This project is dependent on the quality and commitment of participating volunteers. Volunteers are required in all sessions. They will mainly be drawn from Police and Emergency Services. Grant of \$59 190.

COMMENT:

This project is an extension of the current preventative and rehabilitative Youth Insearch Program which is widely respected for its success. The objectives are global. Emphasis is placed on coming to terms with emotional issues such as family breakdown, drug abuse, self-esteem and other causes of anti-social and self destructive behaviour. The program claims to be effective in reducing crime, drug and alcohol abuse. A bonus in this proposal is the valuable information on crime prevention strategies which will result from the evaluation of pilot projects in two States.

PROJECT NAME: Community Support for Young People
from Institutional Care
ORGANISATION: South Sydney Youth Services
LOCATION: Redfern, New South Wales
CONTACT: Ms Mardijah Simpson (02) 6992260

PROJECT:

A community based approach aimed at reintegrating Aboriginal young people back into their community; focus target group includes inner city, working class Department of Housing residents. Funds will assist a multi-faceted program. Grant of \$50 000.

COMMENT:

The aim of this program relates directly to the notion of crime prevention through positive intervention. There is a demonstrated need for post release supervision and care. The Young Offenders Support Team (YOST) and FACS services provide partial supervision but this project aims to provide community support including assistance with accommodation, employment and training on release from institutions. Lack of such support was identified as a major cause of recidivism.

PROJECT NAME: Expanding Horizons for young people of
non-English speaking background
ORGANISATION: Youth Forum Ltd. Youth and the Law Project
LOCATION: Campbelltown, New South Wales
CONTACT: Ms Julia Young (02) 8202011

PROJECT:

A pro-active crime prevention strategy targeting non-English speaking youth 'at risk' based on the Youth and the Law Project (YALP). It is innovative. Young people will form groups to design and implement strategies to overcome issues which affect them and the community particularly because of the non-English speaking background. The YALP's philosophy in working with young people is one of facilitating action not directing action. Addresses structural causes of youth crime and focuses on both skills and personal development of young people to enable them to create local change. Grant of \$62 582.

COMMENT:

Campbelltown, a regional growth centre, has many social problems and a high rate of juvenile crime. This project may be regarded as relatively high risk because of the degree of involvement of the target group in the development and implementation of the strategy, yet clearly this is also the project's major strength. It applies the principles of the Bonnemaison model of crime prevention.

PROJECT NAME:

Greenhill Young Offenders Support Program

ORGANISATION:

Greenhill Aboriginal Corporation

LOCATION:

Kempsey, New South Wales

CONTACT:

Ms Kerry Jackson (065) 624454

PROJECT:

Employment of a local Aboriginal person to be trained to provide support and assistance to Aboriginal young people and their families and to reform and educate the community about their rights and options within the juvenile justice system. Grant of \$36 577.

COMMENT:

This project is situated in Kempsey, New South Wales. In the eight months from May to December 1990, one hundred and six juveniles were charged. Of these eighty-four were Aboriginal and twenty-two white. This represents eight per cent of juvenile offences committed by a group which constituted five per cent of the community. According to the Department of Family and Community Services, sixty per cent of its Aboriginal juvenile offenders come from Greenhill. This is an innovative project which has community agencies backing, including the police, local CES and FACS which is also proposing to provide follow-on funding for the project.

PROJECT NAME:

Special Wilderness Experience and Training

ORGANISATION:

Joint submission from Ballarat Children's Home

and Family Services, Ballarat Office of

Corrections and Ballarat City Council

LOCATION:

Ballarat, Victoria

CONTACT:

Ms Cathy King (053) 321434

PROJECT:

Aims to evaluate effectiveness of a particular intervention on three different juvenile offending groups, for example, those just entering or at risk of entering the juvenile justice system; those in early to middle stages (for example, on probation); and those in more serious stages (for example, parolees). Grant of \$51 580.

COMMENT:

While wilderness programs are not in themselves innovative, this one promises to yield important information about the effects of wilderness experiences as a crime prevention strategy on different groups of offenders.

PROJECT NAME:

'Another Way'

ORGANISATION:

Injilinji Aboriginal and Torres Strait

Islander Corporation for Children and Youth

Services

LOCATION:

Mt Isa, Queensland

CONTACT:

Ms Pattie Lees (077) 437139

PROJECT:

An Aboriginal mentor and crime intervention officer to work full time with young Aboriginal and Torres Strait Islander offenders and youth at risk. The mentor will provide a supporting role, interviewing the target group when they are taken into custody; supporting them in court as well as

on release. The mentor will also act to improve relationships with the local police and liaise with local schools to prevent truancy. Grant of \$42 000.

COMMENT:

This will provide a much needed alternative to the destructive lifestyle adopted by a target group of at least one hundred Aboriginal and Islander young people in the Mt Isa area. Characterised by drug and alcohol abuse, vandalism and other criminal offences, the area has recently received funding for Innovative Health Services for Homeless Youth. The area is thus beginning to develop the infrastructure which will enhance the viability and potential success of the project.

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| PROJECT NAME: | Hindmarsh Industrial Training Project |
| ORGANISATION: | Hindmarsh Industrial Training Association |
| LOCATION: | Brompton, South Australia |
| CONTACT: | Mr Ian Behrndt (08) 3401372 |

PROJECT:

A fourteen week 'Structured Skills Training' course in an environment practically indistinguishable from a metal fabrication workshop. Trainees are involved in the manufacture of products for sale, including contract work for local companies.

Target group includes non-offenders (research in USA suggests this group mix is beneficial in crime prevention terms). Focuses on ways to improve access to the project for ex-offenders. Grant of \$30 800.

COMMENT:

This is a model which combines employment, education and training and mentor model. It is attempting to become self financing through enterprise income. The evaluation planned should yield valuable information about a project which appears to have variable success.

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| PROJECT NAME: | PLAY-UP Theatre Company |
| ORGANISATION: | North West Tasmanian Community Arts Association Inc. |
| LOCATION: | Burnie, Tasmania |
| CONTACT: | Ms Sandra French (004) 319073 |

PROJECT:

An innovative intervention project which uses theatre as a vehicle to both rehabilitate participants and promote public awareness of youth crime and crime prevention issues. Workshops are used to develop participant's writing and devising skills based on the experiences and feelings of the client group. This material would then be worked into a theatrical event (or events) for ultimate public performance and touring. It targets young repeat offenders, those on Community Service Orders, and 'at risk' young people.

It provides a model for intervention in remote rural areas and aims to increase the participants' communication skills, self-esteem and confidence through a range of intellectual and physical activities. Able to access 'at risk' youth direct from education through established linkages. Good example of innovative and coordinated (inter agency) intervention in a high risk local area. Grant of \$47 000.

COMMENT:

This project is seen as a diversion away from the more traditional responses based on the justice and or welfare models of intervention. This area of Tasmania experiences chronic high levels of youth unemployment and the lowest school retention rates in the country together with a recent upsurge in youth crime, particularly armed robbery. The proposal is well supported by the local network and is strongly community oriented in approach.

The Department of Social Security agrees that it is important to continue providing access for young people to training and education.

New South Wales

While this matter is essentially one for the Commonwealth, it is clear that the widest possible range of programs is required to deal with the multiple segments of the 'disadvantaged' population of young people. Residential programs, while expensive, are warranted for that small number of young people who lack even the level of social skills required as a basis for effective participation in education, training and employment. In this context, officers from the New South Wales Department of Industrial Relations, Employment, Training and Further Education have contacted the New South Wales office of the Commonwealth Department of Employment Education and Training with a request to investigate the possibility of establishing a scheme similar to Jobs Corps in Australia. The Department believes that there could be benefits if such a scheme could be run in New South Wales and other States by the Commonwealth. Strong industry support for a program of this nature would be essential.

Victoria

Federal responsibility.

Workstart Victoria (formerly Youth Guarantee) was published by the Victorian Government in 1985 to increase education, training and employment opportunities for young people (aged fifteen to twenty-four). The Workstart Employment Counsellor and Placement Service aims to place young people unemployed for six months or more into employment, training or a good combination of both. Workstart also develops and funds pre-training or a good combination of both. Workstart also develops and funds pre-employment courses designed for unemployed young people with low levels of schooling.

Within the Workstart program, special assistance is provided to young people on corrective or protective court orders (or at risk of being placed on court orders). This service was previously developed and operated by Community Services Victoria as the Employment Access Program and had been successful in providing interim support and placement into education, training and employment.

Expenditure for Workstart Victoria Employment and Counselling Service in 1991/92 was \$13.6 million. A total of 4782 young people were assisted by the service.

Queensland

Queensland supports this recommendation for the following reasons:-

- * it is in line with equity and social justice policies of the Government;
- * the increasing levels of youth unemployment;
- * a commitment to providing employment placement services for youth;
- * a role in developing innovative responses to preparing youth for employment and further education/training.

It is assumed that the target group for training programs can fall into the categories of either:-

- * offenders; or
- * victims of violence.

Recommendation 43 does not recognise the involvement and role of State Governments in providing training for young people.

Through the Department of Employment, Vocational Education, Training and Industrial Relations (DEVETIR) the program initiatives include:

- * Forty Youth Employment Coordinators in nineteen centres throughout Queensland provide individualised assistance to youth aged fifteen to twenty-one years.
- * Homeless Youth Employment Skills Programs were piloted and are now established initiatives.
- * Financial assistance and advice is available to conduct innovative employment preparation, training and placement programs for youth.

Further potential exists to develop joint initiatives between State and Federal Governments.

Ongoing liaison between DEVETIR and other relevant agencies such as Parole and Probation, Corrective Services occurs for the development of employment and training programs prior to release and on release.

South Australia

South Australia DETAFE perceives violence as symptomatic as opposed to casual. As such, the Department has no programs addressing 'violence prevention' *per se* but develops vocational programs targeting sectors of the population deemed 'at risk'.

Additionally, DETAFE is actively involved in co-operative projects involving course development with non-TAFE providers, ensuring appropriate articulated pathways for students into existing vocational courses.

State Youth Affairs details the co-operative involvement of DETAFE in addressing the needs of youth at risk in its draft report 'Education, Employment and Training Policy and Strategic Planning Framework for Young Offenders and Young People at risk of Offending 1992'. One of the key recommendations is that training programs for people in this category articulate with mainstream vocational courses such that clear pathways are identified and possible.

Certificate in Art and Practice

This program was designed specifically for youth in the 'graffiti' culture, and aims to redirect these skills into more socially acceptable and vocationally useful areas. The program has had a single intake in 1992 with 23 people participating. Several students have opened their own business in clothing design.

Youth Conservation Program

This community based accredited program was offered in a state wide basis with 151 participants in 1992.

National Communication Modules

Modules on conflict resolution, group skills and interpersonal communication were incorporated into many South Australia DETAFE curricula as they were revised throughout 1992.

Young Australia Initiatives

South Australian DETAFE is developing 431 programs to be offered under this initiative. Details of titles etc are available.

Tasmania

Tas Jobs is a program for young people which provides wage subsidies to employers who create new and additional positions in their business and employ a young person who is:

- * is aged 16-25;
- * was unemployed for at least three months; and
- * has completed or is undertaking an approved training course.

This program links training, such as that provided by the Commonwealth programs, to longer term employment. The subsidies are payable over two years for full time and part time positions.

Northern Territory

The need for productive employment and the strategies for achieving employment cannot be over-emphasised. The following non-residential youth training programs are funded by the Department of Labour and Administrative Services:

*** PUBLIC SERVICE ATS**

This is a twelve month contractual training program in general office administration and clerical skills.

*** WORK START**

This is a three month private sector work experience program which includes a two week off-the-job training component. The program is open to unemployed youth who left school the previous year and is offered in the following industries:

- Tourism
- Automotive
- Fishing (includes residential arrangements)
- Local Government
- Retail

*** PUBLIC SERVICE DISADVANTAGED SCHEME**

This is a work experience program that is offered to young people with disabilities. The length of the program is not fixed and every effort is made to establish the person in a permanent position.

*** ABORIGINAL PROGRAMS**

A number of training and employment programs are offered for Aboriginal youth. These programs are usually run by TAFE in communities to address identified skill shortages that match employment potential.

*** CADETSHIP SCHEME**

This is a limited program that was available in 1988, 1989 and 1991 to assist the private sector in employing and training of engineering cadets.

*** SCHOLARSHIP SCHEMES**

There are two schemes being funded. Public Sector Scholarships are offered in finance, administration, arts and science. The second scheme is jointly funded with and administered by private sector firms and associations.

The following programs are jointly funded by the Department of Labour and Administrative Services and the Department of Employment, Education and Training:

*** PRE-VOCATIONAL COURSES**

These trade based courses are run for two full semesters and cover stage one of one or more apprenticeships. The courses are fully accredited and gain successful graduates a credit of six months off the term of the apprenticeship.

* ACCESS COURSES

These courses are run by TAFE, usually over one semester. They are designed to give young people the basic skills needed to gain employment or entry to higher education.

* GROUP TRAINING SCHEMES

These schemes are private companies that were set up to increase the opportunities available to young people in apprenticeship and traineeships by utilising small business limited training ability through a rotation system.

A number of other programs funded by the Department of Employment, Education and Training are offered in Northern Territory. These include:

- * Job Start;
- * Job Train;
- * Job Club;
- * Job Search;
- * Training for Aboriginals Program (TAP);
- * Training Mobility Assistance, and
- * Living Away from Home Allowance.

All of the programs listed above are equally available to young women and the principle of equity is a consideration of funding to the bodies that run the programs.

Australian Capital Territory

The ACT Government supports the recommendation in principle, noting that there are no residential training programs available in the ACT.

Training resources must be interrelated and relevant to the local situation of the young person. Accordingly any program introduced by the Department of Employment, Education and Training would need to be developed in consultation with the relevant ACT government agency to ensure that these variables are taken into account.

Women's Employment

The Committee commends the JET (Jobs, Education and Training) and Newstart employment initiatives.

Recommendation 44.

Federal and State Governments should continue to develop and refine employment training programs, and increase their accessibility to young women as an important contribution to the reduction of violence against women.

Commonwealth

The recommendation is consistent with current policy. The Department of Employment Education and Training, in co-operation with State and Territory Governments, is developing a national policy and action plan to promote strategies to improve access and participation of women in TAFE programs.

A Steering Committee for the National Plan of Action for Women is preparing a project brief.

The Department of Social Security will continue efforts to provide young women with access to employment training programs which would enhance their potential to be financially independent.

In the area of income support women have, at least, equal access to social security payments in their own right. In addition, spouses of unemployed people or those in training may elect to attract additional income support payments as a dependent spouse.

The Department of Social Security provides a number of programs to assist disadvantaged clients, including female clients of all ages. Unemployment benefit entitlement, for example, provides access to programs such as NEWSTART which provide a focus on, and incentives for, workforce participation. The February 1990 Economic Statement announced measures to encourage further the spouses of unemployment beneficiaries to qualify independently for income support and to seek employment. These measures include an intensive publicity campaign, an additional earnings disregard of up to thirty dollars a fortnight of earned income and additional assistance through the Commonwealth Employment Service.

The Jobs, Education and Training (JET) program provides specific workforce assistance for sole parents including child care, labour market training, education and income support.

New South Wales

The New South Wales Department of Industrial Relations, Employment, Training and Further Education encourages and monitors access and participation by women in a number of vocational education and training initiatives and employment support programs designed to enhance individuals' vocational skills with a view to improving their long term employment prospects in permanent jobs. Equal access to vocational education and training will increase the potential for women to have greater economic independence.

Strategies include identification and targeting of training positions in apprenticeships and traineeships with employers, promotion of training opportunities at career markets and information days, mainstreamed employment and training programs development and implementation of the Women in Entry-Level-Training Plan. The Tradeswomen on the Move Program encourages young women at school to consider opportunities in non-traditional trade areas.

It is hoped that improving access by women to a wide range of employment opportunities will assist society to accept women's expanded role and may contribute towards a diminution of violence against women.

New South Wales TAFE has adopted the framework of the National Plan of Action for Women in TAFE, endorsed by the Minister for Employment, Education and Training in October 1991, which states six objectives of the TAFE systems in respect of women. A major objective is to improve paths of entry for all women into accredited TAFE courses, in order to maximise women's employment opportunities.

Women can be restricted from receiving formal training by various factors, and these are compounded where women are trapped in situations of domestic violence. Provision of preparatory programs under conditions less formal and more gender inclusive than traditional trade courses is a necessary first step to assisting women to recognise existing skills and gain new ones. TAFE New South Wales provides 'women only' courses such as 'Work Opportunities for Women', and 'Career Education for Women' which can lead to vocational outcomes in the related areas of industry-specified competencies.

Victoria

The Department of Business and Employment (formerly Department of Labour) operate a range of programs. Young women are a target group within the Workstart Program (see Recommendation 43).

The Joblink program is a job and training placement service for long-term unemployed persons. It was established in 1986 and estimated expenditure for 1991/92 is \$3.4 million. Joblink placed about

2353 people in employment and 2373 in training in 1991/92, fifty-eight per cent of whom were women.

Assistance was given to women trying to enter training or employment by the provision of out of school hours childcare program. Established in 1989, it now was transferred to the Office of Preschool and Child Care.

Queensland

Queensland supports this recommendation for the following reasons:-

- * it is in line with equity and social justice policies of the Government;
- * women are under-represented particularly in technical and trade areas; and
- * women were employed in a narrow range of occupations.

Initiatives through the Department of Employment, Vocational Education, Training and Industrial Relations (DEVETIR) include:-

- * Provision of assistance for short term vocational training courses relevant to local labour market and particular needs of women through community based providers, for example, Neighbourhood Centres, Skillshare.
- * Provision of personalised assistance through Youth Employment Coordinator (twenty-one of the forty co-ordinators are women).
- * Forty-five targeted pre-vocational trade training places in Colleges and seventeen preparatory programs conducted in 1991.
- * Support services for women in trade courses are also being provided and a Tradeswomen-on-the-Move project to educate young women about their career options accessed 5000 girls in schools during 1991.

Initiatives such as these enhance women's economic independence through provision of employment opportunities in a range of occupations. It is hoped that this economic independence will also lessen the probability of women being in potentially vulnerable situations which may lead to domestic violence.

Potential exists for women enterprise programs (including childcare) to increase access of women into self employment as an alternative. Several pilots already exist in Technical and Further Education, Technical and Employment Queensland (TAFETEQ) community projects.

The Queensland Government will continue to work co-operatively with the Commonwealth to provide employment, vocational education and training programs for women particularly in the non-traditional areas.

Western Australia

In order to address the inequitable position of women in the labour market, the Department of Vocational Education and Training (DEVET) has developed a women's plan which has the following ten objectives:

- * improve paths of entry for all women into accredited TAFE courses;
- * improve women's successful participation in vocational training;
- * improve the TAFE learning and physical environment for women;
- * improve support services for women in training and skills development;
- * ensure that women benefit equally from training for industry and award restructuring;
- * increase the participation of women in decision making;
- * improve women's access to government programs, services and resources; and

- * provide for workers.

South Australia

Training programs designed specifically to be accessible to young women and aimed at reducing violence towards them are detailed as follows, together with the enrolments for 1991/92:

| Course/Module | Enrolment 1991/92 |
|-------------------------------------|--------------------------|
| New Opportunities for Women | 553 |
| Youth Conservation Training Program | 151 |
| Employment Skills Program | 208 |
| Certificate in Primary Health Care | 191 |
| Assertive Communication (Women) | 247 |
| Becoming Independent (Women) | 78 |
| Changes and Choices (Women) | 27 |
| Issues of Social Concern | 10 |
| Self Defence for Women | 134 |

Tasmania

The Minister for Employment, Industrial Relations and Training has endorsed the National Plan of Action for women in TAFE. Key objectives of this program are to:

- * improve paths of entry for all women in accredited TAFE courses; and
- * to improve women's successful participation in vocational training.

A statewide action plan with performance indicators was drafted to ensure achievement of these objectives.

The following programs are provided for young women:

- * Tradeswomen on the move - this is a marketing strategy designed to attract more young women into non-traditional apprenticeships.
- * Trade Based Preparatory Courses for Women - These courses are designed to provide young women with the skills and support to assist them in entering an apprenticeship in a non-traditional trade.
- * Preparing for Re-entry - DEIRT funds re-entry courses for women wishing to return to study and the workforce on a statewide basis.

DEET also provides workforce re-entry programs through Skillshare/Jobtrain.

All syllabuses will increasingly include key competencies in personal effectiveness.

Northern Territory

The following programs for young women are jointly funded by the Department of Labour and Administrative Services and the Department of Employment, Education and Training (DEET):

- * **TRADESWOMEN ON THE MOVE**

This is a marketing strategy designed to attract more young women into non-traditional apprenticeships.

* **TRADE BASED PREPARATORY COURSE FOR WOMEN**

This course is designed to provide young women with the skills and support to assist them in entering an apprenticeship in a non-traditional trade.

* **PREPARING FOR RE-ENTRY**

The DEET funds a seven week 'preparing for re-entry' course for women who wish to boost their self-confidence and work related skills in order to re-enter the workforce.

* **ABORIGINAL DEVELOPMENT**

The Aboriginal Development Branch of the Department of Labour and Administrative Services funds courses designed to develop the skills of women in Aboriginal communities. These courses are:

Walungurra Women's Art and Craft Course
- a ten week training program

Art and Craft Santa Teresa
- ongoing training to support women's participation in the Keringka Arts Enterprise

Office Skills Daly River
- a six week training course

Art and Craft Daly River
- a twenty-three month training course

Art and Craft Port Keats
- a five month training course

Sewing Skills Barunga
- a ten week training course

* **EQUAL OPPORTUNITY**

The Office of Equal Opportunity in the Department of Labour and Administrative Services runs the following courses to assist women in the workforce or those wishing to enter or re-enter the workforce:

Women at Work
- four to six courses conducted per year for groups of twenty women of all ages

Management Skills for Women
- conducted once or twice a year to equip women with the skills they need to improve their status in the workforce and enhance their earning potential.

Australian Capital Territory

The ACT Government supports this recommendation, which is consistent with the goals of the ACT Women's Employment Strategy, but considers that such training programs should not be restricted to young women. Women who are older and were out of the labour market for some time have the greatest difficulty in finding paid work.

In its 1991/92 Budget, the ACT Government announced new initiatives aimed at improving the training and employment prospects of young people. Additional funding was also provided for programs designed to assist women entering the workforce. These will expand employment options for women, especially in non-traditional areas and small business and improve women's access to

training, including the piloting, in the ACT Government Service, of traineeships for mature-aged women entering the workforce.

PUBLIC SECTOR AGENCIES: HOUSING

Recommendation 45.

Governments should take steps to ensure that no victim of criminal assault in the home is denied alternative shelter.

Commonwealth

The Commonwealth has undertaken a number of initiatives to assist people who are homeless as a result of domestic violence, the most recent with respect to the Supported Accommodation Assistance Program (SAAP) is the extension of the program to at least 1993/94 with a guaranteed level of Commonwealth and State funding.

The new SAAP agreements include increased emphasis on targeting to the most needy and the inclusion, as one of the program's major client target groups, of women and women with children who are homeless as a result of domestic violence.

In the period 1984/85 to 1988/89, total annual funding for the program increased from \$42 million to \$105 million. Over one-third of these funds were spent on women's refuges and related support services which resulted in an approximate 100 per cent increase in the number of women's refuges from 154 to in excess of 300.

There are now some 320 SAAP services assisting victims of domestic violence (twenty-seven new approvals in 1990/91 alone) compared to 153 at the beginning of SAAP. In addition, 313 services assist families in crisis and fifty-six services were established to provide assistance for single women.

It was estimated that, as a result of the new SAAP agreements, an additional \$20 million would be spent from 1989/90 to 1991/92 by the Commonwealth, State and Territory governments for assistance for women who are homeless as a result of domestic violence.

The signing of a new agreement with the States in 1989 provided better planning and consultation. The complementary Crisis Accommodation Program (CAP) provided capital funding to enable the purchase of a large number of properties to provide secure tenure and to help develop a range of service types from medium to long term to allow for the transition to independent living.

A recent national study on SAAP, undertaken for the National Committee on Violence Against Women, found that SAAP was viewed overwhelmingly, by women's groups, as a very important program of assistance for women and children escaping domestic violence to enable access to housing and support services. The report of the study concluded that 'SAAP planning, funding and administrative arrangements...are the most appropriate for women, young people and children escaping violent situations'.

The Department of Social Security provides rent assistance payments to clients, including those in receipt of Family Allowance Supplement, subject to the amount of rent paid. This payment can be particularly important for those clients who need to find alternative accommodation to avoid or escape violence.

In addition, the Department of Social Security operates a Social Work Service which provides assistance to clients whose personal and social circumstances render them vulnerable to stress and deprivation. The Department's Social Workers work in close liaison with community service providers to ensure continuity in service provision, client access to local support services (housing, health, family support, legal etc) and development of services to meet changing client needs.

Also refer to response to Recommendation 12.

New South Wales

The New South Wales Department of Housing provides alternative shelter to domestic violence victims through the provision of:

- * crisis accommodation under the Crisis Accommodation Program, including women's refuges, youth refuges and family refuges;
- * accommodation provided under the Youth Social Justice Strategy;
- * priority housing. Recent statistics indicate that 43 per cent of applications from domestic violence victims for priority housing were approved for priority housing during 1991/92; rehousing perpetrators of domestic violence rather than victims. Victims of domestic violence can choose to remain in the dwelling or be rehoused;
- * private rental housing assistance to domestic violence victims through the allocation of funds under the Rental Assistance Scheme;
- * provisional eligibility for public housing to home owners who are awaiting a property settlement and cannot reasonably be expected to reside in their home, but who are otherwise eligible for public housing; and
- * crisis housing for homeless people who have no alternative accommodation.

Victoria

Responsibility for housing and supported accommodation initiatives and programs is shared between the Department of Planning and Housing and the Department of Community Services Victoria (CSV).

Department of Planning and Housing initiatives in response to domestic violence are co-ordinated through the Housing Task Force on Domestic Violence, which reports to the Family Violence Prevention Committee (FVPC). It is convened by the Women's Policy Co-ordinator of the Department of Planning and Housing and includes representation from the Department, zone and area officers, Attorney-General's, refuges, and others.

The Supported Accommodation and Assistance Program (SAAP), jointly funded by CSV and the Commonwealth Department of Housing, Health and Community Services, provides accommodation and support for homeless people in Victoria, including people who are in crisis as a result of violence in their normal living environment. In 1990/91, \$7.8 million was provided for emergency accommodation for women leaving violent family situations, and in 1991/92 \$8 million was provided.

A number of housing and supported accommodation options are provided for those affected by family violence.

- * Refuges, funded jointly through the Crisis Accommodation Program and the Department of Community Services Victoria, provide safe and secure short term accommodation for women who require maximum security. Twenty-four refuges are funded, including Zelda's Place for young women escaping incest. New types of crisis accommodation are being provided for women who do not need the full secrecy of address that refuges provide.
- * Women's Refuge Referral Service is funded to provide twenty-four hour access to women's refuge services, and to maintain security for women escaping from violence.
- * Thirteen Domestic Violence Outreach Workers are funded to provide support to women in the community who were subject to domestic violence, including those who were enabled to remain in their own homes with Intervention Orders under the Crimes (Family Violence) Act.
- * Three-quarter way houses provide further accommodation options for women who need semi-supported medium to long term accommodation. It is seen as an intermediate step between refuges and independent living.

- * The Department assists those affected by domestic violence to find accommodation in the private rental market by providing a Bond and Relocation Scheme. Up to \$600 can be provided for bond and removal expenses.
- * Under the Housing Establishment Fund, financial assistance is provided to groups managing crisis accommodation services which in turn they make available to their service users.
- * Priority access to public rental housing is available to women escaping domestic violence.
- * Those affected by family violence also have access to Home Finance schemes or any lending program offered by the Ministry.

Queensland

See notes at Recommendation 46.

Western Australia

\$14.3 million was provided to the Supported Accommodation Assistance Program in Western Australia in the 1992/93 budget. Refuges are funded through SAAP in metropolitan and country areas.

If accommodation cannot be found in a refuge, the Crisis Care Unit can provide access to alternative accommodation.

The provision of 'safe houses' is another initiative in this area. 'Safe house' differ from refuges in that they are for people who do not wish to leave the family home permanently but seek short term safety, until the immediate danger has passed.

South Australia

Alternative shelter for domestic violence victims continues to be provided through women's shelters.

While there are five country shelters, there are women in isolated areas who are disadvantaged because safe accommodation is not readily available. This situation is being reviewed by the Department of Family and Community Services with the aim of recommending alternative models of accommodation.

To assist those who are victims of assault in the home, the South Australia Housing Trust in the past twelve months has:

- * Consolidated and extended its Domestic Violence Program, to improve access to emergency housing and welfare services for women escaping domestic violence. Under this program, women leaving or seeking to leave, violent domestic situations can obtain fast track telephone access to the Trust's Private Rental Establishment Support Service on the basis of professional case assessment by referring officers in the Department of Family and Community Services, Women's and Family Shelters and services Aboriginal people and people of non-English speaking background. An additional feature of the program is the reciprocal fast track access to Family and Community Services domestic violence emergency financial assistance budget for Trust staff involved in the provision of emergency housing services. In 1991/92 the Trust expended \$598 407 on this program assisting 1315 households.
- * Released a comprehensive Domestic Violence policy and related guidelines for Trust rental housing operations. The policy was launched at the end of September 1992 as part of an information kit on Domestic Violence. The Kit includes literature on the Trust's Programs and services of domestic violence, together with a Domestic Violence Manual for housing

workers. The manual was prepared by the Women's Housing Issues Working Party and the Office of the Status of Women. The kit will be of particular benefit to agency workers who deal with women experiencing violence in the home and who may need to be referred to the Trust for assistance to obtain alternative accommodation.

- * Continued to assess victims of domestic violence for priority access to public housing within the terms of the Priority Housing Policy. While domestic violence is not a specific ground for priority housing it is certainly considered in terms of its impact on the main areas of assessment.

Tasmania

Recommendations 45, 46.

Victims of domestic violence are already given priority in emergency shelter accommodation and the existence of domestic violence is a significant factor in assessing priority for the allocation of public housing. Any proposals for change in the area of priority assessment will give full consideration to domestic violence as a serious factor in priority setting. Housing services now have a domestic violence policy in place.

Northern Territory

Special provisions of the Northern Territory legislation relating to domestic violence allow for the removal of the perpetrator of the violence, whether or not this person is the owner of the property, or the signatory of a rental contract. This allows the victims of domestic violence to remain in their own residence, with a court order preventing the perpetrator access to the property. Police and Magistrates will ensure that these provisions are utilised to their fullest extent to relieve pressure on refuge accommodation and welfare housing. This is being done and will be monitored during the next twelve months.

The Department of Health and Community Services Child Protection and Substitute Care Programs continue to provide alternative shelter for children who are subject to criminal assault in the home. In addition, the Northern Territory Government in conjunction with the Commonwealth funds non-government organisations to provide women's crisis centres for refugees in Darwin, Alice Springs and Katherine. Rape Counselling Services are also provided in both Darwin and Alice Springs.

Where the need was identified by the community, the Government was assisting local Aboriginal groups to define their needs in this area and provide culturally appropriate solutions.

Most recently this has taken the form of the provision of funds to establish a 'Women's Centre' at Tuendemu where women and children can escape from potential violence when alcohol enters the community.

Australian Capital Territory

The ACT Government supports the recommendation and already provides a number of housing and support services for victims of criminal assault in the home. The Domestic Violence Crisis Service provides immediate crisis support, ongoing advocacy, support and referral to housing services. The ACT Housing Trust allocates dwellings to women's and community organisations which are accessible to those fleeing criminal assault in the home.

Recommendation 46.

Victims of domestic violence should be given priority in the allocation of emergency and low-cost accommodation.

Commonwealth

This issue was raised at the Housing Ministers' and Officers' Conference on 31 May and 1 June 1990 in the context of considering the portability between States of waiting time for public housing. It was referred to a joint officers group for further consideration. The suggestion was made that people who moved from one State to another for reasons of domestic violence or other urgent family reasons should be given priority for public housing.

The Department of Social Security provides rent assistance payments to clients, including those in receipt of Family Allowance Supplement, subject to the amount of rent paid.

In addition, the Department of Social Security operates a Social Work Service which provides assistance to clients whose personal and social circumstances render them vulnerable to stress and deprivation. The Department's social workers liaise with community service providers, for example, housing, health, legal and family support, to ensure continuity in service provision and client access to local support services.

Also refer to response to Recommendation 12.

Since 1 July 1991, applications from all domestic violence victims are referred directly to the Housing Review Committee. Unlike other applications for priority housing, they are not administratively culled.

Victoria

Crisis accommodation is provided on a needs basis to any individual or family who meets the criteria. Women's refuges meet this specific need.

The Housing Task Force on Domestic Violence has renewed and amended priority housing guidelines in response to community concerns. Obtaining priority housing is no longer reliant upon having taken legal action as a remedy to the situation of domestic violence.

Priority approval is available to victims of family violence for housing finance schemes, however, due to the complexity of the financial arrangements, the waiting period can be up to six months for final loan approval.

The priority housing guidelines for victims of domestic violence continue to incorporate the amendments developed by the Housing Task Force on Domestic Violence. Clients applying for priority housing under these circumstances are not required to have sought a legal remedy in relation to the situation of domestic violence.

Queensland

The Department of Family Services and Aboriginal and Islander Affairs provides funding under the Supported Accommodation and Assistance Program (SAAP) for victims of domestic violence and their children. The SAAP Program is jointly funded by State and Commonwealth Departments. The guidelines for the program ensure that women escaping domestic violence are eligible for emergency accommodation.

Forty-five services are funded under SAAP (recurrent funds of \$6 884 092 in 1992/93). The services comprise 42 refuges, eleven of which are directed to Aboriginal and Torres Strait Islander women. There are two information, support and referral services, and one support and advocacy service for women from non-English speaking backgrounds.

A national evaluation of SAAP services is under way. The evaluation will examine service models in an attempt to ensure that client needs are met in the most effective manner.

A user rights strategy is also being compiled through the SAAP program to ensure that the rights of clients needing to utilise services such as refuges are upheld.

The Department of Housing, Local Government and Planning is preparing to implement a new allocations policy which will include provision for priority allocation for applicants with a high need for immediate long term housing assistance, including public rental and home ownership assistance. The circumstances to be considered for priority allocation will include those where an applicant or a household member is a victim of domestic violence. Verification measures which apply for priority allocation, also will apply for priority transfers.

The Department is examining procedures which would enable women in public rental housing to change their tenancy agreement from one with joint tenants to one with a single tenant, if they have a Domestic Violence Order preventing the perpetrator from entering the home. The change from joint tenancy to single tenancy effectively denies the perpetrator any right to that accommodation.

Western Australia

A number of initiatives relevant to this recommendation were implemented. They include:

- * Bond Assistance Scheme - applicants 16 years and above, are provided with loan monies to enable them to secure private rental.
- * The Emergency Housing Office - a facility for families wishing to escape violence. Homewest maintains approximately thirty properties which are available at short notice. Occupants are given three months tenancy to enable them to escape their circumstances and allow time to make alternative arrangements.

South Australia

In response to the National Domestic Violence Awareness Campaign in April 1989, the Housing Trust piloted a joint venture project with the Department for Family and Community Services. The pilot aimed to facilitate the extension and coordination of emergency housing and welfare services for women escaping domestic violence by utilizing the professional expertise of the Department for Family and Community Services service providers, who are often the first point of contact for women leaving, or seeking to leave, domestic violence. The service model adopted for the project provided for fast track telephone access to the Emergency Housing Office and immediate authorisation for the provision of services on the basis of professional case assessment by the referring officer.

The project ran for eight months and, encouraged by the enthusiasm for the pilot from the Department for Family and Community Services and non-government agencies, the Trust consolidated the initiative into a Domestic Violence Program.

The Program is based on the key recommendations of the Domestic Violence Council Report (1987) and aims to ensure that services are accessible, responsive and coordinated for women who present to the Trust or to designated first point of contact agencies (designated first point of contact agencies now include Women's and Family Shelters, Department of Family and Community Services and other emergency services, including services for Aboriginal people and for people of non-English speaking backgrounds).

A comprehensive policy and procedures document was developed, to support program implementation.

An additional feature of the program is reciprocal fast track access to Family and Community Services domestic violence emergency financial assistance budget for Trust staff delivering emergency housing services.

In 1990/91 the Trust expended \$215 000 on this program, assisting in excess of two thousand households.

Further policy development work was undertaken in the last few months with the aim of establishing a comprehensive policy and guidelines for Trust rental housing operations. Consultation has occurred with the South Australia Domestic Violence Prevention Unit and a final draft was prepared for the Director, Housing Operations' consideration.

Throughout 1990 and 1991 staff delivering services to applicants and recipients of other housing services have participated in formal training sessions provided by the South Australia Domestic Violence Service, and further training sessions were scheduled for all housing operations staff involved in customer contact throughout 1991/92.

The South Australia Women's Housing Issues Working Party (WHIWP) representative is working closely with several other members of WHIWP and in conjunction with the Office of the Status of Women, to produce a Domestic Violence Manual for State and Territory Housing Authorities' housing personnel.

The Manual was scheduled for completion in late 1991 and will be implemented in South Australia by the WHIWP representative through a series of induction and training sessions.

Client profile and service outcome data is now available for emergency housing programs and in late 1991 work will resume to ensure that data is captured for all applicants and recipients of Trust services from July 1992.

Tasmania:

Refer to response to Recommendation 45.

Northern Territory

Refuge accommodation is available as emergency accommodation for victims of domestic violence in the established urban areas of the Northern Territory for women with children, and in some cases, for women without dependent children. This accommodation is in heavy demand at all times and lengths of stay must, therefore, be as short as possible.

'Out of turn' prioritising of subsidised housing by the Department of Lands and Housing occurs through referral to the Welfare Officer in Alice Springs or Darwin. Extreme cases of hardship can be referred to the Director, Tenancy Services, who has the discretion to grant priority to cases of special need. It follows from this recommendation that all situations where domestic violence is present should automatically receive this priority.

The Department of Lands and Housing has offered Dawn House Women's Refuge, Darwin, four houses available through the refuge system. However, Dawn House has applied to the Department of Health and Community Services for funding for an extra community worker to allow them to take advantage of this offer.

The Welfare Section of the Tenancy Services Branch is involved with many victims of domestic violence each year. Most cases are referred to the Branch by agencies, such as Dawn House and the Salvation Army. Other cases come directly to the Branch as existing Housing Commission tenants.

The Tenancy Services Branch assesses each case for either immediate out-of-turn allocation of Commission accommodation, or for rental assistance in the private rental market.

Australian Capital Territory

The ACT Government supports the recommendation and provides priority housing, rent relief and bond assistance for women and women with children, including women from interstate, who are fleeing domestic violence.

Housing For Aboriginal People

Recommendation 47.

The Committee commends the progress which was made in the provision of housing for Aboriginal people, but recommends that to control violence and to restore pride, management and maintenance of housing should be made the responsibility of Aboriginal people. Adequate funding and resources should be provided.

Commonwealth

Housing assistance for Aboriginal and Torres Strait Islander people is provided by the Commonwealth through a range of programs administered by the Aboriginal and Torres Strait Islander Commission (ATSIC), and through a specific purpose program under the Commonwealth State Housing Agreement (CSHA).

Since 1979/80, a total of \$650 million in CSHA funds was provided through the Aboriginal Rental Housing Program (ARHP), resulting in the addition of 7717 dwellings to 1989/90. To date a stock of over 15 000 dwellings has been accumulated by State and Territory governments under this and previous programs.

Funding for the ARHP was increased by \$21 million to \$91 million in 1989/90 in recognition of the fact that Aboriginal and Torres Strait Islander people continue to be the group most disadvantaged in terms of housing need. Funds are distributed between the States and the Northern Territory on the basis of need as determined by the 1986/87 Accommodation Needs Survey undertaken by the then Department of Aboriginal Affairs and the Aboriginal Development Commission, and endorsed by the Australian Aboriginal Affairs Council.

Communities are encouraged, through Aboriginal Housing Boards, Coordinating Councils, Local Land Councils and other agencies, to develop a sense of ownership and participation in the management and control of their housing stock. Training in housing management, construction, maintenance and tenant education is also being developed and funded through the Department of Employment, Education and Training.

In December 1990 the Commonwealth set aside \$224.35 million under the National Aboriginal Health Strategy (NAHS) for the provision of environmental health services, establishment of an Office of Aboriginal Health, public health programs and Aboriginal health services over the five year period to 1994/95. The NAHS was developed after an extensive period of consultation between Commonwealth, State and Territory governments and Aboriginal and Torres Strait Islander community health organisations. Inadequate environmental and public health infrastructure and services were identified as prime underlying causes of poor health amongst Aboriginal and Torres Strait Islander people.

To ensure an equitable needs based allocation of funds ATSIC planned to conduct a National Housing and Infrastructure Needs survey in 1991. Information gathered by the survey would be available to assist Commonwealth, State and Territory authorities in identifying, quantifying and costing the housing and infrastructure needs of Aboriginal and Torres Strait Islander people and provide a reliable data base for future planning.

Aboriginal Housing Associations are being actively supported by the Department of Community Services and Health and other government agencies in the process of their taking control of new and existing Aboriginal housing stock, with a view to promoting autonomy and a sense of community ownership.

The Government has accorded housing programs the highest priority for the allocation of funds by all Commonwealth agencies with specific Aboriginal and Torres Strait Islander programs. The Government recognises that without adequate shelter and associated infrastructure, other programs

related to health care, education and training, are ineffective. The development of Aboriginal and ATSIC programs involve the consultation and participation of Aboriginal and Torres Strait Islander community members, and programs encourage Aboriginals and Torres Strait Islanders to take responsibility for the management and maintenance of community housing.

Unfortunately past policies have, in some cases, resulted in the delivery of inappropriately designed houses to Aboriginal and Torres Strait Islander communities. The new structure of ATSIC will see a greater grass roots involvement through Aboriginal and Torres Strait Islander consultation with their Regional Councillors.

Department of Health Housing and Community Services 1993

The Council of Australian Governments in December 1992 endorsed the 'National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal People and Torres Straight Islanders'. The National Commitment flows from earlier considerations by the Australian Aboriginal Affairs Council (AAAC) and sets a framework for achieving greater co-ordination in the delivery of programs and services by all levels of government to Aboriginal and Torres Straight Islander people.

Within the context of the National Commitment, work has commenced on the development of new and more efficient arrangements for the planning and delivery of Aboriginal housing which will also ensure more effective co-ordination with related infrastructure services. The development of new Aboriginal Housing arrangements will involve bilateral negotiations between the Commonwealth, States and the Territories, and consultation with Aboriginal and Torres Straight Islander people.

Among the long term objectives to be sought under these new arrangements is the enhancement of opportunities for Aboriginal and Torres Straight Islander self management through increased involvement in planning and decision-making processes.

New South Wales

The Commonwealth has agreed with a recommendation by the Royal Commission into Aboriginal Deaths in Custody that Aboriginal Rental Housing Program (ARHP) funds within the Commonwealth State Housing Agreement be diverted from State Housing Authorities and channelled through ATSIC.

While the New South Wales Department of Housing supports the principle of Aboriginal people having responsibility for management and maintenance of housing, the Department is concerned to ensure that the diverse housing needs of all Aboriginal people are catered for under any management control that may be put in place.

The Department is developing an Aboriginal housing strategy as a contribution to the national debate as to how housing services can be best delivered to Aboriginal people, taking into account the implications of channelling ARHP funds to ATSIC.

The New South Wales Homes on Aboriginal Land Program is arranging for over 300 houses to be built on Aboriginal Land Council land, with Aboriginal organisations having total responsibility for the maintenance of the houses.

Victoria

The Aboriginal Housing Board, a Koori community based organisation, in conjunction with other Commonwealth Government programs provides Aboriginal housing within Victoria. Funding for the Aboriginal Housing Rental Program is received from capital grants under the Commonwealth and State Housing Agreement.

The 'forward plan' of the Board, which has been developed and endorsed by the Koori community, sets the priorities and parameters for the Aboriginal Housing Program. This plan will see greater Koori community control of the Victorian Aboriginal Housing Program through strategies aimed at

increased responsibility of the Koori community in the management and maintenance of Aboriginal housing.

Under the Aboriginal Capital Projects Program, Aboriginal Affairs Victoria has assisted in the establishment of community based building teams through the provision of capital grant funding of \$348 000 in 1990/91 and a further \$200 000 in 1991/92. The aim of teams is to provide apprenticeship opportunities for Koori people, to be commercially viable in the house building and maintenance market, and to provide appropriate housing to Koori people.

Western Australia

\$6 million per annum is spent on the provision of housing to self managing Aboriginal communities.

The Western Australia Aboriginal Housing Board is implementing a program funded by the National Aboriginal Health Strategy to assist communities to develop maintenance and management capabilities. Mobile maintenance teams are employed to provide maintenance assistance and to train local people to undertake these tasks.

The Special Housing Assistance Program (SHAP) which is largely used by Aboriginal people assists tenants to obtain the skills and confidence necessary to meet their responsibilities and obligations under the tenancy agreement.

There is a Tenant Action Group which encourages tenants to participate in the management of their accommodation and to give a forum for problem solving.

South Australia

In 1991 a major review of the Aboriginal Housing Program in South Australia was completed by consultants from the Office of Cabinet and Government Management Board. The South Australia Government is considering the report and its recommendations, and widespread consultations on the outcome of this review were undertaken with Aboriginal community organisations and Commonwealth and State agencies. The Trust is confident that any changes in the administration and structure of the program which flow from the review will extend the level of participation in, and management of, Aboriginal housing by Aboriginal people, as the Department of State Aboriginal Affairs recently assumed responsibility for the program.

Tasmania

The Tasmanian Aboriginal Centre which is recognised as a peak body for the Aboriginal community has for a number of years had responsibility for allocating housing. However, following representation from the community a review of the current procedures is to be undertaken.

An Aboriginal Housing Board is to be set up.

Northern Territory

The giving of Aboriginal people responsibility for the management and maintenance of housing is supported but by itself this action will not necessarily control violence or restore pride. The comments of the Community Council of the Shire of Central Darling, on page 222 of the housing report, are pertinent.

The Department of Lands and Housing is providing grants in excess of \$20 million per annum for housing for Aboriginal communities. All this accommodation is managed by the communities themselves.

Cabinet recently considered and agreed to a pilot program, aimed at providing greater support for the repair, maintenance and management functions, will be undertaken in three communities.

In addition, the Department is managing a research project for the Australian Housing Research Council which is examining appropriate housing management programs and training methods.

Australian Capital Territory

The ACT Government supports the recommendation.

The Community Organisation Rental Assistance Program enables community organisations to lease homes through the ACT Housing Trust to undertake housing assistance programs tailored to the needs of particular groups in the community. Negotiations have commenced with an ACT Aboriginal organisation to establish a program in the ACT.

Housing Design

Recommendation 48.

Public housing authorities should include considerations relating to the reduction and prevention of violence in the design of public housing.

Commonwealth

This is an issue for the relevant housing authorities.

New South Wales

The New South Wales Department of Housing seeks to give residents greater control over their security, especially in medium density and pensioner housing. Considerable effort was made to demarcate public space from semi-private and private spaces through site layouts, landscaping, lighting and building designs which give residents greater control over their security. Common areas are laid out so that they are publicly visible and encourage social interaction amongst residents.

The New South Wales Department of Housing has adopted specific design principles to increase the security of women's refuges. These design principles were included in a standard design which is used as basis for negotiating with community groups. The five-bedroom model is unobtrusive, does not require planning approval and aims to develop defensive space.

The Department has a policy of privatising open space in order to increase security.

Design features to reduce violence which are now being introduced into public housing include heavy duty solid core doors, metal door frames, security locks and security screen doors.

Victoria

A large proportion of the Public Housing Estate Improvement annual funding is spent on addressing issues of estate and dwelling security. All design projects include security-related issues in the brief.

Private building companies have consulted with police in the development of design of new buildings so that crime prevention issues can be adequately addressed.

During 1991/92 the community safety in urban design group was formed with representatives from the Victoria Police, the Department of Planning and Environment, the Melbourne City Council, the Municipal Association of Victoria, the Royal Institute of Architects and the Criminology Department of Melbourne University, to promote safer housing by developing 'Crime Prevention Through Environmental Design' approaches.

Also refer to response to Recommendation 137.

Queensland

Design issues in public housing, including security issues continue to be identified through Post-Occupancy Assessment of newly built and Estate Improvement projects. The Department of Housing, Local Government and Planning's design guidelines will be reviewed on an ongoing basis in response to consumer concerns and as a result of Post-Occupancy Assessment.

The Australian Model Code for Residential Development (AMCORD), a Commonwealth sponsored program which encourages flexible innovative housing development, has a component which deals with security in subdivision layout and housing design. The Department is encouraging local authorities to adopt AMCORD.

The Building Better Cities program has a component which addresses security audits. It is proposed to prepare community action plans in conjunction with local communities in Inala, Carole Park and Riverview. Different groups, including women, will be targeted in the preparation of plans which will address security issues.

The Queensland Government is seeking to improve the design of public housing, including elements which impact on physical security of the dwelling and living environment. The Government is evaluating and incorporating appropriate security measures in the design of new public housing.

Security problems in existing public housing environments are also being addressed through the Upgrading and Area Improvement programs, introduced in 1990. The Upgrading program has featured provision of improvements to deal with security, for example, security doors and screens. The problems and needs of a number of estates are being examined in detail through the Area Improvement Program, and security issues are expected to feature among residents' concerns.

Western Australia

Western Australia's Homewest is implementing this recommendation in a number of ways. For example, in Homewest's Apartment Strategy, all major apartment complexes were scrutinised in relation to their history of social problems. Various strategies were devised to combat the particular problems experienced. For example improved lighting, car bays closer to units, renovations, altering apartments to provide a safer living environment. One complex was demolished and the tenants relocated to alternative accommodation.

To prevent problems experienced in the past with large public housing estates, sub-divisions are planned to ensure that not more than one property in seven is rental accommodation. Also taken into consideration are 'Green Street' principles to ensure sufficient open space and no major roads (minimum traffic). The department is keenly aware of the part such considerations play in the reduction of stress and violence.

Security screens were provided to properties of tenants considered to have a particular safety need including domestic harassment or violence.

Climatic conditions and lifestyles were taken into consideration in housing designs. In the north-west of the state where climatic conditions are extreme, design building materials and fixtures are planned with all this in mind.

Privacy is also a major consideration in the design and construction of any Homewest development. For example each unit has its own outdoor area.

South Australia

This recommendation relates to urban and housing design issues, and planning requirements in regard to the prevention of violence.

In 1992 the Urban and Housing Design Working Group of the Coalition Against Crime examined this issue. The Working Group comprises members of the public sector, private sector, and local government. A consultancy was undertaken to develop a profile of urban design issues in relation to crime prevention in:

- * An existing residential area;
- * An existing town centre; and
- * A new development area (Seaford).

The outcome of this consultancy may be the recommendation that design guidelines be produced to address crime prevention issues in relation to urban and housing design, as well as community safety through better planning.

Further work was done since the 1991 report; and urban design guidelines were developed for a number of localities and types of localities. The extra work was done in respect of a shopping centre and an aged care village.

As part of a South Australian Government initiative the Housing Trust, along with other agencies, has developed a Crime Prevention Management Plan, a major component of which relates to physical environment and security issues.

With respect to new housing developments, key design features aimed at preventing crime are incorporated at two levels. Within each dwelling, consideration is given to layouts which afford good security and surveillance of common areas in estates are enhanced through careful design of pathways car parking and landscaping.

In response to specific concerns expressed by tenants of existing walk up flat groups, the Trust has developed a strategy to increase security in these developments through increased resident participation in their surveillance, better estate lighting and improved landscaping of surrounding areas.

The Trust also released a publication on Urban Consolidation during 1992 and this incorporates information on safety through good design.

Tasmania

This is being addressed as a matter of priority.

Northern Territory

Whilst the Department of Lands and Housing generally agrees with the recommendation that public housing authorities should give more consideration to security when designing public housing, some of the suggested design proposals are not practicable for public housing.

Security screen doors and windows are fitted to dwellings when they are able to be justified. Generally, all aged pensioner accommodation and accommodation adjoining walkways, are fitted with security screens.

Because of the special problems Aboriginal families have, with visits from extended family members, housing designed specifically for Aboriginal people includes security provisions such as security window screens, solid doors both external and internal, and bedroom doors lockable from the inside.

Australian Capital Territory

The ACT Government supports the recommendation.

The ACT Government is continually reviewing the design of public housing to ensure that homes are secure and cater for the needs of special groups, such as the elderly, the disabled and the social considerations associated with them.

PUBLIC SECTOR AGENCIES: PUBLIC TRANSPORT

Recommendation 49.

Transport authorities should exercise care in the design and maintenance of their facilities, with a view toward crime prevention. They should also include and publicise a clearly stated violence prevention strategy in their State and Territory transport plans.

Commonwealth

Violence on trains primarily involves urban passenger services and as such is a matter for the States who operate them.

With regard to aviation security, the Department of Transport and Communications is the regulatory authority responsible for measures to prevent illegal interference with aircraft. Community policing at airports remains a State and Territory police responsibility. Security measures to safeguard passengers and aircraft include the provision of armed uniformed police at all major Australian airports, except Canberra, for counter-terrorist purposes; ensuring that security considerations are taken into account in terminal design; and ensuring that access control to restricted areas at major airports is controlled. Other security measures include the requirement for the submission and approval of airport and airline security programs and comprehensive audit inspection programs to ensure that these measures are working effectively.

The Australian Federal Police (AFP) states that the counter terrorist first response function at most major Australian airports is now the responsibility of the Australian Protective Service, which provides a containment role should an incident occur, until the arrival of State or Territory police. Canberra airport is the only airport with an AFP community police presence. Members of the AFP Australian Capital Territory region would respond to any incident at Canberra airport.

New South Wales

The New South Wales State Transit Authority (STA) has taken a number of initiatives to minimise the risk of violence in its vehicles. All buses were fitted with two-way radios which enable both normal and emergency communication with a central radio room which operates twenty-four hours per day. All buses have stickers prominently displayed stating that they are radio assisted. A vehicle location system which will track buses with a thirty metre accuracy is also being evaluated.

The establishment of ticket selling agencies to minimise cash collected on buses, improvement of lighting at remote terminuses and a risk analysis of all premises (and subsequent recommendations) are other measures taken by the STA in this area.

The New South Wales State Rail Authority (SRA) was particularly active in the area of safety for the travelling public and staff. Measures taken by the SRA in this area include:

- * continued close liaison with the Police Department regarding the patrolling of trains and stations by uniformed and plain clothed police;
- * introduction of private security guards to patrol stations and other areas as required;
- * training of station staff and ticket examiners at the Goulburn Policy Academy in various aspects of security;
- * training conducted by the Police Department of train guards in security measures is proposed. It is expected that the training will be completed by the end of December, 1993;

- * negotiations are underway for the signing of a memorandum of understanding with the Police Department consolidating the commitment to the number of staff dedicated to transit policing;
- * the fitting of glass in the guards compartment doors in double deck carriages to allow a clear view of the carriage in conjunction with the identification of the guard's carriage by an external blue light;
- * the issue of two-way radios as standard equipment to guards and other staff linked with a communications network providing back-up support as required;
- * the fitting of a two-way speaker system in the Tangara carriages and refurbished double deck carriages to provide direct contact between passengers and the guard;
- * the establishment of 'Help Points' and closed circuit television systems at critical locations and the installation of pay-phones as well as special commuter telephones on platforms;
- * installation of a public address system on the entire double deck fleet; and
- * improved lighting on stations and the elimination of dark obscured areas through rebuilding and refurbishment.

The SRA has also published a number of pamphlets relevant to this subject.

The Department of Transport (DOT) introduced Nightride bus services in June 1989, after the Summit on Rail Violence. Services were introduced in the South and South West sectors of Sydney initially to replace midnight to dawn trains. Following the success experienced in these areas the network was extended to the rest of Sydney in October 1989.

Safety issues were at the forefront during the planning for the services. Bus stops were selected in areas with adequate lighting and shelter and for their proximity to facilities such as telephones, taxis ranks and police stations.

In addition all buses were required to have radio or cellular phone contact to a permanent base and to local police stations. Passenger safety is further enhanced through an on-board taxi booking service enabling passengers to have a taxi waiting at their point of disembarkation.

Taxis are fitted with a radio alarm system which provides greater driver security from attack, but can also be used in other emergencies to call for urgent assistance. The silent alarm alerts the radio base which in turn calls for help from police and other taxis. Improved taxi location methods are being considered to improve this system.

To ensure that the safety of the passengers and public, measures were instituted to eliminate unacceptable behaviour by operators, drivers or passengers in the passenger transport industry. With the establishment of the *Passenger Transport Act 1990*, all operators and drivers in New South Wales are required to be accredited and/or authorised with the Department of Transport, as follows:

- * the accreditation process for transport operators requires that they be of good repute and in all respects fit and proper to be responsible for the operation of public passenger services (taxis, buses, hire-cars and ferries); and
- * to be authorised to drive a public passenger vehicle, a driver is required to be of good repute and a fit and proper person to drive a public passenger vehicle. Applicants must disclose any criminal or civil convictions within the last ten years, and police checks are carried out by officers of the Department to establish good repute.

Under the Passenger Transport Regulations 1990, a driver of a public passenger vehicle 'must behave in an orderly manner and with civility and propriety towards any passenger, intending passenger or authorised officer'. Failure to do so is an offence under the Regulations.

If, in the opinion of a driver or an authorised officer, a person is causing or is likely to cause, a nuisance, annoyance or endanger the safety of other passengers (for example, being under the influence of alcohol or any other drug), then the driver or authorised officer may direct the person not to enter, or leave, any public passenger vehicle or wharf.

Passenger safety is also a major component of the Parkway and Interchange Improvement Program. All projects built under this program (which seeks to increase the supply of commuter parking at important stations) will include security measures adopted in consultation with the police such as:

- * random Police and State Rail patrols;
- * signs recommending patrons taking security measures, for example, locking cars;
- * design elements to ensure there are no isolated or dangerous areas; and
- * improved lighting.

Interchange improvements are also designed with commuter safety and comfort in mind and with vandal resistant, low maintenance fittings. Lighting and improved safety glazing is fitted to all interchanges improved under the program. Councils will be maintaining facilities when completed and police patrolling of interchanges is a regular event.

The integrated Transport Strategy, will provide the strategic transport planning framework for New South Wales and will recognise the necessity for assured passenger safety on public transport as a central component in the improvement of public transport services.

The DOT, STA and SRA will continue to give special attention to combat and deter violence within their respective spheres of operation.

Victoria

The Public Transport Corporation (PTC) has implemented a 'Travel Safe' program incorporating a wide range of integrated initiatives to provide a safe, more secure public transport system. Some of these initiatives include:

- * Installation of closed circuit television;
- * Train monitoring exercises;
- * Safety audits;
- * Improving station lighting;
- * Community stations program.

A Safe Travelling Forum was convened by the Minister for Transport, comprising community, local government and state agencies and police and Public Transport Corporation management, to assist in the development and monitoring of initiatives that result in a real improvement in safety and security for public transport users.

Travel Safe Stations is an innovative initiative to develop 'convenience-style' stations on the metropolitan system. Initially, forty-eight strategically located stations will be developed to offer services similar to twenty-four hour convenience stores, along with increased safety and security for users. Transit Patrols will be relocated at or near these stations and allied with station staffing from first to last train, stations and surrounding areas will offer improved convenience and safety.

Queensland

Safety Audit Project and Safety Stop Concept

- * During 1992 Queensland Transport participated in the Morningside Pilot Safety Audit project. As a result of that involvement, Queensland Transport has dealt with the specific transport issues raised in the Morningside area. This included installation of additional lighting where property was inadequately lit and ensuring views were not obstructed.

In addition to meeting the specific needs of the Morningside area, Queensland Transport is developing an approach to the safety audit and 'safety stop' concept (inclusive of bus stop, taxi rank, road signage, shelter, access and lighting issues) which will be applicable state

wide and adhere to safety audit standards. This will include consultation with the community and co-ordination with other relevant agencies.

Rail

- * Night watch services, provided by private security firms under contract, operate on urban trains from 7 pm to the last train 6 days a week.
- * A restructured rail police squad was to operate from early 1993. The higher profile of officers in uniform will provide a greater sense of security to clients.
- * In 1992 special security officers were located at selected urban station car parks for the last couple of weeks before Christmas as an additional service to clients.
- * Urban rail station redesign and update is ongoing under Operation Facelift, aimed at improving the safety and comfort of clients. Around a quarter of the 120 suburban railway stations in the Greater Brisbane Area were renovated under the program with special attention paid to the improvement of lighting, unobstructed view and the introduction of emergency communication equipment. Closed circuit TV monitoring exists at some Central Business District (CBD) stations and the concept is being examined for use in urban stations.
- * All urban passenger rolling stock is of an open carriage design which, through the creation of large public areas, minimises the opportunity for violence to go unnoticed. In addition, there is an emergency button in each carriage which enables clients to talk to a train driver and in rolling stock under construction safety monitoring equipment is in-built that enables two way conversation between drivers and clients.
- * Offensive and emotive graffiti are removed from railway property as soon as possible in order to maintain a quality client service and to avoid violence suggested by emotive graffiti.
- * The maintenance of commuter car parks has taken into account security and safety issues involving lighting, access and unobstructed views from property into the car parks. The policy for the design parameters for landscaping is that current sites will have shrubs etc. removed or pruned to 'open up' the site and new sites will have low shrubs and grass of no more than a metre in height.

In addition, bicycle lockers are being installed and the installation of security fencing and lockable gates is on-going with rail employees securing the sites for clients, with the use of an electronic control for clients being developed over the next 6 months. The installation of surveillance cameras at selected stations is being investigated as part of the broader security system.

- * Recent negotiations have occurred with the Queensland Police and agreement was reached that Neighbourhood Watch areas can be extended where there is agreement to include rail stations and rail car parks in the area.

Bus

- * Ongoing liaison with local councils and developers for the consolidation of long distance bus terminus in Brisbane and regional cities resulting in the centralisation of clients in proximity to commercial operations thus minimising the opportunity for violence to go unnoticed. For example, the Gold Coast Terminal was completed in 1992 and the Maryborough Terminal is under construction.
- * Some Brisbane City Council bus routes were consolidated into central city bus terminals with some closed circuit TV monitoring.
- * Provision of uniformed scheduling officers during peak periods results in increased security levels at suburban bus interchanges.

Sea

- * No significant action was taken for water taxi, day tourist vessel and vehicular ferry services; however, in order for a vessel to be operated for hire or reward it must be constructed and maintained to nationally accepted standards.
- * Large tourist vessel operators are encouraged to provide a separation between the control position and clients.
- * Cruise clients are catered for on a case by case basis by Port Authorities in association with the shipping lines.

Roads

- * Road safety programs are a long term commitment and those that are targeted towards alcohol and speed minimisation contribute towards less violence and aggressive behaviour by drivers.
- * The Red Light Cameras Program is designed primarily to deter the very dangerous practice of red light running. For example, in 1991 there were 3 000 crashes resulting in 1 000 serious injuries and deaths at Queensland intersections with traffic lights. Around 18 per cent of crashes and 23 per cent of casualties were caused by red light runners. The previous year there were 1 500 serious injuries and deaths. Therefore there was a drop of 500 injuries and deaths over the 12 month period.

The goal is the installation of 20 red light cameras rotated around 100 red light camera sites throughout the State and this is approximately half-way to completion.

Brisbane Bikeway Network

- * The Bikeways project is ongoing and it will mean improved safety for children. Security and safety issues were taken into account during the project design, for example, lighting and access.

Western Australia

Comfort and security of passengers is of major concern to Transperth (WA).

Many of the security features proposed in the 1990 Western Australian Taskforce Report on Passenger Service on the suburban train network were implemented, including:

- * additional patrol officers;
- * improved radio communications;
- * separate passenger service/security radio channel;
- * more staff on stations with the introduction of Passenger Service Assistant (PSA) Scheme;
- * PSAs travelling in all trains after 6.00pm;
- * two anti-graffiti teams established;
- * emergency intercom system (to driver) in all trains;
- * a program to place video cameras in rail cars is being piloted;
- * improved lighting at stations;
- * improved links with Western Australia police; and
- * a consultancy study commenced to identify system wide security surveillance options.

Western Australia has also taken the following steps:

- * a \$300 000 program to bring forward the installation of hidden security cameras in each of the 86 rail cars operating on the suburban rail network. Trials world wide suggest that the presence of these cameras has a marked effect in reducing anti-social behaviour on trains;

- * a commitment from the Commissioner of Police to increase the police presence on trains and at stations, as well as a thorough police review of all security measures on the suburban railway network; and
- * an extra six security staff were deployed as part of the train system's mobile security patrols, taking to 34 the number of security officers available to respond to any incidents on the system.

A review is being undertaken by a Transperth officer who has had extensive experience in security, with a view to identifying measures which could be undertaken to improve security features across the Perth transport network, with a special emphasis on bus services. This comprehensive review is scheduled to be completed by 1993 with appropriate actions occurring thereafter. The emphasis of this review is toward conflict resolution rather than technical solutions or confrontations.

South Australia

The State Transport Authority now takes into account security considerations, especially design factors, when planning new facilities. State Transport Authority (STA) consultants and architects take advice from security specialists in an endeavour to reduce the number of blind corners in pedestrian thoroughfares and to incorporate similar measures in the planning stages of developing facilities. Following a recent review of Transit Squad needs the South Australia Police Department appointed another sergeant to the Squad to cover both day and afternoon shifts. At 30 June 1991 one Police Inspector, two Police Sergeants and four Police Senior Constables from the South Australia Police Department were working with the STA's Special Constables.

Patrols of rail services increased during the year and specific rail services now include regular uniformed and plain-clothes officers.

All buses and railcars now carry 'Transit Watch' posters and many small rewards have now been paid to persons reporting offences. There is growing evidence of the community adopting a sense of ownership of their buses and trains. A television news crew filmed vandals tossing a seat from the rear window of a bus and the incident was shown on the evening news. Nearly fifty phone calls were received with callers revealing the identity of the culprits. Transit Squad members have addressed many Neighbourhood Watch meetings, seeking closer liaison with community groups in making the transport system safer.

A Transit Crime Collator's office was established, with computer facilities, and accurate statistics are now available which will assist in forecasting future problem areas on a scientific basis.

The Transit Police Division incorporated within the State Transport Authority (STA) is the principle vehicle for violence prevention on the transit system. The Division consists of approximately 80 personnel who are engaged on policing activities. This contingent consists of STA and South Australia Police Department personnel.

The Division provides a specific policing focus on and in relation to the transport system. A personnel presence on trains is provided from the Adelaide Railway Station Mobile. Response patrols are also deployed from the Adelaide railway station, Noarlunga Interchange, Modbury Interchange, and Elizabeth Depot. These members provide a preventative presence where necessary and respond to the problems that may occur on the transit system.

Whenever problems are identified on the transit system they are analysed to determine their causes. Where the causes are socially based and are potentially resolvable by social intervention crime prevention programs based upon this are implemented. This most usually occurs at Interchanges or the Adelaide Railway Station where youths congregate for entertainment and meeting purposes.

Programs were implemented to varying degrees at the Modbury Interchange, Salisbury Interchange, Adelaide Railway Station, and Blackwood Railway Station utilising local social resources to develop long term programs and activities to divert youths from congregating in areas in which problems are likely to arise. The crime prevention strategies that South Australia implements accept that police

need to tolerate the presence of younger people at interchanges as an ordinary part of their civil liberties. Equally it recognises that the energy of young people may need to be harnessed to promote a safer feeling at interchanges by other users.

In view of a high level of graffiti problems often associated with vandalism of buses, trains premises and interchanges it has become necessary to establish a Transit Response Group (TRG). This is a plain clothes group which specifically focusses on gathering information on the activities of the various graffiti groups who operate on the Adelaide transit system. This information is used to deploy uniform personnel in a preventative role or alternatively to gather evidence so that effective prosecution can be instigated against the offenders. Although the TRG is a relatively new innovation it is proving successful.

The community is informed of the STA violence prevention strategy through forums such as Neighbourhood Watch groups, public education programs, schools' education programs, and other community linkages that are established on a regional basis. Local media groups such as the Police Beat which operate in the north eastern suburbs are regularly used.

Tasmania

No training courses are available for transport or taxi personnel other than that undertaken privately.

Northern Territory

The Darwin Bus Service advises that security measures were considered for all facilities including buses. At the appropriate time a violence prevention strategy will be publicised.

Violence on the Darwin Bus Service has not been a major problem in the past, although from time to time incidents do occur between passengers or with the driver. Unlike other capital cities, where groups of mainly young people reign terror on public transport systems, the incidents in Darwin relate mainly to intoxicated passengers arguing among themselves or hurling abuse.

Security measures are in place to assist the driver, such as mobile inspectors, two-way radios fitted to all buses and coded radio call signs. Bus interchanges are staffed during all hours of operation, and Casuarina Interchange has a closed circuit surveillance television system installed.

The proposed new bus interchange at Palmerston has a number of features designed to assist in making it a secure place. The Supervisor's office was designed to allow excellent visual observation of the platform area, security lighting was designed for after normal hours of operation, and security screens will be fitted to all external windows.

Consideration was given to signs being placed in buses advertising that security equipment was fitted. However, due to the low incidence of violence, the Darwin Bus Service decided not to publicise its violence prevention measures.

Vandalism, not violence, was the major concern.

Australian Capital Territory

The ACT Government supports the recommendation and believes that the various strategies and procedures in place, or under development, for its public bus system, ACTION, represent an appropriate response to the matter of crime prevention in the present Canberra environment. These include video and public address systems at bus interchanges; regular patrols by supervisory staff of the platforms at interchanges and the connection of all buses to a two-way radio system with 'attack alarm' capability.

Regular contact is also maintained with the Australian Federal Police on particular security problems and police are readily available at any time of the day or night, should their assistance be required.

As part of its Corporate Plan, ACTION is developing options to improve passenger security at interchanges outside normal business hours and is developing and implementing a policy to address the vandalism of buses.

PUBLIC SECTOR AGENCIES: SPORT AND RECREATION

The Committee commends the efforts of the Australian Sport and Recreation Minister's Council to establish a national community education program.

Criminal Assault On The Playing Field

Recommendation 50.

Sporting authorities should refer cases of criminal assault on the playing field to law enforcement agencies for prosecution.

Commonwealth

The Australian Sports Commission acknowledges that there may be incidents on the playing field which would warrant criminal prosecution. While in hard contact sports some allowance must be made for 'spur of the moment' incidents between players, there is no place in sport for criminal assault any more than there is in society generally. It is open to the clubs and individuals involved in any incident, as well as the administrators controlling the sport, to take this action if appropriate.

New South Wales

The New South Wales Police Service considers that sporting authorities have a variety of measures which they can apply. Unless aggravated criminality is involved, police should not become involved. Law enforcement authorities should not be encouraged to enter the field of play.

The New South Wales Department of Sport and Recreation considers that the role of the sporting authorities should be limited to developing and implementing Codes of Behaviour for their particular sport and ensuring that participants are aware of the standards expected of them.

It should also be remembered that participants in sport voluntarily assume a certain level of risk of injury.

Victoria

The Victorian Government encourages sporting organisations to regulate their own sports in relation to minimising violence on the playing field. The Government can influence the management of sporting organisations where issues of ethics are concerned and the Department of Sport and Recreation has established an independent Ethics Committee which reports to the Minister for Sport and Recreation.

Queensland

Control of players on the sporting field is the responsibility for the relevant sporting code rather than of the State Government. However, the Sport and Recreation Ministers' Council and its Standing Committee have considered the problems of violence in sport over several years. A Code of Conduct was developed and sporting associations are encouraged to severely penalise perpetrators of assault on the field. One of the aims of the 'Aussie Sport' program is to educate young people in the principles of fair play and sportsmanship and to reject violence in sport.

The Police Service will act upon a complaint from any person who may be the victim of an offence. This includes criminal assaults which occur in the sporting arena.

There is no formal mechanism that specifically allows liaison between sporting authorities and the Police Service.

Obligatory reporting of assault cases by sporting authorities to law enforcement agencies is a contentious issue. Expecting officials to make an assessment of criminality is a heavy onus to place on persons involved in apparently recreational activities who probably have limited knowledge of criminal law enforcement. The matter is complicated by the fact that particular sports have their own rules as to what is acceptable play and impose penalties for contraventions. Standards of acceptability vary from sport to sport - what may be condoned for aggressive contact sports would be completely unacceptable for, say, golf.

The officials are in effect being asked to determine not just common criminal assault but whether the behaviour was so beyond the rules of the game as to constitute an assault. By and large, this will depend upon a subjective analysis, which will vary from official to official and indeed sport to sport. Effectively, persons with no experience in law enforcement and practice would be expected to make assessments in an area where the application of the criminal law is vague and complicated for even the experienced.

Before adopting or supporting this recommendation, extensive consultation with sporting authorities is required to determine both the acceptability and practicality of the suggestion.

Western Australia

No consideration was given to the referral of criminal assault on the playing field to law enforcement agencies for prosecution. Sporting organisations have their own constitutions, rules, regulations, penalties and tribunals for considering the misconduct of players. Players have the option of taking civil action if they are unhappy with decisions which affect them.

Tasmania

Sporting organisations in Tasmania all have established disciplinary measures to control violent actions within their sport.

However, sporting organisations also have a wider role to educate all members of the sporting community on standards of behaviour appropriate to sport.

The Tasmanian Junior Sports Commission has recognised that sport is an ideal platform to provide positive role models for younger members of society.

The Commission has also included codes of behaviour for all members of the sporting community as an integral component of the Tasmanian Junior Sport Strategy.

This strategy was adopted by all state sporting organisations and implementation is the focus for 1993.

Northern Territory

The rules of law regarding assault are not suspended when a player enters the playing arena. The individual has the right to protection, through criminal and civil remedies.

There are also tribunals, set up by individual clubs and associations, empowered to deal with violence on the field. However, sporting authorities have a responsibility to all players who participate in the sport, to ensure that protection is given.

Sport is an ideal avenue to provide positive role models for younger members of society.

Australian Capital Territory

The ACT Government is concerned about both violence and criminal assault on the playing field.

Violence is a matter for the sporting organisations in developing strict codes of behaviour and procedures for such cases. Sporting organisations applying for ACT Government Sports Development grants are asked to include advice that clubs will ensure that there is strict adherence to behaviour codes of that sport. Acknowledgement of this will be required in their annual acquittal of grants.

Criminal assault in any circumstance is a matter, of course, for law enforcement agencies.

PUBLIC SECTOR AGENCIES: ABORIGINAL AFFAIRS

Recommendation 51.

As violence in Aboriginal communities is closely linked to their demoralised state, loss of culture and other related problems, steps should be taken to restore the pride of all Australians in the extraordinary richness of Aboriginal social and cultural traditions. Specifically, educational authorities should include the study of Aboriginal history and culture in school curricula, to promote a greater appreciation and understanding of these traditions.

Commonwealth

The Aboriginal and Torres Strait Islander Commission (ATSIC) believes that although State and Territory Governments have direct responsibility for school curricula development, Federal Government agencies should continue to encourage the development of Aboriginal components into curricula and the promotion of Aboriginal culture and society positively in the media. It suggests that a national public campaign which raises the awareness of all Australians of the history, culture and positive achievements of the Aboriginal and Islander people and combats racism could be developed along the lines of the Public Information Campaign (PIC) and Public Awareness Program (PAP) which were administered by the former Department of Aboriginal Affairs.

The continued funding of Public Awareness and Public Information Campaigns to raise awareness of indigenous issues and society among all Australians by providing funds to projects which reflect this objective, will be met by ATSIC.

The Commonwealth Government is establishing an indigenous broadcasting and communications network around Australia so that indigenous Australians are able to participate in communications having regard to their special social, economic, cultural and language needs. The development of a user-friendly communications infrastructure, particularly at the community level, through the Broadcasting for Aboriginal Communications Scheme (BRACS), is expected to provide an effective flow of culturally and linguistically relevant information.

New South Wales

The Board of Studies has approved a new course for study by Year Eleven and Year Twelve students towards the Higher School Certificate, called 'Aboriginal Studies'. The course was offered for the first time in 1992.

An Aboriginal Policy Statement was issued in 1989. This statement provides for:

- * The development in Aboriginal students of an enhanced sense of personal worth through the acceptance and appreciation not only of their specific Aboriginal identity, but also of their role in the wide Australian community;

- * The provision of opportunities for Aboriginal students to participate fully in school life, completing primary and secondary education and benefiting from its outcomes;
- * The promotion of the development of knowledge and understanding of the educational needs of Aboriginal students;
- * The provision, through the school curriculum, of opportunities for all students to examine, compare and clarify the values, attitudes and beliefs that they have assumed about their own culture and about other cultures;
- * The encouragement in all students of acceptance of the rights of different people to hold different values, attitudes and beliefs;
- * Making students aware of the negative nature of racist belief and attitudes and to provide an understanding of how to foster positive non-racist approaches;
- * The provision for Aboriginal students of opportunities to gain a knowledge of how Australian society and other societies function;
- * The encouragement in all students of the development of knowledge, understanding and appreciation of Aboriginal heritage and cultures;
- * The provision of opportunities for communication between schools and Aboriginal communities;
- * An awareness of and a respect for the fact that the phraseology and idioms of Aboriginal students may differ from standard English.

In 1982 the New South Wales Department of Education (now the Department of School Education) issued an Aboriginal Education Policy Statement requiring all schools to develop Aboriginal Studies courses. Aboriginal history and culture are components of the mandatory courses for Years 7-10 in Geography and History. They are also important components of the K-6 Human Society and Its Environment syllabus. Aboriginal Studies for Year 11 and 12 students was examined for the HSC for the first time in 1992. The Year 7-10 Aboriginal Studies syllabus was to be introduced in 1993.

Victoria

The study of historical and contemporary Aboriginal culture is included in the Social Education Framework for years Preps to Year Ten. Aboriginal Studies is included in the Victorian Certificate of Education compulsory field of Australian Studies. The majority of university campuses and a number of TAFE colleges provide considerable input to lectures and course accreditation and resource materials dealing with Aboriginal cultural issues. Local Aboriginal Educational Consultative Groups provide valuable 'hands on' assistance and resources to schools within their areas as well as participating on school boards and in curriculum development.

In the second triennium of the National Aboriginal Education Policy in Victoria, all schools will develop Koori Education Plans for programs to promote an understanding of Victorian Koori traditions and culture.

Aboriginal Affairs Victoria operates two programs in the area of cultural heritage. The first provides assistance to local Aboriginal Co-operatives and organisations to employ Aboriginal Cultural Officers. There are 19 such officers. The aim of the program is to identify, maintain and protect significant Koori sites and to enhance awareness within the community, most notably primary and secondary schools about Aboriginal history, society and culture.

The second program operates through the Aboriginal Heritage Unit. This unit employs six Aboriginal Site Officers, seven archeologists (3 positions vacant) and aims to provide services to the Koori and non-Koori community in Aboriginal archeology, liaison, anthropology, site registration,

cultural awareness and information. A news letter is also produced on the activities of the unit and is provided to primary and secondary schools.

A number of State Government Aboriginal Units provide ongoing cultural awareness seminars to all levels of staff within their agencies. The seminars are targeted at supervisors and managers of Koori staff, new recruits, field workers and counter staff employed in area of high Koori populations and utilise Koori community members and elders.

Queensland

The current position within Queensland schools is that:

- * many schools include some elements of Aboriginal history and cultures within curriculum offerings, either as a discrete subject or as perspectives across curriculum areas;
- * all regions of the Department of Education were allocated funds in 1991 to support schools in the development of Aboriginal and Torres Strait Islander studies curriculum and resource materials. Further allocations to regions will be made in 1992;
- * the Department of Education's operational plan for Aboriginal and Torres Strait Islander education, for the period 1990-1992, includes the development of a philosophy, policy and guidelines for the teaching of Aboriginal and Torres Strait Islander studies P-12. It is anticipated that these documents will be finalised by December 1992;
- * A Ministerial Audit and Evaluation of Aboriginal and Torres Strait Islander Education is being conducted. It is aimed at finding ways of improving the education both of Aboriginal and Torres Strait Islanders and about them.

Western Australia

Implemented. The Ministry of Education has developed an educational program on Aboriginal studies covering topics such as history, culture and language. This program is being piloted at a number of schools with a view to expanding it as a fully accredited course in all secondary schools.

Commencing in 1992/93, the Government will provide \$500 000 over three years for an aboriginal community-education campaign to combat domestic violence.

Needs being addressed are:

- * *Providing Safe Places:* Aboriginal communities have identified the need for safe places for women, children and older people as a priority in dealing with family violence. A flexible funding arrangement for these places will be developed, which is responsive to local initiatives and local conditions and allows the funding of different solutions.
- * *Aboriginal Education:* Students in 34 secondary schools and seven primary schools are undertaking Aboriginal studies in 1992. In 1993 students in 35 primary schools will be doing Aboriginal studies and the option will be available in 50 secondary schools.

The Government will extend the Aboriginal Language Program to at least 15 schools by the end of 1993 and to a further 10 schools by 1995. The Aboriginal Language Program is for all secondary and primary students and was developed by Aboriginal people. Central to the process is the employment of Aboriginal people teaching traditional languages using the Languages Other Than English (LOTE) framework. The programs will ensure that important and historic Aboriginal languages and their cultural backgrounds are preserved and valued by all students.

South Australia

Aboriginal studies began developing formally in the early 1970s, with the commencement of the Aboriginal Studies Library Project. This resulted in the publication of the first comprehensive review of available resources. From this group, the Aboriginal Studies Curriculum Committee was formed and it has worked since then on achieving the goal of Aboriginal studies for all students in all schools.

In 1989 the *Kaurna People*, a Year 8 and 9 case study, was launched. *Ngarrindieri People* and *Land Rights* were published in 1990. *Adnyamathanha People* and *Art and the Dreaming* are to be released in term four, 1991. It was anticipated that *Aboriginal People and Work* and *Aboriginal People and the Law* would be produced in 1992. This means that there will be a comprehensive course at each year of schooling for r-12. Two local courses per year are being developed which will give depth and choice to the subject area.

The R-12 Course

There are three main goals in the teaching of Aboriginal studies in South Australia:

- * To promote knowledge, understanding and appreciation of Aboriginal culture of the past and present;
- * To increase the self-esteem of Aboriginal students; and
- * To enable students (particularly Aboriginal students) to develop basic skills relevant to all subject areas.

From these goals come the reasons why we are teaching Aboriginal studies. We aim:

- * To develop in all students:
 - respect for different cultural values and beliefs;
 - appreciation of the importance of Aboriginal culture as a part of every Australian's heritage;
 - understanding of the effects of European invasion and settlement of Aboriginal people;
 - awareness of contributions made by invasion and settlement on Aboriginal people; and
 - skills of critical analysis.
- * To enhance in Aboriginal students:
 - their sense of identity and pride in their culture; and
 - knowledge and understanding of their cultural heritage, thus contributing to the development of a positive self-concept.

This course is a study of Aboriginal culture from Aboriginal perspectives, designed for Year 12 students. It includes Aboriginal literature, Aboriginal visual and performing arts and critical analysis of current issues as they affect the lives of Aboriginal people and their communities and organisations. It also includes a field trip to enable students to learn from Aboriginal people.

A number of options involving Aboriginal perspectives are included in Australian history: Australian studies, art, craft and design and legal studies.

Aboriginal studies is now a major component of the compulsory South Australian Certificate of Education Stage 1 Australian Studies.

Throughout the development of the R-12 course, it was recognised that while there is a lot of goodwill amongst teachers, very few have the knowledge needed to teach about Aboriginal culture. Most have had little or no opportunity to meet and communicate with Aboriginal people, and much of what they learned at school was either racist or a stereotyped presentation of a single culture. They just do not

understand the complexity and diversity of Aboriginal cultures, nor the values and beliefs that differ from their own. It is therefore essential that each course is developed as a complete package, supported by training and development. It is also crucial that Aboriginal people are involved in the teaching program.

A well resourced and comprehensive implementation strategy is now operating in South Australia. Aboriginal Studies teams were established in each of the five Education Department Areas with coordination coming from the central team in the Enfield Aboriginal Education Curriculum Unit. The teams of Aboriginal Education Resource Teachers and Aboriginal Education Workers are specialists who work with other Aboriginal Education staff, schools and a network of mainstream advisers. Two thirds of the team members are Aboriginal, and it is intended to increase this as more Aboriginal teachers become available. The teams meet on average for three days a term at the State Aboriginal Studies Network to evaluate their progress, develop skills, plan on a statewide basis and share their experiences. The teams are committed to changing attitudes in schools, to improve knowledge and understanding of Aboriginal cultures, and the learning environment for Aboriginal students. They do not do 'one off' visits to schools or one day conferences without follow up. They work in primary schools which are prepared to make a long term whole staff commitment, which included a school policy and offering a minimum of one unit of Aboriginal Studies to each child each year. In secondary schools the same criteria is used, but with a faculty commitment.

Although Aboriginal Education staff were undertaking in-service work for many years, the introduction of formally approved courses in 1988 necessitated a change in approach and implementation processes were developed and modified. The processes of long term school development are:

- * *developing of an Aboriginal Studies Team Action Plan:*
the preparation of a workable action plan is essential for successful implementation.
- * *negotiating a School Plan:*
the style and components of the planning stage will need to be varied to suit differing situations. The negotiated plan should reflect the particular needs of the school.
- * *raising awareness:*
there are three major components in this stage of the in-service package. Groups should be kept small, for example, ten, with a maximum of fifteen, and time should be allowed for discussion. The sessions can be conducted at a full day school closure, key teachers conference or staff meetings. The sessions should be led by an Aboriginal team member.

There are no doubts that Aboriginal Studies has come a long way from its beginnings in the early 1970s. The R-12 courses are being enthusiastically received by teachers, Aboriginal people and students, but there is still much to be done.

We now have the comprehensive and fully approved courses to make Aboriginal Studies for all students in all schools a reality. The challenge now is to ensure successful long term implementation that will increase knowledge and understanding of Aboriginal people and their cultures, and improve the personal and academic outcomes for Aboriginal students.

The South Australian Education Providers are committed to the development, implementation and monitoring of the Aboriginal Education Policy. A state Strategic Plan was developed by the providers for the 1993 - 95 triennium. This will be implemented by the providers and monitored by the Strategic Plan Monitoring Group.

The Education Providers have developed curriculum to be introduced into colleges and school to ensure the understanding of Aboriginal heritage and culture by Aboriginal and non-Aboriginal students.

A South Australian Aboriginal Education and Training Advisory Committee was formed with strong links to ATSIC and the Aboriginal community. It ensures that the South Australia Government has an accurate view of the education and training needs of Aboriginal people.

Tasmania

Aboriginal history and culture is included in school curricula.

Northern Territory

The Strategic Plan for the Implementation of the National Aboriginal and Torres Strait Islander Education Policy in the Northern Territory provides for the study of Aboriginal history and culture in school curricula.

Australian Capital Territory

The ACT Government supports the recommendation and has implemented measures consistent with the recommendation as outlined above. In particular, the ACT public school education Curriculum Policy identifies Aboriginal Studies as a compulsory inclusion in all ACT curricula for all years of schooling.

The Ministry employs an Aboriginal Studies curriculum consultant to support teachers and schools in their efforts to provide an inclusive curriculum, and a resources officer to work with the ACT Aboriginal Education Consultative Group to develop and assess Aboriginal Studies teaching materials.

Alcohol And Substance Abuse

Recommendation 52.

To help alleviate violence in Aboriginal communities, alcohol and substance abuse education and rehabilitation programs being undertaken should be evaluated and, where appropriate, be introduced in those additional communities requiring them. Such programs should be co-ordinated more effectively and given appropriate government support. More emphasis needs to be given to such programs in urban areas and should include provision of better recreational facilities.

Commonwealth

The Aboriginal Health Development Group, in its report to Commonwealth, State and Territory Ministers for Aboriginal Affairs and Health Services, recommended the establishment of a National Aboriginal Substance Abuse Taskforce to address substance abuse in Aboriginal and Torres Strait Islander communities. Consideration of this suggestion was undertaken by the Council of Aboriginal Health after examination of the underlying issues report being compiled by Commissioner Pat Dodson of the Royal Commission.

Relevant Ministers have yet to consider this and other recommendations of the Aboriginal Health Development Group. No action on any of the recommendations was taken at this stage.

A package of new initiatives aimed at implementing National Aboriginal Health Strategy Working Party Report recommendations has received in-principle support from Cabinet, however, and will be taken up in the normal budget cycle.

See Ministerial Statement regarding joint State and Commonwealth Ministers' decision on National Aboriginal Health Strategy Report, 10 June 1990. Research which is now becoming available as a result of inquiries into Aboriginal Deaths in Custody and other data which has recently been made

public has highlighted the extent of violence in Aboriginal and Torres Strait Islander communities exacerbated by substance and alcohol abuse.

The Aboriginal and Torres Strait Islander Commission (ATSIC) regards the problem as so critical that it is felt that a separate submission to Cabinet addressing the issue may be warranted. It was also felt that it would be premature to bring down a submission before the report of the Royal Commission into Aboriginal Deaths in Custody inquiring into underlying factors leading to excessive Aboriginal imprisonment rates. In conjunction with this, ATSIC is also developing strategies addressing family violence and juvenile issues.

The Office of the Status of Women (OSW) notes that measures to address family violence in Aboriginal and Torres Strait Islander communities must include but go beyond substance abuse and recreation programs. The OSW supports the Department of Community Services and Health in stressing the need for cultural sensitivity and community management in these programs.

In this context, OSW supports the National Aboriginal and Torres Strait Islander Family Support Program recently introduced by ATSIC.

New South Wales

There are a number of Aboriginal organisations throughout New South Wales, offering drug and alcohol rehabilitation programs. These organisations include: Benelong's Haven (Marrickville and Burwood), Makarling House (Narooma), The Oolong Foundation (Norwa), Windana House (West Wylong), Riverina Foundation for Alcohol and Drug Dependence (Wagga), Broken Hill Aboriginal Alcohol Rehabilitation Centre (Broken Hill), Orana Haven (Brewarrina), Moree Aboriginal Sobriety House Aboriginal Corporation (Moree), Namatjira Haven (Alstonville), Nambucca Aboriginal Sobriety Corporation (Macksville), Benelong's Haven (Kempsey), Aboriginal Medical Service (Redfern). In conjunction with the New South Wales Aboriginal Health Resource Committee, a full review of programs provided by the New South Wales Aboriginal Medical Service was to be undertaken.

Discussions have commenced between the New South Wales Drug and Alcohol Directorate, the Aboriginal and Torres Strait Islander Commission and the Aboriginal Health Resources Committee to establish mechanisms to ensure the co-ordinated provision of drug and alcohol services to Aboriginal people.

Victoria

In conjunction with the Health Department, Aboriginal Affairs Victoria has purchased facilities for the establishment of a network of Sobering Up Centres across the State. The centres provide short-term crisis accommodation and act as a referral agency to other health or welfare services in the community. While Aboriginal Affairs Victoria provide the capital costs, recurrent costs are provided by the Health Department.

In 1989/90, the Victorian Aboriginal Community Services Association Incorporated and the Victorian Aboriginal Child Care Agency ran three statewide conferences on domestic violence, with the assistance of the Health Department's Koori Health Unit. The relevant policy recommendations have not yet been implemented.

There are five Aboriginal alcohol recovery establishments in Victoria and all five are jointly funded by the Aboriginal and Torres Strait Islander Commission and Aboriginal Hostels.

Ngwala Willumbong, a community based Koori organisation runs successful alcohol and drug abuse education and alcohol rehabilitation programs. The organisation is supportive of the provision of Detoxification Centres and is seeking support for such establishment within the Melbourne Metropolitan area.

Queensland

It is essential in times of finite public resources, and in light of public sector accountability guidelines, that all publicly funded programs be monitored and evaluated against pre-set quantified objectives. Also pre-set should be the evaluation mechanism and the performance criteria.

This is consistent with:

- * National Aboriginal Health Strategy recommendation (First dot point of page 205);
- * Department of Aboriginal Affairs/Aboriginal and Torres Strait Islander Commission 'Current Approved Substance Abuse Paper', Project Instructions dot point 12; and
- * the National Campaign Against Drug Abuse agreement guidelines.

Where an appropriate program is identified in a community, the model should be offered to other communities, but not simply 'introduced'. This would defeat community self determination principles.

Global program co-ordination is supported, preferably at a joint management level - service providers with policy and program agencies.

The Deed of Grant In Trust Lands, Aboriginal and Torres Strait Islander population accounts for approximately 35 per cent of the Queensland Aboriginal and Torres Strait Islander population, and thus should be provided resources that reflects:

- * an identifiable population in a discrete area;
- * a highly visible population;
- * a population that is more easily (and therefore less expensively per unit) accessed than the partially hidden urban population; and
- * a population for which a significant level of base line data already exists.

Recommending an increased emphasis on urban populations by comparison is strongly supported due to the dearth of urban population statistically precise base line data.

Recommending an increased emphasis on recreational facilities may pre-empt the outcome of the evaluation process, and limits the options investigated. Consequently, this emphasis is not supported. The alternative position of exploring it as an option would be supported.

There is a need also to ensure that violence is not simply attributed to alcohol at the expense of the contributing social co-factors often evident in Aboriginal and Torres Strait Islander communities.

Therefore, the opening statement to Recommendation 52 of the National Committee on Violence needs to be emphatic. It is to help alleviate violence - it is not a panacea.

In March 1991 the Division of Aboriginal and Islander Affairs provided a total of \$370 000 to twenty-three Aboriginal and Torres Strait Islander community groups (using Commonwealth funding to implement Muirhead recommendations) for a Community Awareness of Alcohol Abuse Scheme. The scheme emphasised the requirement for effective preventative strategies in dealing with alcohol related problems.

The scheme funded groups to provide community based information, education and awareness projects to improve Aboriginal and Torres Strait Islander awareness of health, social and economic problems arising from the alcohol abuse.

As a further measure, on 29th April, 1991 Cabinet established an audit group to examine the consumption of alcohol in Aboriginal communities with particular regard to the incidence and level of alcohol consumption in Aboriginal communities and its effect on those communities.

The audit was completed but not been presented to Cabinet. As a consequence of the audit, the Deputy Premier and the Minister for Family Services and Aboriginal and Islander Affairs were to provide Cabinet with a Joint Information Paper including:

- * possible incentives, financial or otherwise, for Councils to utilise legislative provisions under the Community Services (Aborigines) Act to overcome Aboriginal community concern with the consumption of alcohol on reserves or lease areas;
- * possible amendments to the Community Services (Aborigines) Act or Liquor Act that would make the opportunity of controlling the consumption of alcohol on reserves or lease areas more effective by Aboriginal Councils who wish to institute such control; and
- * possible programs to assist Aboriginal communities in regulating the operations of beer canteens and licensed premises.

Although the Joint Information Paper is not specifically limited to dealing with alcohol and substance abuse education and rehabilitation programs, it is directed to mechanisms for reducing the excessive consumption of alcohol on Aboriginal communities which will be directed, in part, in reducing the level of violence on Aboriginal communities.

Western Australia

In Western Australia the Alcohol and Drug Authority has numerous Aboriginal Service programs which are listed briefly below:

Early Intervention - 'Community Alcohol Project' - to advise and assist communities to initiate community alcohol intervention programs. In conjunction with the Health Department of Western Australia examine opportunities available for the restriction of alcohol, where incidence of high consumption and high levels of associated harm occur.

Services to Local Communities - 'Community Development Officers' - appointment of a community development officer to manage a community alcohol intervention project being developed with the broader Aboriginal community.

Non Government Agency Support Program - This program provides funds to community agencies to encourage and assist in the delivery of alcohol and other drug services. Funds are set aside specifically for funding Aboriginal services.

South Australia

For a number of years Aboriginal organisations have sought to establish a sobering up facility in Adelaide managed and operated by and for the Aboriginal Community. This call has increased since the Interim Report of the Royal Commission into Aboriginal Deaths in Custody was released in December 1988. The report identified alcohol related problems and public drunkenness as a major problem and factor in the deaths in custody issue. Care for drunk Aboriginals in the Adelaide area was undertaken by the Aboriginal Sobriety Group which now operates the Mobile Assistance Patrols (funded by the South Australia Health Commission) however there is no Aboriginal Sobriety Group Centre to complement the work of the Patrol Service.

On 9 March 1990 the Treasurer approved funds amounting to \$350 000 being released to purchase Mulgunya Hostel, South Terrace. Funds were allocated from unspent grants identified in the Social Justice Strategy for special initiatives programs in response to the Royal Commission into Aboriginal Deaths in Custody.

- * \$320 000 was provided to the South Australia Aboriginal Lands Trust to cover the purchase price.
- * \$30 000 was allocated to SACON for renovations.
- * The Hostel was purchased by the Aboriginal Lands Trust and will be leased to the Aboriginal Sobriety Group to run as a day and night sobering up Centre.

The renovations to the centre are almost complete, Mulgunya (now renamed as Cyril Lindsay House) could accommodate twelve to fifteen people.

Funding for the operations of Cyril Lindsay House are managed by the Aboriginal Sobriety Group. Funding is being sought from a number of sources including:

- * the Supported Accommodation Assistance Program (Commonwealth funded):
 - four welfare workers positions; and
 - operational costs.
- * Aboriginal Hostels Limited:
 - one manager;
 - weekend manager; and
 - operational costs.
- * Health Commission:
 - four full-time workers mobile assistance patrol; and
 - four part-time workers mobile assistance patrol.

A planning committee was established to look at ways of providing an effective service and to negotiate for additional funding.

Negotiations have taken place between the Aboriginal Lands Trust and Aboriginal Sobriety Group to complete the lease arrangements.

The Aboriginal Sobriety Group is keen to commence operations at the centre. Funding, staffing and operations guidelines need to be ratified prior to commencement.

Additionally a training program is being structured for all staff of Cyril Lindsay House.

During August and September, 1991 State Aboriginal Affairs assisted with the strategic planning for Cyril Lindsay House and with negotiations between the Aboriginal Health Worker a part-time medical practitioner and the running of a health and medical clinic at the Cyril Lindsay House.

In response to the Royal Commission into Aboriginal Deaths in Custody, State Aboriginal Affairs in association with the Aboriginal Sobriety Group and Kalparrin convened a Statewide Conference on alcohol and substance abuse rehabilitation services. This initiative was supported and funded by ATSIC. The Conference was held on 19-22 May, 1992 at Camp Coorong and was well supported, with 80 participants from Aboriginal communities, organisations and government departments.

The outcomes of the conference were:-

- * a Working Party was formed to set up a strategic plan to implement the recommendations and develop the terms of reference, and membership for a statewide coordinating body.

- * the Working Party met on the 28-29 June, 1992 at the Pichi Richi Holiday Camp to develop the terms of reference and mission statement. The statewide body was named the Aboriginal Alcohol and Substance Abuse Council of South Australia .

Letters were sent to all Aboriginal Communities and organisations seeking nominations for membership to the council.

Tasmania

The Department of Health has recently employed an Aboriginal Policy Officer. Programs for alcohol and substance abuse education provided by government have not addressed the needs of Aboriginal people in the past. The Tasmanian Aboriginal Centre runs a substance abuse program and is establishing an Aboriginal Health Service.

The Tasmanian Government through the Aboriginal Health Unit is developing and implementing Aboriginal health policy in consultation with the Aboriginal community.

The Department of Tourism, Sport and Recreation plans to employ two Aboriginal sports development officers to develop and promote sport and recreation programs for young people.

Northern Territory

Part of the terms of reference for the Sessional Committee of the Legislative Assembly on the Use and Abuse of Alcohol in the Community relate to rehabilitation and education programs. The Committee will be concerned with the evaluation of these programs. The Committee is expected to make recommendations about the effectiveness of Government programs and about non-government agencies that provide similar services. The introduction of new programs will fall within the ambit of this evaluation process. Resource implications will be dependent on the recommendations flowing from the report to Parliament.

The Department of Health and Community Services is addressing this problem through the Drug and Alcohol Bureau, the Aboriginal Health Branch, the Health Promotion Branch and through the grant-in-aid funding of such organisations as the Council for Aboriginal Alcohol Program Services (CAAPS).

Australian Capital Territory

The ACT Government supports the recommendation, noting, however, that most services for Aboriginal people are mainstreamed in the ACT. An Aboriginal Health Centre which has recently been established in the ACT is also providing a wide range of support services to its own community.

Recommendation 53.

Imaginative programs such as the Community Development Employment Program should be expanded to other communities as appropriate.

The Aboriginal and Torres Strait Islander Commission (ATSIC) advises that under present Government policy, there is controlled expansion of the Community Development Employment Program (CDEP) to those communities or discrete groups within communities which request its introduction. The expansion rate is determined by the resources available. The Government targeted 3000 new participants for 1989/90 and 1900 for 1990/91. There are over 21 000 participants and dependents in the 129 CDEPs, operating in mostly remote parts of Western Australia, South Australia, Queensland and the Northern Territory. In recent times, the scheme has expanded into the semi-remote, rural and urban areas in South Australia, Queensland, New South Wales and Victoria with the majority of new CDEPs planned for this year located in small towns and urban centres.

The CDEP scheme was expanded by less than the planned number of 3000 in 1988/89 due to a number of factors, including the preoccupation of communities with the commencement of the Aboriginal and Torres Strait Islander Commission. The proposed expansion of new participants in 1991 was reconsidered, following review of administrative aspects of the CDEP scheme.

New South Wales

The Community Development Employment Program was well received by communities throughout New South Wales. The program creates employment at a community-based level and, when people are employed, self esteem is raised and violence is reduced. Many more communities in New South Wales are awaiting CDEP programs in their areas.

Victoria

The Community Development Employment Program is a Commonwealth Government program and its expansion was supported by Aboriginal Affairs Victoria. In 1991/92 an additional twenty places under this program were allocated to Victoria. Further expansion is required to meet community identified needs.

Queensland

The Department of Employment, Vocational Education, Training and Industrial Relations (DEVETIR) supports community economic development programs for the following reasons:-

- * Commitment to the involvement of regional and community groups in job creation.
- * Commitment to assisting local groups to become involved with and influence their local labour market and economy.

It is felt, however, that the Community Development Employment Program does not allow for encouragement of private enterprise, profit making goals or creation of sustainable community enterprises.

Action to date includes:

- * Two Aboriginal and Torres Strait Islander trainee project officers were employed to facilitate access to programs by Aboriginal and Torres Strait Islander persons.
- * Three Aboriginal Community Councils were assisted with projects to increase job opportunity through enterprise development and to co-ordinate employment requirements with appropriate vocational training.

The Community Development Employment Program was adopted by the great majority of Aboriginal Deed of Grant in Trust and local government authority communities. The program is generally regarded to be a substantial improvement on the pre-CDEP method for paying social welfare benefits.

Western Australia

Western Australia has developed the Aboriginal Economic and Employment Development Officer Program (AEEDO). This aims to promote and assist the involvement of Aboriginal communities and organisations in developing locally based enterprise, and employment and training initiatives.

Tasmania

The Community Development Employment Program is not in existence in Tasmania.

Northern Territory

A Federal Government responsibility.

Australian Capital Territory

The ACT Government supports the recommendation in principle.

PUBLIC SECTOR AGENCIES: CRIMINAL LAW, EVIDENCE AND PROCEDURE

Firearms Control

Recommendation 54.

All governments should take appropriate action to minimise death and injury arising from the accidental or intentional use of firearms by:

Recommendation 54.I

- The enactment of uniform legislation throughout Australia to regulate the acquisition and possession of firearms.**

Commonwealth

The power to regulate the acquisition and possession of firearms lies with the States and Territories. At the Premiers' meeting on 22 December 1987 all jurisdictions, with the exception of Tasmania, requested the Australian Police Ministers Council (APMC) to give further consideration to a number of issues related to gun control. A special meeting of the APMC was held in March 1988. Although the meeting passed a number of resolutions aimed at controlling the ownership and use of firearms, progress towards achieving uniformity of approach between jurisdictions has proved difficult. It has proved impossible to achieve the broad agreement which the Commonwealth regards as essential to the effectiveness of legislation in all jurisdictions. However, the Commonwealth is committed to continuing to work through the APMC to encourage the further development of a national approach.

New South Wales

On 23 October 1991 the Australian Police Ministers Council adopted a set of resolutions to be used by each jurisdiction as a basis to reform gun laws across Australia. On 22 November 1991 a Meeting of Premiers and Chief Ministers decided to implement the positive steps taken by the Police Ministers at their October meeting and indicated their full support for the principles agreed to by the Police Ministers, as a guide to the reform of the gun laws.

The New South Wales Government acted quickly on this matter. It drew on the resolutions of the APMC, and on the recommendations of the New South Wales Joint Parliamentary Committee Upon Gun Law Reform, to formulate new gun laws for New South Wales. These new laws came into effect on 1 May 1992, within the target date of 1 July 1992 proposed by the Police Ministers.

A special booklet, entitled 'New Firearms and Domestic Violence Legislation', was issued by the New South Wales Police Service on 27 April 1992 to inform police and the general public of the new legislation. In addition, the Police Service conducted special training courses for its officers.

Victoria

These recommendations relate to the proposed development of uniform gun control legislation, enforcement and strategies throughout Australia. The stated aims are not inconsistent with those of the Victorian Firearms Act.

The introduction of uniform gun control legislation should be the subject of a future agreement between State and Territory Ministers. It is probable that the existing *Victorian Firearms Act 1958* will comply with most section of such an agreement.

Queensland

The Queensland Government has introduced the *Weapons Act 1990*. This legislation allows for the licensing of all firearm users. The Act fully implements current Queensland Government policy.

1993: No change recorded.

Western Australia

A committee has been formed to establish uniform legislation in regards to firearm possession and guidelines.

South Australia

The Police Department concurs with this recommendation.

Tasmania

Tasmania is a full member of the Australian Police Ministers Council (APMC) and is therefore substantially bound by Council's decisions. Tasmania has always had strict control in relation to firearms and pistols. The *Guns Act 1991* broadens these controls to all types of firearms. This Act requires persons using/possessing firearms to be licensed (photographic licence) to do so. Tasmania departed from Commonwealth recommendations in electing to register the owner of a firearm(s) rather than each firearm itself.

Northern Territory

Previous attempts at uniformity have failed. Northern Territory Police, after extensive consultations with the Territory Sporting Shooters' Council prepared a Firearms Bill which represents the most acceptable compromise in meeting the needs of the whole Northern Territory community in regard to gun control. The Act will commence on 1 January 1993.

Recommendation 54.2

- The introduction, through the Australian Police Ministers Council, of uniform guidelines for all Australian police forces in the enforcement of firearms legislation.

Commonwealth

This is a matter for the States and Territories and could only be implemented in conjunction with recommendation 54.1.

New South Wales

See comment on Recommendation 54.1

Victoria

These guidelines will follow from the agreement referred to in the response to Recommendation 54.1. It is probable that procedures currently employed by the Victoria Police Force will be consistent with such uniform guidelines.

Queensland

The Australian Police Ministers Council of 23 October 1991 discussed this issue.

1993: no change recorded.

Western Australia

In Western Australia all firearms are licensed by individuals who use them. It is the firearm that is licensed not the shooter.

Persons who commit violent crimes or show a history of violence either have their licences revoked or are placed on computer 'Not to issue without reference to Firearms Branch'.

South Australia

The Police Department concurs with this recommendation.

Tasmania

The Tasmania Guns Act recognises firearms legislation applicable in all mainland States.

Northern Territory

It is difficult to perceive that uniform guidelines could be considered until such time as the various forces had time to implement the various recommendations relating to firearms in the National Committee on Violence report, including uniform firearm legislation. The new Northern Territory Firearms Act has incorporated many of the NCV recommendations.

Recommendation 54.3

- Development of a national gun control strategy aimed at -

- (a) reducing the number of firearms in Australian society;**
- (b) preventing access to those weapons by individuals who are not fit and proper persons, such as those who have been convicted of violent crime or who have demonstrated a propensity for violence.**

Commonwealth

Refer to response to Recommendation 54.1.

New South Wales

The New South Wales Joint Parliamentary Committee Upon Gun Law Reform recognised that a reduction in the level of gun ownership in the community must be a long-term goal. The Committee went on to say that its recommendations were aimed at achieving cultural changes in the community towards the possession and use of firearms.

New South Wales' new gun laws, which became effective from 1 May 1992, require:

- * genuine reason to possess a gun;
- * successful completion of a Firearms Safety Awareness Course;
- * proof-of-identity check;
- * check of criminal history; and
- * check of previous licence history.

Failure to meet any of these requirements results in an application for a firearms licence being refused. The maximum penalty for supplying false information is \$5000 or two years imprisonment.

Victoria

This recommendation relates to the development of a uniform gun control strategy aimed at reducing the number of firearms in the community and preventing access by unsuitable persons to such weapons. The *Firearms Act 1958* is not inconsistent with those objectives.

Refer also to response to Recommendation 54.1.

Queensland

The APMC has already resolved for such a strategy. The Weapons Act is aimed at reducing the numbers of firearms in Queensland.

The Weapons Act specifically prohibits the licensing of people who have been convicted of violent crime or have shown a propensity for violence.

1993: no change recorded.

South Australia

The Police Department concurs with this recommendation.

Tasmania

The policy of Tasmania Police is to restrict the number of firearms in the community. Guidelines exist that establish strict requirements whereby the Commissioner of Police has to be satisfied that potential owners are fit and proper persons to hold a firearms licence. Our new domestic violence legislation also makes provision for police to seize firearms in potentially threatening domestic situations.

Northern Territory

The present Northern Territory Firearms Act provides that a person convicted of a firearms offence, is:

- a) not eligible to be licensed;
- b) may have his/her licence revoked by Commissioner; and
- c) may be disqualified by court.

However, the new Firearms Act does not expressly deal with persons 'convicted of violent crime or who have demonstrated a propensity for violence', although the Commissioner of Police does have to be satisfied that a person is 'fit and proper' to have a firearms licence. This interacts to some extent with domestic violence legislation, in so far as it refers to 'demonstrated propensity': a person the subject of a domestic violence restraining order could be viewed as a person having demonstrated a propensity for violence.

Australian Capital Territory

The ACT Government supports these recommendations.

The ACT *Weapons Act 1991* seeks to give effect to the recommendations of the National Committee on Violence to the greatest extent possible.

The Government notes, however, that efforts in this direction through the Australian Police Ministers Council have highlighted the difficulty in achieving progress towards uniformity of approach between jurisdictions.

The ACT Government maintains its support for these recommendations.

The ACT Government notes that a minimum position has been agreed to on these issues by the States and Territories.

The Committee recommends the following specific strategies:

Recommendation 55.

The Federal Government should undertake the following action:

Recommendation 55.1

- Military weapons: sales of surplus military weapons should be prohibited to prevent their use in Australia. The importation of military-style weapons for use other than by law enforcement officers or defence force personnel should be prohibited. The Federal Government should provide a general statement to specify what firearms are importable.

Commonwealth

The Commonwealth supports limitations on the public availability of firearms in order to minimise death or injury from their misuse. It has announced strict controls on the disposal of surplus military weapons and a ban on sales of semi-automatic firearms to members of the public from the Small Arms Factory, Lithgow; although the Factory will continue to supply parts to bona-fide customers consistent with current State and Territory gun legislation.

The Department of Defence is responsible for the disposal of working weapon systems, military platforms and warlike stores. In almost all cases the Department of Administrative Services, through the Commonwealth Government sales agency, Aussales, manages the sale of surplus military weapons of historical value or with civilian equivalents. Neither Department supports a complete ban on the sale of surplus military weapons. Current Commonwealth policy makes provision for the sale of military weapons of historically significance or with commercial equivalents, in accordance with State gun laws and after being rendered inoperable if automatic or semi-automatic in operation.

The Commonwealth is able to control the import of firearms under the Customs (Prohibited Imports) Regulations. This power is used in a manner complementary to the controls established in each jurisdiction. All automatic arms are prohibited imports under the Customs Act.

A positive generic statement was prepared by the Australian Federal Police (AFP), in consultation with national shooting and firearms associations, and the States, limiting the types of firearms to be allowed to be imported into Australia. The question was discussed at the November 1990 APMC meeting in Alice Springs.

New South Wales

The Commonwealth Government banned the importation of military-style semi-automatic firearms in December 1990.

Victoria

This is a Commonwealth responsibility.

Queensland

The Australian Police Ministers Council has agreed upon a generic statement to ban the import of military pattern firearms. The Customs (Import Restrictions) Regulations have been amended to prohibit the import of these types of firearms.

Currently the sale or possession of firearms of this nature is not restricted in Queensland.

1993: no change recorded

Western Australia

In Western Australia legislation is in existence to cover the types of firearms which are prohibited.

Tasmania

Fully automatic firearms require a permit. They may only be used as a collectors item.

The Minister may declare other firearms to be prohibited under Section 4 of the Guns Act 1991. This gives the Government control on the types of firearms available to the community.

The Government has indicated the importance of military style weapons being prohibited.

Northern Territory

Does not involve Northern Territory legislation. However, the Northern Territory Government wholeheartedly supported the generic statement put forward by the Federal Government on the importation of firearms.

Australian Capital Territory

The ACT Government supports the recommendation noting that under the Commonwealth's generic statement on firearms importation -

- a) the importation of military style centre fire self loaders is not allowed;
- b) non-military style centre fire self loaders may be imported but are restricted to a magazine with a maximum of five rounds; and
- c) there is no restriction on the importation of rim fire self loaders for hunting and recreational shooting.

Recommendation 55.2

- Mail order firearms: If the Federal Government has the constitutional power, the sale of mail order firearms should be prohibited. If it does not have such powers, and in the absence of uniform State and territory licensing laws, the mail order sales of firearms should be restricted by using, for example, legislation relating to dangerous goods.

Commonwealth

Mail order firearms entering Australia are subject to the Customs (Prohibited Imports) Regulations. Within Australia, however, there is no general prohibition on sending firearms through the mail.

Compliance with relevant controls is a matter for the sender and recipient in light of the laws of the jurisdiction in which they reside.

Any proposed amendments to the Australian Postal Corporation Act to restrict the carriage of firearms through the mail would require 'end user certificates' to be issued by State authorities before Australia Post would dispatch firearms. In order to successfully implement this legislation the full cooperation of all jurisdictions would be required. In April 1989 the Commonwealth wrote to the States to seek their views on such a scheme, and although some jurisdictions were in favour of it, others opposed it on both Constitutional and practical grounds.

New South Wales

Commonwealth matter.

Victoria

This is a Commonwealth responsibility.

Queensland

This is a Federal Government responsibility, however the Australian Police Ministers Council was examining this issue.

1993: no change recorded.

Western Australia

Firearms Branch support this recommendation that mail orders be prohibited without prior approval.

South Australia

Weapons purchased by mail from other States come within the provisions of the Guns Act 1991. Weapons purchased from overseas would be subject to Customs in the first instance.

Northern Territory

The Northern Territory Implementation Group has been given the task of implementing the NCV recommendations, if appropriate, in the Territory. The Group will take this recommendation up with the Minister responsible for Consumer Affairs and/or Dangerous Goods.

Australian Capital Territory

The ACT Government supports the recommendation insofar as it calls upon the Federal Government to prohibit mail order sales of weapons noting that it is not possible for ACT legislation to address this matter.

The ACT *Weapons Act 1991* does, nevertheless, impose an obligation on an ACT person selling a weapon to a person interstate to have reasonable belief that the possession of the weapon by the purchaser in the other State or Territory is not proscribed by the law of that other jurisdiction. A penalty of \$2 000 or imprisonment for twelve months, or both, is provided (section 78).

The Act will, of course, apply to an ACT person who purchases a weapon from interstate by mail order. The person needs to be licensed and is only able to acquire a weapon of a kind which is appropriate for the purpose for which he or she is licensed. To this extent, for law abiding persons, controls are adequate.

Recommendation 55.3

- Rifle Clubs established under the Defence Act should be brought under the ambit of State licensing and registration requirements.

Commonwealth

The Department of Defence considers that the legislation governing rifle clubs is an anachronistic and unnecessary use of defence powers. In 1988 the Minister for Defence approved repeal of the relevant legislation (the Australian Rifle Club Regulations) but the repeal was disallowed by the Senate. Since then the Department of Defence has been in negotiation with the two peak councils of rifle clubs towards achieving a common view on the jurisdiction that should govern rifle shooting as a sport. To date agreement has not been reached and negotiations are continuing.

The Department believes that there is no sound basis for legislation governing firearms in rifle clubs to be separate from legislation governing all other firearms. Adoption of uniform firearms legislation would remove the principal argument for keeping rifle clubs under a Commonwealth umbrella, namely that variations in State law (and non-portability of registration) cause difficulties in the transportation of weapons for competition purposes.

New South Wales

While it is logical for Rifle Clubs under the Defence Act to come under State administration, the Commonwealth should consult fully with the States to ensure a smooth transition.

Victoria

This is a Commonwealth responsibility.

Queensland

The Weapons Act allows for this.

The Police Service is designing systems to implement this changeover.

This matter was to be discussed at the Australian Police Ministers Council.

1993: no change recorded.

Western Australia

In Western Australia restrictions are placed on individuals licensing their firearms to use on rifle ranges.

Tasmania

Rifle clubs established under the Defence Act are exempt from the Guns Act. The weapons may only be carried between the residence and the Military Range. If they are used for any other purpose the owner must be licensed under the Act.

Northern Territory

In 1988 Police proposed these changes but they were not reflected in the Firearms Bill. This was because the Northern Territory shooting lobby opposed such changes when negotiations in the Bill were conducted. The shooting lobby argued that the rifle clubs were well run and self-regulating and caused no problems to police. Further, the majority of rifle club members voluntarily registered their firearms and obtained appropriate classes of firearms licences.

Australian Capital Territory

The ACT Government supports the recommendation noting that this is a matter for the Federal Government to address in its legislation and that it is currently under consideration by Australian Police Ministers Council.

Recommendation 56.

The Federal Government should use its corporations power under the Constitution, as well as its powers to regulate trade and commerce, and imports, in furtherance of a national gun control strategy.

Commonwealth

The Attorney-General's Department reports that a gun policy based on the Commonwealth's corporation power could only regulate the activities of corporations with respect to guns. Although such a policy might deal with a large portion of manufacturers and distributors, it would not apply to individuals, and would therefore create anomalies and could be easily circumvented.

New South Wales

Commonwealth matter.

Victoria

This is a Commonwealth responsibility.

Queensland

Federal Government responsibility

1993: no change recorded

Western Australia

The working party committee is discussing the formation of a national gun control system by a computerised firearms registry.

Northern Territory

Does not involve Territory legislation.

Australian Capital Territory

The ACT Government supports the recommendation noting that this is a matter for the Federal Government.

Recommendation 57.

State and Territory Governments should undertake the following action:

Recommendation 57.1

- Prohibition of all automatic longarms and certain types of ammunition.

New South Wales

New South Wales gun laws have prohibited automatic longarms since 1973. There is no restriction on types of ammunition available, but various types of ammunition have been banned by the Commonwealth from import. In addition, a purchaser of ammunition is only able to purchase ammunition of the calibre which is suitable to the firearm covered by his licence.

Victoria

Automatic longarms (machine guns) and certain types of ammunition are prohibited in Victoria under section 32(1) and 32(6)] of the *Firearms Act 1958*.

Queensland

All automatic longarms are prohibited. Certain types of ammunition are prohibited or restricted.

1993: no change recorded.

Western Australia

In Western Australia legislation is in existence prohibiting these types of firearms.

South Australia

The Police Department agrees with the prohibition of all fully automatic firearms. However, upon the recommendation of the Select Committee, the yet to be proclaimed *Firearms Act Amendment Act 1988* will allow any dealer to possess and deal in fully automatic firearms and allow a person holding an appropriate firearms licence to possess such firearms. The Government will need to legislate to restrict the possession of fully automatic firearms.

The prohibition of certain types of ammunition is currently addressed under the Explosives Act but will in the near future be included in the amendments to the Dangerous Substances legislation.

Tasmania

The *Guns Act 1991* prohibits fully-automatic longarms and restricts their possession to those persons who are genuine collectors. The Act contains no provisions prohibiting certain types of ammunition..

Northern Territory

This Recommendation needs further clarification. The word 'automatic' is sometimes ambiguous. If it means 'fully automatic' then the present Northern Territory Firearms Act covers this. If it means 'semi-automatic' then the new Firearms Act does not go as far as recommended. Semi automatic rifles are highly restricted, but not prohibited. However, the recommendation goes beyond rifles and includes shot guns. Semi automatic shot guns are not often seen in criminal activities. Any move to restrict them would be very strongly opposed by interest groups. The new Firearms Act removes numerous loopholes in the restriction of 'D' class firearms, for example, semi-automatic rifles. Also note that ammunition is restricted under the Dangerous Goods Act. The Recommendation does not make it clear what types of ammunition are to be prohibited.

Australian Capital Territory

The ACT Government supports the recommendation.

The *Weapons Act 1991* has the effect of prohibiting all automatic weapons not merely longarms. The Act also limits the possession and use of pistol grip weapons with the effect that such weapons will only be acceptable for use by current owners for competition shooting purposes and will be phased out

over time. The Act also prohibits the sale of any ammunition which is suitable only for such weapons.

Recommendation 57.2

- Restriction of semi-automatic longarms to individuals with a specific need.

New South Wales

Under the new New South Wales gun laws introduced on 1 May 1992, there is a progressive ban on the possession of military style self-loading centre-fire rifles so that, by 30 June 1997, possession of these weapons will be totally banned, unless a permit is obtained or unless the owner is a primary producer and the magazine has been modified so as to hold no more than five rounds. There is also a progressive ban on the possession of self-loading centre-fire rifles and self-loading shotguns with a magazine capacity of more than five rounds so that, by 30 June 1994, possession of these weapons will be totally banned, unless a permit is obtained.

Applicants for a firearms licence must show that they have a genuine need for the type of firearms covered by the licence applied for.

A Commissioner's Prohibited Firearm Permit may be issued in limited cases for professional hunting or target shooting using a semi-automatic rifle with a magazine capacity of more than five rounds.

Victoria

Centre fire semi-automatic weapons continue to be prohibited in Victoria, except on the authority of the Register of Firearms issued on a case by case basis. Such permission is only given to individuals who demonstrate a specific need for the use of such weapons [section 32 and 50(3) of the *Firearms Act 1958*]. Rim fire semi-automatic rifles continue to be permitted.

Queensland

Semi-automatic longarms in Queensland are covered in Schedule 3 of the Weapons Act and as such are not restricted.

The Australian Police Ministers Council was to discuss this matter.

1993: no change recorded.

South Australia

Included in the *Firearms Act Amendment Act 1988* and proposed amendments to the regulations. This will occur through the inclusion of purpose of use on the licence and the approval to purchase each firearm.

Tasmania

1991: The Tasmanian Government has announced that it will be imposing restrictions on the possession of military or military style semi-automatic centre-fire firearms. To this end it will be moving an amendment to the Bill in the Legislative Council to enable the Minister by order to prohibit certain types of semi-automatic firearms.

This amendment will provide that no person can possess a prohibited gun unless they have authorisation. The amendments will provide that in future only active members of military rifle clubs and collectors will be able to possess these prohibited guns. It should be pointed out that it is intended only to prohibit military or military style semi-automatic centre-fire firearms.

It is not intended to impose any restrictions on sporting semi-automatics unless they are fitted with a detachable magazine which is capable of taking more than five rounds.

1993: Fully automatic firearms require a permit. They may only be used as a collectors item.

The Minister may declare other firearms to be prohibited under Section 4 of the *Guns Act 1991*. This gives the Government control on the types of firearms available to the community.

Northern Territory

This is the thrust of the present Firearms Act and policy. The new Firearms Act considerably tightens up this area.

Australian Capital Territory

The ACT Government supports the recommendation and has implemented it. The granting of a license in the ACT is conditional upon the applicant meeting certain criteria, one of which is that the applicant requires the weapon for an approved purpose.

The sale of military style self-loading (or semi-automatic) rifles are banned. There are no specific restrictions on non-military style self-loading firearms. However, a licensee needs to be able to show that such a weapon is appropriate for the approved purpose for which his or her license was granted.

Recommendation 57.3

- Restriction of sales of ammunition by licensed gun shops only, to licensed individuals only, for personal use of a specific firearm.**

New South Wales

New South Wales gun laws restrict the sale of ammunition to licensed firearms dealers (except in a limited number of isolated rural areas where some general stores are permitted to sell ammunition). A purchaser of ammunition must be the holder of a current firearms licence.

Victoria

The purchase and sale of ammunition in Victoria continues to be prohibited except by persons licensed to sell ammunition to persons who hold a shooter's licence or permit [section 27C of the *Firearms Act 1958*].

Queensland

Sale of ammunition is governed by the Explosives Act, and is administered by the Minister for Resource Industries.

1993: no change recorded.

Western Australia

Individuals can only purchase ammunition for firearms they have a licence for, from licensed dealers.

South Australia

Controls regarding the acquisition of ammunition have been included in the *Firearms Act Amendment Act 1988*.

Tasmania

The *Guns Act 1991* does not restrict the sale of ammunition to those persons who are licensed gun shops. However, the Act does provide that ammunition can only be sold to persons holding a gun licence.

Northern Territory

Ammunition is regulated by the Dangerous Goods Act. Sellers and purchasers both require licences. Further restrictions, for example, restricting use of ammunition to a particular firearm and shooter would be a great inconvenience and would, in any case, be largely unenforceable.

Australian Capital Territory

The ACT Government supports the restriction of sales of ammunition as outlined below.

The Weapons Act provides for the sale of ammunition by a licensed dealer only to a person who holds a dangerous weapons licence and for use only in a weapon of a kind registered or endorsed on that licence, to a person who is a collector of ammunition or to an interstate person whom the dealer reasonably believes is not prevented from having such ammunition by the law of his/her home state or territory.

However, the Act also enables the member of an approved club, authorised in writing by the club, to sell ammunition. Such sales can only be -

- * made on the club's premises;
- * made to club members or persons participating in competition shooting at the premises (such as interstate competitors); and
- * of ammunition capable of being discharged from a weapon registered or endorsed on the member's licence or from a dangerous weapon being used by a non-member competing on the premises.

Recommendation 57.4

- Registration: All firearms should be registered in a computerised national firearms registry.

New South Wales

Registration of all firearms would result in the keeping of extensive records which would be of little or no assistance to police officers in the performance of their duties. Registration would also result in a high level of non-compliance.

New South Wales gun laws require the registration of all pistols.

Victoria

In Victoria, all firearms are required to be registered under section 22AA of the *Firearms Act 1958*. The firearms data base in Victoria is computerised.

Victoria continues to maintain the computerised database of all firearms.

Queensland

This matter is to be discussed at the Australian Police Ministers Conference. The initiative is not opposed if it is cost neutral.

1993: no change recorded.

Western Australia

The Western Australia Firearms Branch supports this recommendation. Discussions are being undertaken to implement such a registry.

South Australia

South Australia has a computerised firearms registry which could be accessed on a national basis. No consideration has been given to the financial implications involved as it is not known what format will be used for a national registry.

Tasmania

The Act provides registration for pistols. There is no registration of longarms. Only the user is licensed.

Northern Territory

Northern Territory Police have their own computerised registry and would support any moves for a national firearms registry similar to the present national computer fingerprint registry. This is probably a matter for discussion at a meeting of the Australian Police Ministers Council.

Australian Capital Territory

The ACT Government supports the recommendation but notes that its implementation requires the agreement of other States and the Northern Territory. The ACT has a Register of Weapons which contains specified information on licensees and their weapons.

The Weapons Act requires the establishment of a Register of Weapons containing a specified range of information on licensees and their weapons.

Recommendation 57.5

- Licensing: ownership or possession of a firearm to be restricted to those possessing a valid licence. The prerequisites for obtaining a shooter's licence should be those in existing legislation, together with the following:

- (a) must be over the age of eighteen years;**
- (b) limited to fit and proper persons with good reason;**
- (c) a twenty-eight day cooling-off period between application and grant of the licence, during which time appropriate checks can be made;**
- (d) training, competence and safety consciousness must be demonstrated to the licensing authority;**
- (e) hand gun licences should be restricted to authorised security personnel and members of pistol clubs, with weapons stored on premises.**

New South Wales

- (a) New South Wales gun laws require that an applicant for a firearms licence must be 18 years of age or older. However, it is possible for a person aged between 10 years and 17 years of**

age to obtain a Minor's Permit which allows the holder of the permit to use a firearm under the supervision of a licensed person.

- (b) New South Wales gun laws require that an applicant show 'genuine reason'.
- (c) New South Wales gun laws require a cooling-off period of 28 days for the issue of a firearms licence. During this period checks are made on the criminal history of the applicant and the previous licensing history of the applicant. If the applicant has an adverse history (eg if he has been subject to an Apprehended Violence Order in the ten years prior to the application for a firearms licence), the application is refused.
- (d) New South Wales gun laws require that an applicant successfully complete the New South Wales Firearms Safety Awareness Course. This course does not, however, require an applicant physically to demonstrate his competence in using a firearm. Unfortunately, the resources needed to allow for a physical test are too great.
- (e) New South Wales gun laws specify the following types of pistol licences: business pistol licences; Government pistol licences; club pistol licences; target pistol licences; scientific pistol licences; blank fire pistol licences; and pistol collector licences. The category of personal pistol licence was deleted when the new gun laws came into effect on 1 May 1992. Although there is no requirement for pistols used by pistol club members to be stored on the premises, owners of pistols must store them securely in a locked metal cabinet or, if there are more than five pistols, in a safe. Holders of business pistol licences must store their pistols at the address to which the licence relates (usually the place of business). Storage of pistols is checked once each year.

See also comment on Recommendation 57.6.

Victoria

All the listed proposed prerequisites for obtaining a shooter's licence apply in Victoria [sections 22AA(2) and (2A)]. In the case of hand guns, weapons in some circumstances may be stored at the licensee's home, under prescribed security conditions [section 22(2b) and (3A)].

The restrictions in Recommendations 57.5 paras (a) to (e) are contained in section 22AA of the *Victorian Firearms Act 1958*. Pistols may in some circumstances be stored at the licensee's home, under prescribed security conditions [section 22AA(2b) and 22AA(3A)].

Queensland

Queensland has implemented all of the measures outlined in this recommendation.

The Department of Employment, Vocational Education, Training and Industrial Relations (DEVETIR) has begun negotiations with relevant organisations to develop a training program to support proposed gun laws. The program will have elements covering:-

- * use of firearms;
- * security personnel's use of firearms;
- * firearm owner responsibilities; and
- * firearm dealer responsibilities.

1993: no change recorded.

Western Australia

- a) In Western Australia existing legislation requires that a person must be 16 years or over to obtain a firearms licence and 18 years or over for a concealable weapon.
- b) Legislation is in existence covering this recommendation.

- c) The committee is discussing this recommendation .
- d) Pistol clubs provide training and individuals must meet the criteria to satisfy the Firearms Branch before a licence is issued.
- e) Concealable weapons are restricted to members of pistol clubs. Individuals who require concealable weapons for personal use are only granted on exceptional good reasons and restrictions placed on them.

South Australia

The age, whether someone is a fit and proper person with good reason, and a cooling-off period have been included in the *Firearms Act Amendment Act 1988*. The cooling-off period of one month is from the issue of the licence to the granting of a permit to purchase a firearm. The training prerequisite is included in the proposed Regulation.

The Police Department is of the opinion the restriction of hand gun licences should include other persons who have good justification, such as veterinary surgeons and genuine collectors, as well as security personnel and members of pistol clubs. The Police Department does not support the storage of hand guns on pistol club premises, which are usually remote and unattended.

Tasmania

The Guns Act provides that those persons wishing to own or possess a firearm must possess a gun licence. The prerequisites for obtaining a gun licence are as follows:

1. must be over eighteen years of age;
2. limited to fit and proper persons. An application does not have to have a good reason to possess a firearm;
3. a twenty-one day cooling off period between application and grant of licence to enable appropriate checks to be made;
4. safety training and testing for those persons who wish to possess or own a firearm for the first time. Existing gun owners do not have to attend these safety training courses; and
5. the possession of hand guns is to be restricted to security personnel, members of pistol clubs and those persons who can satisfy the Commissioner of Police that they need such a pistol for protection of life or property. These pistols do not have to be stored at pistol club premises.

Northern Territory

- (a) Included in the new Firearms Act is the requirement to be over the age of eighteen.
- (b) The 'fit and proper' requirement is included in the present Firearms Act and the new Firearms Act. However, 'sufficient reason' is required for licences in respect of firearms classes 'C' (pistols) and 'D' (firearms not normally permitted in the Northern Territory. Should this be extended to classes 'A' (rifles, shot-guns and air rifles, not including semi-automatic) and 'B' (all other rifles and shot-guns that are semi-automatic, and centre fire rifles), as the National Committee on Violence recommends, then a decision has to be made as to what constitutes 'sufficient reason'. Further, what scrutiny will such reasons be subjected to? Finally, where will the personnel come from to make all of the necessary inquiries?
- (c) The new Firearms Act provides a cooling off period of fourteen days.
- (d) The new Firearms Act deals with this but may not go as far as the National Committee on Violence (NCV) recommends. The NCV wants 'demonstration' of training etc., whereas the Bill requires the Commissioner to be 'satisfied' that training etc. is adequate.
- (e) Recommendation (e) appears to fail to take into account the nature of many businesses in the Territory. Subject to being fit and proper etc., the following occupations are routinely issued

pistol licences in the Northern Territory: police; professional fishermen; cattle station staff; cattle truck drivers; aircraft pilots; crocodile farm staff; and tour and safari guides, as well as the two classes of person recommended by the NCV.

The recommendation that pistols be 'stored on the premises' is also of dubious merit. The intention appears to be that pistols be kept at the place where they may be lawfully used, so as to reduce the possibility that they will be used in a domestic violence situation. Balanced against that is the fact that such 'premises' will be unattended for most nights and some days, leaving the pistols at risk of theft. Given that licensees are subject to considerable scrutiny, it may be preferable to allow pistols to be kept in owners' homes.

Australian Capital Territory

The ACT Government supports the recommendation with the qualifications outlined below.

(a) must be over the age of eighteen years:

The Weapons Act acknowledges that a person under 18 may be licensed for a dangerous weapon if he or she is a member of an approved club and competes in shooting competitions. However, such a person must also meet the other criteria which apply to licensees generally, for example, be fit and proper, have completed a course in safe handling of weapons etc.

In effect, a minor can only ever possess and use a weapon registered or endorsed on his or her licence while on a club shooting range and under the immediate supervision of an authorised instructor or while taking part in a shooting competition conducted by his or her club. On all other occasions the weapon must be in the possession of the club's armourer or other licensed adult person on whose licence the weapon is registered or endorsed. Special provision is made for the conveyance of an underage licensee and his or her weapon to or from the club.

However, it should be noted that the Act specifies no minimum age for possession and use of a weapon. It is considered that the powers of the Registrar are adequate to enable him or her to refuse a licence to a young person having regard to such factors as age, level of maturity, physical capacity to handle and fire a weapon etc. Such refusals (or indeed, any grant) are appealable to the Administrative Appeals Tribunal.

Under the requirements of the *Weapons Act 1991*, the Registrar of Weapons has determined *Guidelines for the Security of Premises and for the Storage of Weapons* for which the penalty for non-compliance without reasonable excuse is a fine of \$2000.

(b) limited to fit and proper persons with good reason:

The Act specifies that one of the matters of which the Registrar has to be satisfied before granting a dangerous weapons licence is that the applicant is a fit and proper person to hold such a licence. Another matter is that the applicant requires a dangerous weapon for an approved reason.

The Act specifies a number of circumstances to which the Registrar must have regard in determining whether the applicant is a fit and proper person. These include whether the applicant has within the previous eight years been subject to a recognisance to keep the peace or be of good behaviour, is the subject of an interim protection order under the *Domestic Violence Act 1986* or within the previous eight years has been the subject of a protection order under that Act, or is the subject of an interim restraining order under the *Magistrates Court Act 1930* or within the previous eight years has been the subject of a restraining order under that Act.

These circumstances are not exhaustive of the matters which the Registrar can consider in deciding whether a person is fit and proper. He or she can consider any other relevant matter. For example, the Registrar may consider the physical fitness of the applicant,

whether the applicant suffers from any mental or emotional instability or if the applicant is adversely affected by drugs or alcohol.

(c) a twenty-eight day cooling-off period between application and grant of the licence, during which time appropriate checks can be made:

The granting of a licence entitles the licensee to a weapon of a kind which is appropriate for his or her stated reason for requiring the licence: in other words, a licence does not entitle a person to acquire any firearm, only a firearm of a type approved by the Registrar as necessary for the approved purpose for which the licence was granted.

The Act creates an offence if a person acquires a first weapon within 28 days after the grant of the licence and where a person sells or gives a weapon to a licensee within 28 days of him or her obtaining the licence. There is not considered to be any impediment in the Act to adequate checks being made on applicants.

(d) training, competence and safety consciousness must be demonstrated to the licensing authority:

The Act requires the Registrar to be satisfied that an applicant has satisfactorily completed an approved course or otherwise have adequate training and experience in the safe handling of weapons before granting a licence.

Further, provisions relating to registering a weapon and endorsing a weapon each require the applicant to have good knowledge of safety practices relating to the type of weapon to which the application relates.

(e) hand gun licences should be restricted to authorised security personnel and members of pistol clubs, with weapons stored on premises:

The Act authorises a licensee only to acquire a weapon of a kind approved by the Registrar as necessary for the approved purpose for which the licence was granted. Thus a hand gun can only ever be acquired by a licensee who specified security or competition pistol shooting purposes in his or her application for a licence.

The Act does not require hand guns to be stored on the premises. The reasons for this are that it would -

- involve unjustifiable expense and resources in administering the requirement especially for clubs which are amateur in nature and are not profit making;
- be met with widespread opposition by sporting pistol shooters; and
- make club premises in particular the target for gun theft.

Recommendation 57.6

- Security: mandatory measures to be introduced for the safe-keeping of all weapons in the inoperable condition in secure storage, both by individuals and businesses, with appropriate penalties for non-compliance.

New South Wales

New South Wales gun laws require that all firearms which are not actually in use or about to be used be properly secured by ensuring that:

- * the bolt or firing mechanism is stored separately from the balance of the firearm except where it is unable to be separated; and
- * ammunition is stored separately; OR,
- * the firearm and ammunition is kept in secure storage of a standard approved by the Commissioner of Police (ie. in a locked metal container). If it is found that these requirements have not been met, police seize the firearms concerned and suspend the firearms licence or permit. If the offence of unsafe storage is proved, the firearms concerned are destroyed.

Victoria

In Victoria all firearms are required to be stored in prescribed secure conditions [section 22AA(2)(e) *Firearms Act 1958*].

A shooter's licence may only be issued in Victoria if the Registrar of Firearms is satisfied that the applicant will ensure that firearms and ammunition are securely stored separately in locked cupboards, containers or similar repositories [section 22AA]. The intent of the recommendation, that is that weapons be stored in an inoperable condition is met by section 22AA(10) which requires that weapons and ammunition be stored in separate locked containers.

Queensland

The Weapons Act stipulates minimum security requirements and imposes penalties for non-compliance.

1993: no change recorded.

Western Australia

This recommendation is being addressed.

South Australia

Stricter security requirements are included in the proposed regulations.

Tasmania

The Guns Act requires mandatory measures for safekeeping of all weapons in secure storage, both by individuals and businesses with appropriate penalties for non-compliance. The major penalty is the revocation of a licence.

Northern Territory

The new Firearms Act requires security of premises. There is no requirement in the Bill to keep firearms in an inoperable condition. If this were to be added, would merely being unloaded amount to 'inoperable'? In any case, this could only be enforced on very rare occasions.

Australian Capital Territory

The ACT Government supports the recommendation.

The Weapons Act creates an offence, punishable by a fine of \$2 000 or twelve months imprisonment, or both, where a person keeps a weapon otherwise than in an unloaded condition and in a locked container or under such other conditions as are necessary to prevent another person having access without permission.

Recommendation 57.7

- Seizure: in the event of a licensed owner giving reason to believe that he/she is no longer a fit and proper person, for example by using the weapon in a threatening way, there should be provision for mandatory seizure of all firearms in his/her possession.

New South Wales

New South Wales gun laws provide that any police officer may suspend a firearms licence for 28 days if the officer considers that there may be grounds for revoking the licence. During the period of suspension, firearms in the possession of the licence holder are seized.

From 1 May 1992, New South Wales gun laws provide that a police officer must suspend a firearms licence held by a person who has committed or is alleged to have committed domestic violence. In addition, a police officer must seize all firearms at the scene of domestic violence or threatened domestic violence. Any person subject to an Apprehended Violence Order is not able to obtain a firearms licence for ten years following the date of the Order.

Victoria

The Registrar may cancel the licence of any person who has been proven to be unsuitable to possess a firearm (section 22AA(9) *Firearms Act 1958*). Section 38 and 39 allow any member of the police force to obtain a warrant to search premises or may search a person or vehicle for a then unlicensed firearm. The *Crimes (Family Violence) Act 1987* requires that a member of the police force who is satisfied that there are grounds for the issue of an Intervention Order and is aware of the presence of firearms, to search and seize any firearms belonging to or in the possession of perpetrators of family violence of which the member is aware.

Queensland

The Weapons Act allows for the revocation of licences and the seizure of weapons if they are misused.

1993: no change recorded

Western Australia

Firearms are seized from persons who are no longer a fit and proper person or are using the weapon in a threatening way and are held till enquiries are completed.

South Australia

This is included in the current Act. However, there is a need to amend the Act to permit the Registrar to suspect a licence pending court or cancellation proceedings, otherwise the unfit person can legally go out and buy or borrow other firearms. A submission was recently forwarded seeking this authority.

Tasmania

The Guns Act enables the Commissioner of Police at any time to cancel a gun licence where the Commissioner is of the view that the holder of the licence is no longer a fit and proper person. In these circumstances the former licence holder must hand in his/her firearms and the police have the power to seize those firearms if this is not done.

Northern Territory

The new Firearms Act provides for this Recommendation.

Australian Capital Territory

The ACT Government supports the recommendation.

The Act provides entry, search and seizure powers which are considered to be adequate to enable the seizure of weapons in circumstances of the kind envisaged by the Committee. The provisions reflect current criminal law policy and are, at the same time, mindful of the rights and liberties of individuals.

In addition to the Weapons Act, recent amendments to the *Domestic Violence Act 1986* and the *Magistrates Court Act 1930* enable the Court to order the seizure of the weapons of a person against whom a domestic violence protection order or interim protection order or restraining order or interim restraining order is made.

Further, the amendments to the *Crimes Act 1900* (New South Wales) which are included in the *Weapons (Consequential Amendments) Act 1991* make it clear that a police officer who enters premises under sections 349A, 349B or 349C of that Act may seize a firearm where there are reasonable grounds for believing it is necessary to prevent an offence or the repetition of an offence or of a breach of the peace or to protect life or property.

Recommendation 57.8

- Restrictions on private sales: all sales of firearms, including second hand sales, be made through licensed gun dealers, and any change of registered owner should be notified through the proposed registration mechanisms referred to in (57.4) above.

New South Wales

New South Wales gun laws require that both the seller and the purchaser of a firearm must be licensed to possess firearms, and that both the seller and the purchaser must check that the other party is in fact the holder of a current licence. New South Wales gun laws also require that firearms dealers keep a record of sales made and that dealers regularly submit details of all sales to the New South Wales Police Service.

Victoria

All sales of firearms in Victoria must be made through licensed gun dealers, except when witnessed by the Firearms Registrar or another authorised member of the Police Force (section 28D *Firearms Act 1958*). All changes or registration must be notified to the Registrar of Firearms (section 28D) and are recorded on the firearms registration database.

Queensland

It is not proposed to restrict private sales other than to require that weapons can only be supplied or sold to licensed or authorised people.

1993: no change recorded

Western Australia

Firearms are sold both privately and by licensed general dealers and records adjusted accordingly through registration.

South Australia

The purchase and sale of all firearms through licensed firearm dealers has merit. However, due to the distance of many areas in this State from a licensed dealer, this recommendation would not be practical.

Tasmania

The Guns Act provides for firearms sales, but only between two licensed persons. One cannot sell or lend a firearm to another person who is not licensed under the Act.

Northern Territory

Change of ownership is dealt with under the present Firearms Act and in the new Firearms Act. There is no proposal to prohibit private sales. To require all sales to be through dealers would put dealers in a remarkably privileged position. The report does not explain what purpose would be served by such a requirement.

Australian Capital Territory

The ACT Government supports the recommendation with the qualifications outlined below.

The Weapons Act does not prohibit private sales although controls are placed on such sales (and other means of transferring ownership such as giving by way of gift, lending etc). The Act creates an offence punishable by a fine of \$5 000 or imprisonment for two years, or both, where a person sells or gives a weapon to another person who is not licensed or sells etc a weapon of a kind for which the purchaser is not licensed.

A licensee is required to notify the Registrar within 7 days if the disposal of a weapon. A licensed dealer is required to enter the details of sales in the Dealer's Book and to provide quarterly returns to the Registrar regarding sales.

Recommendation 57.9

Amnesties: a permanent amnesty for the surrender of unauthorised firearms should be implemented, with conditions similar to those provided in the temporary amnesties which have been introduced from time to time in various jurisdictions.

Commonwealth

The Australian Federal Police (AFP) comment that following the report of the National Committee on Violence, it was recommended to the Australian Capital Territory Government that the Weapons Bill should provide a permanent amnesty.

New South Wales

While limited-time amnesties are usual ways to encourage gun owners to hand in firearms which are no longer wanted, a permanent amnesty could provide a defence for a person who is found to have prohibited weapons. New South Wales has co-operated in nation-wide amnesties.

Following the introduction of New South Wales' new gun laws on 1 May 1992, the New South Wales Government has introduced a compensation scheme in respect of firearms whose possession has been made illegal under the new laws. New South Wales looks to the Commonwealth to assist in meeting the cost of the compensation paid.

Victoria

Victoria has had firearms amnesties from time to time. There is not a permanent amnesty in force in Victoria.

Queensland

The Weapons Act allows for a permanent amnesty.

1993: no change recorded.

South Australia

This is the current police and practice of the Police Department in this State.

Tasmania

The Guns Act contains a provision for a permanent amnesty for the surrender of unauthorised firearms.

Northern Territory

This proposal has merit but is not provided for in the new Northern Territory Firearms Act because there are considerable legal and evidentiary problems with such a proposal.

Australian Capital Territory

The ACT Government supports the principle of temporary amnesties rather than permanent amnesties and imposed a temporary amnesty in the ACT for the surrender of unauthorised firearms which extended until 31 December 1992.

The Act empowers the Minister to specify an amnesty period, without any limit, during which no proceedings will lie against a person in relation to the possession of a surrendered weapon. To provide a permanent amnesty, as recommended, would make the offence provisions in respect of possession purposeless.

Mandatory Sentencing For Offences Committed With Firearms

Recommendation 58.

The use of a firearm in the commission of a crime should be regarded as an aggravating circumstance by sentencing authorities.

Commonwealth

In general the Commonwealth does not have jurisdiction for offences likely to be committed with firearms. Penalties for Commonwealth offences are the maximum appropriate for the most serious circumstances for the commission of that offence, which would include the possibility of the use of a firearm in the commission of an offence. Mandatory or minimum sentences are not consistent with Commonwealth policy for setting sentences. Such sentences may lead to injustice as they do not allow the Court, which alone has before it all the circumstances of the commission of an offence, a discretion to award a sentence reflecting all those circumstances.

New South Wales

In New South Wales the use of a firearm in the commission of a criminal offence is regarded as an aggravating circumstance by the courts.

Victoria

A court imposing a penalty under subsection 3A of the *Firearms Act 1958* must direct that the sentence not be served concurrently and must not make an order suspending the whole or any part of the sentence.

A person who is guilty of an indictable offence in Victoria and who carried a firearm when committing the offence, is guilty of a further offence and liable to a penalty of imprisonment for not more than five years for that further offence [section 23(3A)].

Queensland

The Criminal Code already contains such sanction.

1993: no change recorded.

South Australia

The Police Department agrees that the use of a firearm in the commission of a crime should be regarded as an aggravating circumstance by sentencing authorities.

Tasmania

The Guns Act creates two new crimes. Namely, carrying a gun with criminal intent and aggravated assault.

Northern Territory

The Criminal Code recognises weapons as an aggravating factor in relation to several offences. In any event, courts usually recognise this as a circumstance of aggravation without specific statutory guidance.

Australian Capital Territory

The ACT Government supports the recommendation noting that the current position in the ACT embodies this principle.

Corporal Punishment: Spanking

Recommendation 59.

The Committee strongly condemns the use of physical violence in disciplining children. The long term aim should be to abolish such practices. In the interim, this objective is best achieved by education, as already referred to in the context of parent education.

Commonwealth

Department of Health Housing and Community Services 1993

The proposed National Prevention Strategy for Child Abuse and Neglect will include education programs which provide alternatives to the use of physical violence.

Refer to response to Recommendation 9 on education for parenthood.

New South Wales

The appropriate use of corporal punishment is a decision which should be left to individual parents. However, parents need to be aware of the modelling effect of corporal punishment.

The New South Wales Department of Community Services subscribes to the principle that corporal punishment is less effective than other child management techniques and may have undesirable outcomes with regard to a child's development.

Therefore, the Department's message to parents is one that encourages parents to be aware of and utilise methods of disciplining children other than by physical means. This does not mean that the Department is stating that physical discipline may never be used by parents. However, if parents

choose to use this form of discipline, the Department would expect this to be within reasonable parameters, taking into account situational factors and the age and development stage of the child.

Discipline outside reasonable parameters may constitute physical abuse. Guidelines issued to field staff state that facial/head bruising, other significant bruising or lacerations/welts are indicators of excessively severe discipline and would provide grounds for notification. If a child is notified for physical abuse, Department officers are obliged to investigate the allegations.

With regard to children in substitute care there are explicit prohibitions of corporal punishment of children. The Codes of Conduct appended to the Centre-based Child Care Services Regulation 1989, the Mobile Child Care Services Regulation 1989, the Family Day Care Services Regulation 1989, the Home-based Child Care Services Regulation 1989, the Fostering Authorities Regulation 1989, the Residential Child Care Centres Regulation 1989 and the Private Fostering Agency Authorities Regulation 1989 all prohibit children, in substitute care situations governed by the particular Regulation, being subjected to or threatened with any form of corporal punishment.

See also the comment on Recommendation 33.

Victoria

Any policy which aims to abolish such practice would need widespread discussion in the community to determine public opinion. The National Campaign Against Child Abuse will seek to discourage the use of physical force in disciplining children.

The Youth Homelessness Task Force Program of the Office of Youth Affairs funds two Dispute Settlement Centres in Frankston and the northern suburbs. The centres receive \$45 000 funding. They work with parents and youth on intra-family relations.

The Frankston Youth Homelessness Taskforce continues to fund a Parent/Adolescent Mediation Service. A similar mediation service has also been funded through the Taskforce in the northern suburbs and is currently due for annual review. The Melton Youth Homelessness Taskforce also funds a 'Youth Linkage' crisis project which includes a mediation casework component between young people and parents.

In addition, the new Government has made a commitment through its 'Street Kids' Policy to establish six Family Reconciliation and Support Services (including two rural services) at a total cost of \$540 000. The services will assist families experiencing stress and breakdown.

Refer also to response to Recommendations 9 and 37.

Western Australia

The Department of Community Development has recently launched a public education program 'Grow Together' aimed at improving parent/child relationships and in particular, in providing information and support to parents on more effective parenting. One of the aims of the campaign is to reduce violence against children.

The Children's Advisory Council and the Grow Together campaign are both conducting community education and seminars that value children. In addition, the Western Australia government will continue to support a wide range of parent education programs.

South Australia

Refer to responses to Recommendations 33 and 34.

Northern Territory

Whether corporal punishment or spanking should be prohibited by law is a subject for public discussion in the first instance. While receptive to the viewpoint, Government is uncertain that local public opinion is ripe yet to follow the Swedish law under which parents are prohibited from spanking their children.

Australian Capital Territory

The ACT Government supports the recommendation. See Recommendation 37 for issues relevant to parent education.

Victim Impact Statements

Recommendation 60.

Subject to the inclusion of appropriate safeguards against abuse by either the Crown or the defence, victim impact statements should be introduced in all jurisdictions. They should be closely monitored.

Commonwealth

The number of Federal offences that have an identifiable victim is relatively small. Most Federal offenders are drug offenders or persons who commit fraud against the Commonwealth, and therefore there is no identifiable victim. A victim impact statement regime would therefore have only a minuscule application to Commonwealth offences.

Also refer to response to Recommendation 12.

New South Wales

Section 447C of the New South Wales *Crimes Act 1900* remains unproclaimed, and it is unlikely to be proclaimed in its present form. However, victim impact statements are being used in New South Wales court proceedings, although their admissibility is dependent on common law sentencing principles and the Office of the Director of Public Prosecutions has issued administrative guidelines for their use, in accordance with the New South Wales Charter of Victims Rights. There are serious concerns over the use of victim impact statements, such as the likelihood of exacerbating the trauma and distress suffered by the victim through cross-examination on the statement, and the significant resources required in the preparation of the statements by professional counsellors and other support workers.

The New South Wales Victims Advisory Council is examining this matter.

Victoria

1991: The Attorney-General's Department is awaiting the availability of some clear evaluation of their effectiveness in South Australia, before considering their introduction in Victoria. They were rejected by both the Starke Sentencing Committee in 1988 and the Parliamentary Legal and Constitutional Committee in 1987.

1993: The introduction of victim impact statements is supported by the Government. The policy is to have a victim impact statement taken and for such statement to be considered by the court prior to sentencing.

Queensland

The Women's Policy Unit (Office of the Cabinet) is strongly opposed to the introduction of victim impact statements in all jurisdictions, particularly for the purposes of sentencing offenders. Crimes of violence are crimes against the Crown and the facts of the case should stand as evidence, as indeed they do in all other criminal matters.

The onus should not be on victims of crimes to convince the court of the impact of the crime upon them in order to see justice done. This issue has particular significance in the context of sexual assault.

It is unclear whether the recommendation refers to victim impact statements used for the purposes of sentencing offenders in criminal matters or whether it relates to their use in criminal compensation matters.

There is some sympathy for their use in criminal compensation matters where women have chosen to seek financial redress for crimes committed against them. These reports should be prepared by qualified counsellors, and preferably those who have had contact with women at the time of the report of the crime.

The Queensland Police Service already uses victim impact statements in some cases and would support their introduction generally, subject to resource considerations.

The issue of adopting victim impact statements, as has been done in South Australia and some overseas jurisdictions, is under consideration. It is worth noting that in a survey study conducted by the Office of Crime Statistics in the South Australian Attorney-General's Department entitled *Victims and Criminal Justice*, the items which victims considered important to raise in such statements were:

- * Emotional effects from the crime (55.9 per cent);
- * Injuries or other medical conditions (31.5 per cent);
- * Financial loss (19.4 per cent);
- * Concern for safety (17.1 per cent);
- * Effects on family life (16.7 per cent); and
- * Effect on victim's lifestyle (14.9 per cent).

This seems to suggest that the severe or disconcerting impact of crime upon victims are the long term emotional or psychological detriment that arises. This is supported by other statistical data which clearly indicates the need for counselling services rather than purely financial assistance.

Queensland has demonstrated a commitment to victim compensation through ex gratia payments developed by the Attorney-General under Sections 663(B) and 663(D) of the Criminal Code. Last financial year, the Queensland Government spent \$1.535 million on ex gratia payments - approximately 5 times the amount devoted on an annual basis by the previous Government. However, it is appreciated that further considerations are required to address the long term, non-monetary effects of crime upon victims.

Currently, Intellectual Disability Services has on staff an expert witness who is contacted by the Crown or Defence to provide reports on the impact of abuse on victims.

South Australia

Victim Impact Statements are used in all Courts. They are currently being evaluated through a research grant from the Criminology Research Council. The Police are trialing a revised set of procedures for the completion of Victim Impact Statements.

Tasmania

Victim impact statements are now presented orally. The adoption of formalised written statements is not to be introduced.

Northern Territory

The Northern Territory Crime Victims Advisory Committee (CVAC) has considered the matter of victim impact statements. At this stage, no formal recommendation has been made to the Attorney-General. However, the preliminary view of the Committee is that this initiative should not be introduced in this jurisdiction.

Nevertheless, a discussion paper has been prepared and will soon be distributed to interested parties for comment before a final recommendation is made to the Attorney-General.

Australian Capital Territory

In December 1990 the issue of victim impact statements (including the South Australian model) was referred to the ACT Community Law Reform Committee. The Committee has prepared an issues paper and formed a Victims of Crime Sub-Committee which will make recommendations on this issue.

The Committee is currently preparing a final report on the issue of victims of crime. It is anticipated that the Committee will make a positive recommendation relating to the adoption of victim impact statements within the ACT. Any of the Law Reform Committee's recommendations which are accepted by the Government would be subject to close monitoring.

Recommendation 61.

All governments should formally embrace the principles of justice and fair treatment for victims as set out in the Declaration of the United Nations General Assembly.

Commonwealth

Criminal law and in particular, the role of the victim in criminal proceedings is a matter for the States and Territories.

The Australian Police Ministers Council meeting of 8 March 1990 resolved that each Minister would consider for adoption the draft National Charter dealing with the rights of victims of crime. The Charter covers to a large extent the areas with which the United Nations Declaration deals, with the exception of the right to compensation. Legislation providing for compensation to victims of crime is already in existence in all Australian jurisdictions.

New South Wales

The New South Wales Government has implemented a Charter of Victims Rights based on the United Nations Declaration. This Charter provides recognition for the rights of victims of crime and establishes standards for fair treatment in the criminal justice system. All New South Wales Government agencies have been instructed that their practices should comply with the Charter.

The New South Wales Government has issued a pamphlet to publicise the rights of victims under the Charter and the services available to victims from New South Wales Government agencies. This pamphlet includes the following information:

- * the agencies that victims should contact in the first instance;
- * how victims can exercise their rights from the time of the initial police investigation of the crime until after court proceedings are complete;

- * the responsibilities of victims throughout investigation of the crime and any court proceedings;
- * the information and assistance to which victims of crime are entitled from New South Wales Government agencies; and
- * contact numbers for all agencies which provide services to victims, including the Victims Compensation Tribunal.

The pamphlet has been distributed throughout New South Wales to police stations, medical centres, hospitals, counselling services and victims groups, as well as to interested members of the public.

Victoria

The Victorian Government approved the Declaration of Victim's Rights in October 1989, which was based on the United Nations Declaration. All Government Departments and relevant agencies were instructed to incorporate the Declaration into their procedures. A booklet containing the Declaration for crime victims has been produced as part of the implementation work carried out by the Interdepartmental Committee on Support Services for Victims of Crime. The booklets are being distributed through police, courts and community agencies.

A Victims of Crimes Task Force is to be established to report to the Premier on steps which can be taken to overcome problems faced by victims of crime. It is Government policy to examine whether the rights of victims as outlined in the Declaration of Victims Rights should be incorporated in legislation.

Queensland

The Queensland Police Service has adopted as policy the Declaration of the Rights of Victims of Crime in the State of Queensland and instructions to this effect have been issued to all police. The Police Service is represented on an interdepartmental working group, chaired by the Department of Justice and Attorney-General, looking at initiatives to enhance the treatment of victims.

South Australia

This recommendation is supported.

The South Australian Government already has embraced the principles of justice and fair treatment for victims, as set out in the Declaration of the United Nations General Assembly.

Tasmania

The Tasmanian Government has recently adopted a Charter of Rights for Victims which is based on the declaration of the United Nations General Assembly. All Government Agencies are now required to comply with the Charter.

Northern Territory

As with the previous recommendation, this matter is to be referred to the Crime Victims Advisory Committee for consideration.

Australian Capital Territory

The ACT Government supports the recommendation noting that the principles of justice and fair treatment for victims as set out in the Declaration of the United Nations General Assembly have been adopted by the ACT Legislative Assembly. The ACT Law Reform Committee is currently considering the principles of the Declaration in its report on victims of crime.

Criminal Assault In The Home

Recommendation 62.

The introduction of portability of restraint orders across jurisdictions should be treated as a priority by the Attorneys-General.

Commonwealth

Refer to response to Recommendations 12 and 63.

At the February 1991 meeting of the Standing Committee of Attorneys General, Ministers agreed to the introduction of portability of restraint orders across jurisdictions on the following basis:

- * Victims who have obtained a protective order from their original State or Territory of residence should be able to retain the protection of the order in a new State or Territory, regardless of inconsistencies in the range of people protected under jurisdictions.
- * The duration of the order in the new State or Territory should be specified by the original State or Territory, and
- * Penalties for breaches should be enforced as for the receiving State or Territory and not the original State or Territory.

Each State agreed to prepare the necessary legislative amendments.

New South Wales

The *Crimes (Registration of Interstate Restraint Orders) Amendment Act 1992* was passed by the New South Wales Parliament on 31 March 1993 and received royal assent on 14 April 1993. This Act will enable a person from another state to register in New South Wales a restraining order issued in another state and thereby to obtain the protection afforded by that order in New South Wales as well as in the originating state.

Victoria

The introduction of portability of restraining orders across jurisdictions has been endorsed in principle by the Standing Committee of Attorneys-General. The Commonwealth has agreed to prepare amendments to the Services and Execution of Process Act which should obviate the need for the States to legislate in this area.

The Government passed legislation in June 1992 which provided for the registration and enforcement of interstate protection orders (Section 18AA, *Crimes (Family Violence) Act 1987*).

Queensland

The *Domestic Violence (Family Protection) Act Amendment Act 1992* enables the registration of interstate protection orders in Queensland.

1991: The scheme that has been accepted is to reciprocally recognise protective orders in respect of those features which are common in all jurisdictions (for example, a 'lowest common denominator' scheme for reciprocal recognition).

Western Australia

The Western Australian Government is actively cooperating in national efforts to make Restraint Orders portable across jurisdictions through its membership of SCAG. A Bill to this effect has been prepared for introduction into the Western Australian Parliament.

South Australia

Summary Procedures (Summary Protection Orders) Amendment Act 1992 provides for the portability of restraint orders.

Tasmania

The Tasmanian Government has recently introduced legislation which to provide for the portability of interstate restraint orders.

Northern Territory

Laws were passed in November 1992 providing for the full recognition of interstate restraining orders.

Australian Capital Territory

The ACT Government supports the recommendation. The ACT Government has enacted the *Protection Orders (Reciprocal Arrangements) Act 1992* which came into effect on 3 August 1992. This Act enables a domestic violence protection order made outside the ACT to be registered in the ACT Magistrates Court, and subsequently, any breach to be enforced. When an order is registered, the Australian Federal Police are notified and the order can be enforced as if it were an order under the ACT *Domestic Violence Act 1986*.

Recommendation 63.

Uniform domestic violence legislation should be developed. Such legislation should include the following essential features:

New South Wales

The New South Wales Women's Coordination Unit does not support the introduction of uniform domestic violence legislation because of the likelihood of 'lowest common denominator' legislation that is not particularly responsive to local conditions resulting. However, it is essential that the best elements of various Acts are incorporated within all legislation.

The National Committee on Violence Against Women undertook some research into the effectiveness of protection orders.

The Standing Committee of Attorneys-General is looking at the conflict which can arise between State domestic violence orders and custody orders of the Federal Family Law Court.

Queensland

The Department of Family Services and Aboriginal and Islander Affairs is responsible for the ongoing evaluation and monitoring of the *Domestic Violence (Family Protection) Act 1989*. The amended Act was passed by the Queensland Parliament in August 1992, and proclaimed in May 1993.

The amendments are designed to enable the *Domestic Violence (Family Protection) Act 1989* to better fulfil the functions for which it was intended: the protection of victims of domestic violence from further injury, damage to property, threats, intimidation, abuse, or harassment.

The Department is enhancing its data collection system for recording the number, nature, and geographic distribution of protection orders applied for, withdrawn, issued, and varied.

Since the *Domestic Violence (Family Protection) Act 1989* was introduced in August 1989, the total number of protection orders sought in Queensland to the 31st August 1992 was 15 897. The number of protection orders issued totalled 10 891.

The Act has been amended to provide for the automatic prohibition of any firearms or other dangerous weapons and revocation of any firearms licence held by the respondent for the duration of the protection order. In addition, the amendments will provide police with the necessary powers and the obligation to carry out the directions of the court in regard to the surrender or seizure of firearms and dangerous weapons.

Other significant amendments which relate to the recommendations of the National Committee on Violence include the issue of custody. Policy can take a respondent into custody at any place if there is a reasonable suspicion on the part of a police officer that the aggrieved person is in danger of personal injury.

Queensland Domestic Violence Protection Orders will be portable and enforceable in all States and Territories without the need for further court hearings.

Under the *Domestic Violence (Family Protection) Amendment Act 1992*, which was proclaimed on 28 May 1993, protection orders made in other States and Territories of Australia are recognised and can be enforced in Queensland if they have been registered with the Clerk of a Magistrates Court and adapted/modified if necessary.

The *Domestic Violence (Family Protection) Amendment Act 1992* provides an effective means for police to serve the community in this area of significant community concern.

In addition Queensland Police were represented on a national police working party which put forward detailed proposals for uniform legislation in this area. These proposals are now being considered by the Standing Committee of Attorneys-General. This working group is now undertaking further consideration of issues relating to intimidation, harassment and threats of violence and will be reporting to the Australasian Police Ministers' Council.

Western Australia

The Western Australia government has announced that it will introduce specific family violence legislation into Parliament which is consistent with these recommendations. The Bill will be introduced into Parliament by mid 1993.

South Australia

The Domestic Violence Prevention Unit and Domestic Violence Prevention Committee support these recommendations. Most of these recommendations are currently in place in South Australia.

On 29th October 1992 the Summary Procedure (Summary Protection Orders) Amendment Bill was passed. This will enable:

- * telephone restraint orders (in urgent cases) to be made outside normal court hours;
- * where appropriate, police can detain a person for up to two hours when seeking a telephone order;

- * enforcement of interstate restraining orders in South Australia; and
- * confiscation of firearms, cancellation and prohibition of licences when restraining orders are granted.

The Standing Committee of Attorneys-General will be looking at the issue of uniform legislation at its next meeting in February 1993. The present South Australian view is that there is no need for uniform legislation.

South Australian legislation encompasses the remainder of the recommendations in Recommendation 63.

Tasmania

The Tasmanian Government does not believe that there is any need for uniform domestic violence legislation, particularly in view of the fact that all States have now legislated to provide for the portability of restraint orders. It must also be borne in mind that under Tasmanian law restraint orders apply to any person not simply family members and they are not limited to 12 months duration.

However, this matter is on the Agenda of the Standing Committee of Attorneys-General and the Tasmanian Attorney-General has indicated that he is prepared to consider uniform domestic violence legislation.

Northern Territory

Uniform domestic violence legislation is necessary in Australia to allow orders promulgated in a State or Territory jurisdiction to be enforceable in any other, thus providing more adequate cover for the victim.

Australian Capital Territory

The ACT Government supports this recommendation.

The ACT Community Law Reform Committee has recently released a Discussion Paper on Domestic Violence following its investigation into ACT domestic violence laws and services. The Discussion paper will now be the subject of extensive public consultation following which the committee will make recommendations for the consideration of the Government. The comments made on the recommendations below may therefore be subject to change.

Recommendation 63.1

- Powers for police to enter and remain on premises to deal with domestic violence incidents and breaches of restraint orders, and to arrange assistance for injured parties;

New South Wales

Under the New South Wales Crimes Act and other relevant legislation, police are able to enter a victim's house if the victim or the victim's children invite them in, or if they believe that a person is being assaulted or is likely to be assaulted. If the police are refused entry, they can obtain a warrant of entry by police radio or by telephone from a justice, twenty-four hours a day and, if necessary, they can use force to enter the house.

Victoria

The powers for police to enter and remain on premises in situations of domestic violence are set out in the *Crimes (Family Violence) Act 1987* and the *Crimes Act 1987*.

The *Crimes (Family Violence) Act 1987* now includes specific powers for police to enter and search premises when responding to family violence incidents [section 18 AB]. Police can now enter premises where they have reasonable grounds to believe that a person has assaulted or threatened to assault a family member or that a person is on the premises in breach of an order. These powers are in addition to powers contained in the *Crimes Act 1958* and at common law.

Queensland

Queensland already complies - sections 30-32 *Domestic Violence (Family Protection) Act 1989*. This Act states that:

A member of the Police Service, being in execution of his/her duty on premises where domestic violence is occurring, or has occurred before his/her arrival on the premises, who reasonably suspects that an aggrieved person is in imminent danger of personal injury by that person's spouse may take the spouse into custody, using such reasonable force as is necessary, without further or other authority than the Act, which concurs with this recommendation.

South Australia

Refer to response to Recommendation 63.

Tasmania

This is already provided for in the *Justices Act 1959*.

Northern Territory

This recommendation was implemented into Northern Territory legislation in March 1989. The Justices Act at section 100AB to section 100AF complies with the recommendation. It provides the mechanisms by which a police officer assists the injured party by seeking a Domestic Violence Order. It also empowers the police officer to enter and remain on the premises to deal with domestic violence and provides for variations to or revocation of such orders. Section 100AF deals with breaches of Domestic Violence Orders.

In January 1993, this legislation was to be enacted to give police officers power to be able to search for and seize firearms and offensive weapons if there is reasonable grounds for believing such items will be used to commit personal injury.

The new Domestic Violence Bill (1992) provides that the domestic violence legislation that was in the Justices Act will stand as a separate Act.

Australian Capital Territory

The *Crimes Act 1990* (New South Wales) in its application to the ACT confers the power on police to enter and remain on premises to deal with domestic violence offences and breaches of restraint orders, both of which are offences in the ACT under the *Domestic Violence Act 1986*. The police have the capacity to arrange assistance for injured parties in the course of their duties.

The *Domestic Violence (Amendment) Act 1992* provides for the disclosure of information which is likely to facilitate assistance to the victim, or the victim's children, by the police to an approved crisis support organisation.

Recommendation 63.2

- A broadened definition of spouse to include partners from de facto and past relationships as well as traditional Aboriginal relationships;

New South Wales

Under the New South Wales Crimes Act and other relevant legislation, domestic violence is defined as an assault of any kind committed by one person against another:

- * If they are or have been married or in a de facto relationship.
- * If they are or have been relatives (including by marriage or de facto marriage).
- * If they share or have shared a household.
- * If they have or had an intimate personal relationship.

Victoria

Incorporated in Crimes (Family Violence) Act, s.3.

Spouse is defined in the *Crimes (Family Violence) Act 1987* as including former spouse and de facto spouse (section 3).

Queensland

Queensland already complies with this recommendation in respect of de facto relationships and past relationships. 'Spouse' is defined in the Act as meaning:

- (a) either one of a male and a female who are or have been legally married to each...other wherever each may be residing;
- (b) either one of a male and a female who, although not legally married to each...other, are residing or have resided together as husband and wife on a bona fide...domestic basis.'

Traditional Aboriginal relationships are only covered to the extent that they are de facto relationships. Recognition of other relationships involved in traditional Aboriginal extended families will be considered in the broader context of the Australian Law Reform Commission Report on the Recognition of Aboriginal Customary Law.

South Australia

Refer to response to Recommendation 63.

Tasmania

As already noted above the Tasmanian restraint order legislation had universal application to all persons.

Northern Territory

This broader definition exists in Northern Territory legislation. However, intending applicants have complained of the difficulty of substantiating de facto relationships to courthouse staff. Privacy issues need to be considered in the open questioning of applicants at public courthouse counters.

The Department of Law is currently considering the extension of Northern Territory legislation on domestic violence, to encompass other family relationships.

Australian Capital Territory

The *Domestic Violence Act 1986* currently provides protection for spouses, former spouses, de facto spouses, former de facto spouses and also for persons living in the same households.

Provisions in the Magistrates Court Act that enable the making of corresponding keep the peace orders to apply outside the domestic violence situation could cover any traditional Aboriginal relationship not already covered by the Domestic Violence Act.

Recommendation 63.3

- Provision for applications for restraint orders by police officers as well as by the victim;

New South Wales

Under the New South Wales Crimes Act and other relevant legislation, police can request the court to make an Apprehended Violence Order, or the court can make one itself. Also, a victim can apply for an order by going to a Chamber Magistrate at the Local Court.

Victoria

Incorporated in Crimes (Family Violence) Act, s.7.

Section 7 of the *Crimes (Family Violence) Act 1987* allows police to act as complainants for intervention orders.

Victoria Police Force Circular Memorandum (Force Circular Memorandum 92-11-2) paragraphs 4 and 11 requires police officers to make complaints for intervention orders where they believe such an order is appropriate.

Queensland

The *Domestic Violence (Family Protection) Act 1989* allows a member of the Police Service to make application for a protection order against the spouse of the aggrieved person.

Queensland already complies - Section 12 of the Act.

South Australia

Restraint order applications in South Australia can be laid by either the alleged victim or a police prosecutor.

Also refer to response to Recommendation 63.

Tasmania:

Provision currently exists for police officers to make application for restraint orders.

Northern Territory

The Northern Territory domestic violence legislation already provides for Recommendations 63.3 and 63.4.

Australian Capital Territory

The *Domestic Violence Act 1986* allows either the victim or a police officer to apply for a restraint order.

Recommendation 63.4

- Power for the court to make a restraint order removing or limiting the defendant's access to the family home, whether or not the defendant has a legal or equitable interest in the premises;**

New South Wales

Under the New South Wales Crimes Act and other relevant legislation an Apprehended Violence Order (AVO) may require the offender to keep away from the family home. An AVO may also require the offender to keep away from the victim's place of work or adhere to other requirements designed to protect the victim.

Victoria

Incorporated in Crimes (Family Violence) Act, s.5.

This power was further clarified in the recent amendments to the *Crimes (Family Violence) Act 1987* where it is stated in the legislation that the power to prohibit or restrict access by the defendant to the home may be included in an interim protection order.

Queensland

Queensland already complies - Section 5 of the Act allows 'ouster' orders.

A protection order may prohibit or restrict the respondent's presence in premises or an area in which the aggrieved person resides, works or frequents. This prohibition may be imposed notwithstanding that the respondent has a legal or an equitable interest in the premises in question.

South Australia

Refer to response to Recommendation 63.

Tasmania

Courts currently have power to make restraint orders removing or limiting a defendant's access to the family home.

Northern Territory

This power is available under the Northern Territory legislation, although limited use has been made of this provision in the first six months of the legislation's operation.

Australian Capital Territory

The *Domestic Violence Act 1986* gives effect to this recommendation.

Recommendation 63.5

- Parties to the proceedings should be able to apply to the court for a variation or revocation of an order;**

New South Wales

Under the New South Wales Crimes Act and other relevant legislation, a victim or the offender may apply to the court to have the order varied or revoked.

Victoria

Incorporated in *Crimes (Family Violence) Act 1987*, section 16.

Queensland

Queensland complies - Section 10 of the Act.

An application for revocation of a protection order, an interim order or variation of the prohibitions or restrictions imposed by a protection order or an interim protection order may be made:-

- (a) by the aggrieved person;
- (b) by the respondent;
- (c) with the leave of the court, by the person authorised in writing by an aggrieved person or respondent.

South Australia

Refer to response to Recommendation 63.

Tasmania

Parties are able to apply to the Court for a variation or revocation of restraint orders.

Northern Territory

This provision exists in the Northern Territory.

Australian Capital Territory

The *Domestic Violence Act 1986* gives effect to this recommendation.

Recommendation 63.6

- The admission of hearsay evidence at the discretion of judicial authority;

New South Wales

Hearsay evidence is admissible in applications for Apprehended Violence Orders, these are issued on the balance of probabilities; however, hearsay evidence is not admissible in criminal proceedings unless it falls within set common law exceptions..

Victoria

The law of evidence is currently being examined by the Victorian Government. Recent amendments to the *Crimes (Family Violence) Act 1987* have enabled interim intervention orders to be obtained by telephone or facsimile where the court is not bound by the rules of evidence. Accordingly, a court could assess whether to make an intervention order by considering hearsay evidence.

Queensland

Queensland complies - Section 40 of the Act allows the court to inform itself in such manner as it thinks fit and is not bound by the rules or practice as to evidence.

South Australia

South Australia does not support this recommendation.

Tasmania

Hearsay evidence is not admissible except as provided in the *Evidence Act 1910*.

Northern Territory

This provision exists in Northern Territory law.

Australian Capital Territory

This recommendation is not supported. Hearsay evidence is inadmissible in the ACT including for domestic violence matters, except where established legal exceptions to the rule apply - for example, where the evidence is from a confession of the alleged perpetrator. A restraint order can place substantial limitations on the respondent's freedom, for example restriction of access to the matrimonial home, and there should be a firm evidentiary basis before such an order is made.

Recommendation 63.7

- The issuing of restraining orders on the balance of probabilities;

New South Wales

Under the New South Wales Crimes Act and other relevant legislation the court is able to issue an Apprehended Violence Order on the balance of probabilities.

Victoria

Incorporated in *Crimes (Family Violence) Act*, s.4.

Queensland

Queensland complies - Section 4 of the Act.

Tasmania

Orders are currently granted on the balance of probabilities.

Northern Territory

This provision exists in Northern Territory law.

Australian Capital Territory

The *Domestic Violence Act 1986* provides for the issuing of restraint orders on the balance of probabilities.

Recommendation 63.8

- Breaches of orders to be regulatory offences;

New South Wales

Under New South Wales Crimes Act and other relevant legislation if an offender is brought before the court for breaking an Apprehended Violence Order, and is found guilty, the offender will receive a criminal conviction and be punished.

Victoria

A person who breaches an order commits an offence under section 22 of the *Crimes (Family Violence) Act 1987*.

Queensland

Queensland does not comply - Section 37 of the Act makes breaches of orders summary offences.

Person who knowingly contravenes or fails to comply with the prohibitions and restrictions imposed by the protection order or an interim protection order commits an offence against this Act and is liable to a penalty.

South Australia

South Australia does not support this recommendation

Tasmania

This is already provided for in the Justices Act. Summary conviction can result in a fine not exceeding ten penalty units (\$1 000) or to imprisonment for a period not exceeding six months.

Northern Territory

This provision exists in Northern Territory legislation.

Australian Capital Territory

This recommendation is not supported. A breach of a restraint order should remain a criminal offence for the purposes of effective enforcement of the legislation and also as a clear statement that violence in the home constitutes criminal behaviour.

Recommendation 63.9

The ability for police to apply for restraint orders over the phone outside normal court hours;

New South Wales

This proposal is currently being examined.

Victoria

Recent amendments to the *Crimes (Family Violence) Act 1987* allow police to apply for orders by telephone or facsimile between 5.00pm and 9.00am on weekdays, over weekends and public holidays and, in other circumstances where it is not practicable to go before a Magistrates Court.

Queensland

Queensland complies - Section 17 of the Act.

Special facility has been made in the Act for a member of the Police Service, who being authorised to make an application for a protection order, is of the opinion that:-

- (a) because of distance, time or other circumstances of the case, it is not practicable for...any such application made or to be made to a Magistrates Court to be heard and...determined expeditiously;
- (b) the aggrieved person, is in imminent danger of personal injury or of substantial loss...in relation to property.

They may, by means of telephone, facsimile, telex, radio or other similar facility, apply for an interim protection order to any Stipendiary Magistrate.

South Australia

Was implemented in the *Summary Procedure (Summary Protection Order) Amendment Act 1992*.

Tasmania

There is no provision for police to apply for restraint orders over the phone. However, there is provision in the Justices Act for *ex parte* sixty day restraint orders and for the issuing of warrants for apprehension.

Northern Territory

This provision exists in Northern Territory legislation.

Australian Capital Territory

This recommendation is not supported. Under current ACT legislation a restraint order is effective only when it has been served on the respondent or where the respondent was present at the time it was made. The Court has power to make interim orders where the respondent has not been given the opportunity to be present only where the application is supported by oral evidence given on oath by the applicant. The effect of the recommendation is that an order could be made without the respondent's knowledge and without oral evidence from the applicant on oath.

Recommendation 63.10

- The protection of police officers from civil liabilities and costs in normal circumstances;

New South Wales

New South Wales police were granted protection from civil liabilities and costs in normal circumstances in domestic violence incidents at the time of the reform of New South Wales' gun laws, which came into effect on 1 May 1992.

Victoria

Police officers are independent constables and as such are liable for their own tortious acts. As a matter of policy, the Victorian Police indemnify their officer for tortious acts committed while carrying out their duties as police officers. There is no existing legislation protecting police officers from civil liability.

Queensland

Section 42 of the *Domestic Violence (Family Protection) Act 1989* applies. The Act states that a member of the Queensland Police Service shall incur no liability on account of any act done pursuant to this Act or any act done or omission made in good faith and without negligence.

South Australia

Section 51a of the Police Act protects police officers acting in the course of duty from civil liability. Based on this legislation, a policy has been formulated which sets out the conditions under which police officers are protected from civil liabilities and costs.

Also refer to response to Recommendation 63.

Tasmania

The Justices Act provides that costs can be ordered except against a police officer.

Northern Territory

Police are specifically empowered by the Northern Territory legislation to force entry where there is imminent threat of danger or injury.

Police officers who apply for restraining orders are protected from liability in any civil action arising out of the hearing if they have acted in the normal course of duty.

Australian Capital Territory

The ACT Government supports in principle this recommendation, however this is a matter for the Commonwealth Government to address as police services in the ACT are provided by the Australian Federal Police (AFP).

Recommendation 63.11

(and) - The authority to take offenders into custody where there is a reasonable belief that unless the person is removed, the spouse or a child of the house is in danger of suffering personal injury.

Commonwealth

Domestic violence legislation is largely a matter for the States and Territories. It is understood that New South Wales is planning to raise the matters in these recommendations in the forum of the Standing Committee of Attorneys-General.

Also refer to response to Recommendation 12.

New South Wales

Under the New South Wales Crimes Act and other relevant legislation, police may arrest and charge the offender. If violence is likely to occur again, police may withhold bail. If this happens, the offender must stay in the police cells overnight. The next day a justice will decide whether to grant bail.

Victoria

This issue is currently under consideration.

Queensland

The *Domestic Violence (Family Protection) Act 1989* has been amended to enhance legislative provisions concerned with the safety of persons at risk. Specifically, section 31 has been amended to allow for intervention by police officers in appropriate circumstances. Recently introduced (May 1993) Queensland Police Service policy requires police to act to remove offenders where there is evidence of danger to persons or property.

South Australia

South Australia does not support this recommendation. This recommendation can be counterproductive.

Tasmania

Legislation has recently been introduced to amend the law in relation to domestic violence which has given the police the power to apprehend a person and take that person into custody for the purposes of applying for a restraint order. The legislation also provides for expanded powers of arrest.

Northern Territory

This provision exists in Northern Territory legislation.

The new Domestic Violence (1992) Bill provides that the domestic violence legislation that was in the Justices Act will stand as a separate Act.

A second feature of the legislation allows interstate restraining orders (or their equivalent) to be enforced in the Territory.

Australian Capital Territory

The *Domestic Violence Act 1986* gives effect to this recommendation.

PUBLIC SECTOR AGENCIES: POLICE

The Conference of the Commissioners of Police of Australasia and the South West Pacific Region resolved at their conference in Perth to task the National Police Working Party on Law Reform to -

- * review the recommendations of the Committee;
- * assess the relevant position of each jurisdiction in respect of those recommendations relating to policing;
- * advise on the variations between the jurisdictions; and
- * recommend model legislation, practices and procedures placing specific emphasis upon the issues of domestic violence, child abuse, use of video recording techniques, evidence by children, police and youth, police/aboriginal relations, use of firearms by police and violence by and against police.

Police And Criminal Assault In The Home

Recommendation 64.

Domestic violence should be targeted for police skills training with police trained to recognise domestic violence as criminal behaviour, to detect behavioural warning signs and to take appropriate action.

Commonwealth

On a national basis the Australian Federal Police (AFP) has no responsibility for domestic violence. It does, however, have responsibility for enforcing ACT domestic violence laws. Officers of the AFP are therefore trained in dealing with domestic violence situations. New members' courses are addressed by the Domestic Violence Crisis Service (DVCS) and are instructed by police trainers regarding domestic criminal acts.

In regard to charging persons for domestic violence assault, AFP policy is to assess each case on its merits and to treat these assaults as it would any other type of assault. However, because of the highly emotional state of the parties to many domestic violence disputes, some injured parties indicate a preference not to pursue the matter further. As it is not always possible to lay charges where the injured party indicates a preference not to give evidence, police practice requires the attending officer to consider whether there is sufficient evidence to lay the charges without that person's evidence. Where there is insufficient evidence, the charge cannot be laid. It is also policy to call the Domestic Violence Crisis Service to all domestic violence situations.

Also refer to response to Recommendation 12.

New South Wales

The New South Wales Police Service has committed extensive resources to training police officers in this area. The Police Service has appointed Domestic Violence Liaison Officers (DVLO) at every patrol to provide training for local police and active link between police and the various other agencies which respond to domestic violence in the community. All Police Aboriginal Community Liaison Officers have also received training on domestic violence, and how best to respond to it within the communities that they represent. Domestic violence training will remain ongoing, with the continued up-dating of police on legislative changes. A training video and specific programs have been prepared to improve the police response to domestic violence.

Victoria

Police skills training includes training in domestic violence at the recruitment level and at the in-service and promotion training courses.

Queensland

The training recommended is currently included in recruit and in-service training for the Queensland Police Service. Additional training has been developed to target particular sections of the Service. A major new domestic violence training program was launched recently (May 1993) and is aimed at enhancing police awareness of domestic violence issues and strategies and improving the standard of response to these incidents.

Western Australia

Training of the Western Australia Police Academy, both in relation to recruits and the in-service training continuum pertaining to officers in the field, places a greater emphasis on preparing officers to deal constructively and compassionately with these situations.

The cultural differences effecting the attitudes of men towards women, particularly those of Aboriginals are also included as part of the training continuum.

South Australia

Extensive training programs are undertaken by all police cadets. Recently the training program for domestic violence was substantially upgraded. This program encompasses such area as:

- * How to recognise indicators of domestic violence.
- * How to decide the appropriate action to take particularly bearing in mind the victim's safety and rights.
- * Understanding that domestic violence incidents may well be criminal offences and should be treated as such.

Domestic Violence Units currently operate throughout the metropolitan area of Adelaide. The aims of the Units are directed towards preventing domestic violence.

The Units are staffed by police who have received specific training in the area of domestic violence. The Units provide coverage each day from the morning until 1:30 a.m. the next morning.

The aims of the Units are:

- * to provide specialist domestic violence intervention and referral advice;
- * to provide assistance to parties involved in domestic violence disputes;
- * to effectively interact with agencies who have a responsibility regarding domestic violence; and
- * to assist with training programs for police officers.

A strong educational focus is directed by police towards both victims and perpetrators of domestic violence. Victims are counselled by police regarding the 'cycle of domestic violence' and the desirability of positive action to prevent recurrence. Each reported incidence of domestic violence is monitored by police through the court processes to ensure the court and victim are fully informed. Victims are encouraged to seek assistance from specific agencies by police providing a referral service.

Not only do victims obtain support and education, but also perpetrators. The Units are seen as an opportunity to encourage perpetrators to receive counselling regarding their behaviour. Such action is imperative to reducing domestic violence. All other procedures deal with the results of the perpetrator. This avenue is dealing with the cause.

The role of the Unit in encouraging the perpetrator to seek help/advice is crucial. Police are usually the first agency at the scene of a domestic violence incident. It is contended that they are in a prime position to encourage both parties to seek counselling and education regarding domestic violence.

A longer term initiative would be to expand the Units to country areas and to develop further perpetrator programs with greater police involvement. Such issues would of course be restrained within finance resources availability. Diverting police officers to such duties does reduce the numbers involved in general patrol duties. However, the long term advantages to be gained could outweigh this by reducing general patrol attendance at such incidents.

The South Australia Police Department is also working in close co-operation with the Attorney-General's Department of South Australia in formulating the Summary Procedure (Summary Protection Orders) Amendment Bill 1992. The aim of the Bill is to revamp the existing restraint

order legislation so as to provide immediate protection for the victims of domestic violence. One of the major aspects of this Bill is that there is precision for interstate summary protection orders to be made enforceable in this State. The Bill is before the present session of Parliament.

Tasmania

Domestic violence training forms parts of both police and in-service training and will continue to be upgraded.

In recognition of the sensitive circumstances surrounding the issue and effective enforcement of restraint orders, a far greater focus on the need for positive police action in all cases has been introduced. This has been supported by seminars throughout the State. The issue has also been given high priority in the police training syllabus over recent years to ensure that training is covering the area comprehensively. This knowledge and understanding is fully assessed in evaluation processes.

Northern Territory

Northern Territory Police currently undergo training programs covering causes, occurrence and indicators of domestic violence. They are also training in the application of legislation pertaining to domestic violence. However, there is an indication that police may require frequent refresher training.

Northern Territory Police have developed a comprehensive training program to equip all members with the skills and knowledge necessary to effectively deal with domestic violence situations. The training, which is made available to people at all levels of the organisation, concentrates on the following main areas:

- * understanding the 'domestic violence' legislation;
- * practical implementation of the legislation;
- * the nature of domestic violence - the victim's perspective;
- * conflict resolution in the domestic violence situation; and
- * violence in Aboriginal communities.

The training consists of lectures supported by practical exercises, video role plays and hand-outs. People from outside agencies such as the Northern Territory University and Crisis Line are utilised to ensure that members get to see the nature and extent of the problem from a number of different perspectives.

The current recruit training program is now in modular form with the domestic violence training forming a complete module. This enables in-service personnel to attend and receive refresher training as required.

Australian Capital Territory

The ACT Government supports the recommendation and endorses action taken by the Australian Federal Police which provides for:

- * ACT Local Procedures training including theory and instruction on the Domestic Violence Act; simulated incidents involving domestic violence; and briefing by the Domestic Violence Crisis Service (DVCS). Also, AFP new member training contains a segment on human behaviour;
- * regional instructions; and
- * a bi-monthly Legal Bulletin produced by ACT Region containing advice for members on, *inter alia*, domestic violence legislation and court interpretation of same.

Recommendation 65.

Where there is sufficient evidence of criminal assault in the home, police should lay charges.

Commonwealth

Australian Federal Police practice accords with this recommendation. Police in most cases rely on a specific complaint being made by a person involved in the disturbance before persons are charged. The current ACT Domestic Violence Act allows police certain powers in relation to dealing with domestic violence situations, such as the power to apply for a domestic violence order without the consent of the complainant.

Also refer to response to Recommendation 12.

New South Wales

The New South Wales Police Service has a pro-arrest policy, particularly in relation to domestic violence offences.

1991: Police training packages on domestic violence make it clear to police that they are encouraged to arrest and charge an offender in a domestic violence incident where they are satisfied that an offence has been committed, no matter how minor.

Victoria

Police are instructed to lay charges where there is sufficient evidence of criminal assault, through the police internal instructions (Force Circular Memorandum 91-5). The police have conducted substantial reviews of this recommendation in reference to training. Providing that police retain discretion in deciding whether to lay charges or not, it is supported.

Force Circular Memorandum 92-11-2 paragraph 120 requires Victoria Police to lay criminal charges against a defendant where there is sufficient evidence of either an indictable or a summary offence including assault.

Queensland

Queensland Police are instructed to lay charges, where sufficient evidence of a criminal offence is available. Policy in relation to this issue has been incorporated in a recently consolidated statement of policy and instructions on domestic violence.

Western Australia

This is Western Australian police policy and will be emphasised in the new legislation.

South Australia

Refer to response to Recommendation 64.

Tasmania

Policy exists that police should lay charges where sufficient evidence is available.

Northern Territory

This recommendation is supported. The new domestic violence legislation recognised the difficulties of obtaining evidence in domestic situations but where sufficient evidence is obtained, criminal

charges are laid. Advice to police members is specifically set out in General Order - C4 (para 25) and instructs members to treat all alleged domestic violence as alleged criminal conduct.

Australian Capital Territory

The ACT Government supports the recommendation noting that the Domestic Violence Act already contains the necessary provisions to enable police to lay charges.

Recommendation 66.

Police should have adequate powers to seize, and should in fact seize, any firearms or other weapons which may be present at the scene of an assault.

Commonwealth

This is a matter for State and Territory Governments.

The Australian Federal Police report that any weapons used in an assault would be seized as exhibits. That police be required to seize all weapons at the site of domestic violence, however, may not be reasonable, insofar as there are many items in the normal household - kitchen utensils, furniture, sporting equipment - which can be and have been used as weapons.

Also refer to response to Recommendation 12.

New South Wales

The New South Wales Police Service has power to seize firearms in certain circumstances under s.357 of the *Crimes Act 1900*. Section 35 of the *Firearms Act 1989* also gives police discretionary powers to suspend firearms licences and remove firearms.

The new gun laws, which came into effect on 1 May 1992, include a provision which states that, when a police officer attends a domestic violence incident, the police officer must inquire as to the presence of any firearms in the dwelling-house and if informed that there is a firearm or firearms must take all such action as is reasonably practical to search for and seize the firearm or firearms' (s.357H(1)(a1) of the *Crimes Act*).

Victoria

This power exists.

Section 18A of the *Crimes (Family Violence) Act 1987* requires police to seize any firearms of which the officer is aware the defendant is in possession of, where there are grounds for the issue of a family violence intervention order. There is no provision for the seizure of other weapons except as evidence of an offence having taken place.

Queensland

The newly amended Queensland legislation enables the seizure of firearms or other weapons where there is a concern over the safety of an aggrieved family member.

Western Australia

No change at this time in Western Australia. Forms part of proposed legislation.

South Australia

Police powers to seize firearms are limited to section 32 of the *Firearms Act 1977* and General Order 4520/3. Neither allows for the seizure of a firearm merely due to its presence at the scene of an assault. Other factors or considerations must be present prior to seizure. This is an area which is worthy of some attention.

1993: To complement the introduction of the Summary Procedures (Summary Protection Orders) Amendment Bill, proposals have been suggested to amend the existing firearms legislation. Included is a proposal to amend section 32 of the *Firearms Act 1977*, to add a new subsection whereby police may seize any firearm registered to or in the possession of a person, whom they suspect on reasonable grounds, is subject to an order pursuant to section 99 of the *Summary Procedure Act 1921*.

Tasmania

Police do in fact, seize firearms and other weapons which may be present at the scene of an assault. Police powers in this regard were further increased in October 1992.

Northern Territory

Currently, police would seize any weapon used in an assault. There is however, no legislative power to seize any firearm not used, even though the firearm may be nearby.

To implement this recommendation, legislation allowing seizure has been provided in the Northern Territory Police Administration Act, which was to commence on 1 January 1993 (in conjunction with the new Firearms Act). The new powers allow police officers to search premises, vehicles or vessels for firearms or offensive weapons if they believe on reasonable grounds that the firearms or offensive weapons could place a person in imminent danger or suffer personal injury or aggravate personal injury.

Australian Capital Territory

The ACT Government has made recent amendments to the *Crimes Act 1990* in the form of the *Crimes (Amendment) Act 1992* which give police the power to search premises or motor vehicles for concealed weapons at the scene of an assault.

Recommendation 67.

Police policy in relation to criminal assault in the home should be publicised widely, both within the force and to the public at large.

Commonwealth

Police publicity campaigns include cooperation with Domestic Violence Crisis Centre on domestic violence. However, within the limited resources available for publicity, domestic violence is only one of many community policing issues requiring attention.

The Aboriginal and Torres Strait Islander Commission (ATSIC) believes that this matter warrants greater attention and priority than presently given by police, in policy and practice and encourages greater emphasis that domestic violence be seen as a crucial link in the perpetuation of violence, as it affects not only the family of perpetrators and victims, but in many cases, the community generally and contributes significantly to the level of violence in the society.

Also refer to response to Recommendation 12.

New South Wales

Police training packages have been developed and are used in training police how to deal with a domestic violence incident. A pamphlet 'Domestic Violence - You Don't Have To Put Up With It' has been produced, setting out in simple language the way in which New South Wales domestic violence laws operate. Police give a copy of this pamphlet to each party involved in a domestic violence incident, and also leave a copy in the letter box. A special brochure on domestic violence was distributed to police in 1990.

It has been a significant strategy of the New South Wales Police Service to raise the general level of awareness of both police officers and the community generally of domestic violence. The New South Wales Police Service has participated in multi media campaigns aimed at raising the level of community awareness, and these campaigns will continue as funding permits.

Following the commencement of new gun laws on 1 May 1992, the New South Wales Police Service issued a booklet entitled *New Firearms and Domestic Violence Legislation*.

Victoria

A policy statement on family violence was approved and circulated by the Police in June 1989. Subsequently a Ministerial statement on *Safety, Security and Women* was made by the former Minister for Police and Emergency Services on 27 March 1991. In this statement, the Minister outlined measures to reduce violence against women, including family violence, and affirmed his commitment and that of Victoria Police to enforcing the provisions of existing legislation, particularly the Crimes (Family Violence) Act.

Amended Police instructions were publicised at the launch of the Victorian 'Violence is Ugly' campaign and have been widely circulated within Victoria Police.

Each phase of the 'Violence is Ugly' Community Awareness Campaign also provided Police Districts with detailed briefings on issues relating to criminal assault in the home, as well as resources for training purposes.

The Victoria Police Force Circular Memorandum 92-11-2 covering instructions for police relating to family violence, has also received wide internal distribution.

Queensland

Police policy on criminal assault in the home has been revised in the recently released instructions to incorporate the latest legislative amendments. These policy measures have been reinforced in the domestic violence training module for the Queensland Police Service, and both policy and training issues were highlighted at the May 1993 launch of this material during the recent Stop Domestic Violence Week.

Western Australia

Domestic Violence Liaison Officers have been appointed within all police regions in Western Australia and represent the Police Department in all Domestic Violence Action Groups.

A Domestic Violence Unit has been set in place under the Youth Family and Ethnic Affairs Branch.

South Australia

Certainly, police training emphasises police policy in relation to domestic violence. Attempts are made through liaison with other government agencies and community groups to publicise this policy.

Refer to response to Recommendation 64

Tasmania

The police policy in this regard is publicised as widely as possible having regard to the limited finance in the area. Publicity is obtained wherever possible in this regard.

Northern Territory

Media campaigns are run from time to time. An educational video produced by the Northern Territory Women's Advisory Council, in conjunction with Northern Territory Police, is particularly aimed at this aspect of the domestic violence problem.

Australian Capital Territory

The Australian Federal Police ACT Region publicity campaigns include cooperation with the Domestic Violence Crisis Service (DVCS) on domestic violence.

The ACT Government believes it is important that the community be made aware of the factual and evidentiary requirements of police before they can successfully prosecute reports of criminal assault in the home.

Recommendation 68.

New police initiatives for the prevention and control of domestic violence should be subject to rigorous evaluation.

Commonwealth

The Australian Federal Police agree with this recommendation. Police evaluation measures are already in place.

Also refer to response to Recommendation 12.

New South Wales

The New South Wales Women's Coordination Unit produced a detailed discussion paper as a prelude to developing a New South Wales Domestic Violence Strategic Plan. As part of this process, police procedures on domestic violence were to be evaluated and improvements made.

The new gun laws (which commenced on 1 May 1992) are being monitored. Evaluation of domestic violence laws is on-going and, as areas of difficulty are identified, they will receive further attention.

Victoria

The Family Violence Project Office of the Victoria Police has specific responsibilities for on going review and evaluation. This office has also been collecting data on family incident reports and continues its ongoing review and evaluation of police initiatives. The data collated from Family Violence Incident Forms assist in the evaluation of these initiatives.

Queensland

The Queensland Police Service has adopted a proactive approach to domestic violence issues in association with other government agencies and community groups. This process has ensured the objective and rigorous analysis of options and crime prevention programs.

Western Australia

Under the proposals for Western Australia's family violence legislation, the legislation will be reviewed on an ongoing basis by a review committee, and regular reports will be presented to Parliament.

South Australia

The Police Department monitors and assesses present methods available for the prevention and control of domestic violence and has recently updated training programs (see Recommendation 64).

Tasmania

Police initiatives for the prevention and control of domestic violence are continually evaluated and implemented where appropriate.

Northern Territory

In March 1989, the Northern Territory Government introduced a legislative package to try to combat domestic violence. Included in the package are extra powers to police to be able to enter premises and take whatever reasonable action is necessary to protect persons at risk, including removing offenders from the premises whilst seeking court orders.

Soon after the legislative package commenced, a multi-agency domestic violence Task Force was set up to monitor the implementation of the domestic violence legislation in the Territory and look at ways of best delivering a service to people caught up in domestic violence. The Task Force has representatives from Police, Women's Affairs, Law (including the Judiciary), Health, Legal Aid organisations, Women's Refuge Centres (including Aboriginal Refuges), Crisis Line, and other women's and community groups on an ad hoc basis.

The Task Force has produced a draft final report which will be shortly forwarded to the Northern Territory Government with recommendations for the implementation of initiatives for the prevention of domestic violence.

Australian Capital Territory

The ACT Government supports the recommendation noting that all AFP projects normally include provision for evaluation.

Police And Youth

Recommendation 69.

Police training should incorporate information on non-punitive options for dealing with youth to encourage sensitivity to the negative results of overpolicing.

Commonwealth

The Australian Federal Police (AFP) training emphasises that arrest of youths is a last resort. The Australian Capital Territory (ACT) Children's Services Act sets detailed rules for formal questioning and detention of youth in the ACT. The establishment of the specialist Juvenile Aid Bureau, staffed by members who are trained to provide services to youth, is recognition of the special needs of young people.

The AFP ACT Region is considering implementing a policy of school-based policing and is examining other initiatives trialed by the States and Northern Territory in dealing with youth.

National Police Working Party on Law Reform

In the main, all States have implemented the recommendations with respect to youth and their relationships with police, both formal and informal. Guide-lines for the questioning of youthful offenders have been in place for some time and training stresses the range of non-prosecution options available to police in dealing with offending youth.

Encounters with police are the means by which the majority of young people enter the juvenile justice system. Although a policy of diversion exists in all jurisdictions police need to embrace the principles of this policy as their own and to reflect them in training programs and in community-based policing initiatives.

Recognition and acceptance of the benefits of diversion should form the corner-stone of any police response to the problem of youth, violence and crime. Options include legislation that tends to curb the discretionary authority of police, formal cautioning and the Youth Advisers Scheme. The preferred police response will depend on existing circumstances in each State but the need for a basic change in the philosophy of policing youth remains. This change is incorporated in the recommendations that follow (prepared by Western Australia for The National Police Working Party on Law Reform, February 1991).

Recommendation 1: In dealing with youthful offenders, the Commissioners should formally recognise the existence and utility of police discretionary authority to administer informal cautions and allow the practice to continue in its present form.

Recommendation 2: Evaluation of community based initiatives in all jurisdictions targeting youth should be tasked to independent agencies and should include an assessment of the success of these programs in reaching offending youth or those most at risk.

Recommendation 3: Police training that incorporates non-punitive options for police in dealing with youth should include the reasons for these option with diversion strategies emphasised where appropriate as preferred police policy in all States and Territories.

Recommendation 4: In those States or Territories where legislative requirements governing the questioning of juveniles is lacking, police should consider adopting the Youth Advisers concept.

New South Wales

Police training materials set out in detail the procedures relating to juvenile justice and the official cautioning system. Further development of pre-court diversion schemes is under consideration.

Victoria

Police training programs include training in police/youth interaction and alternatives to the formal legal system. In addition, the Police Cautioning Program, in operation since the late 1970's, diverted significant numbers of young people from the formal court process. The Police Cautioning Program continues to be utilised, where appropriate, and is being evaluated.

Queensland

Pre-service police training in Queensland in this area has continued to take a non-legalistic approach to police/youth relationships. In-service training and development programs have also sought to provide police with a greater awareness of the problems of youth.

South Australia

Police training emphasises the value of non-punitive options, when dealing with children, for their rehabilitative effects. Police are made aware and actively encouraged to participate in programs to help break down barriers between youth and police. Some of these programs are:

- * youth camps;
- * Police Schools Education Program;
- * Deputies Club;
- * Blue Light Discos and Night Clubs; and
- * Youth Driver Education Program.

Western Australia

The introduction in Western Australia of the juvenile cautioning system has been received favourably by operational police officers and training has included emphasis on this option to replace unnecessary arrest and promote arrest as last option. An ongoing evaluation and monitoring of this program is in place (quarterly) and adjustments are effected to the program as required.

Tasmania

Police training exists on non-punitive options for dealing with youth (cautioning).

Northern Territory

For over a decade the Northern Territory Police have diverted youthful offenders by means of a formal caution by a commissioned officer. This procedure is emphasised in training, and is supported by the School Based Policing program which is aimed at creating a very positive involvement between police and youth.

Australian Capital Territory

The ACT Government supports the recommendation.

The AFP encourages members to adopt a non-confrontationist approach when dealing with juveniles. Members are encouraged to explore all non-punitive avenues in resolving situations, particularly those provided for under the Children's Services Act.

The AFP ACT Region Juvenile Aid Bureau is a specialised youth crime unit which is skilled in this area and, in October 1990, the AFP ACT Region implemented a pilot school-based policing program which is to be reviewed monthly.

Recommendation 70.

All jurisdictions should adopt formal guidelines for the questioning of youth by police.

Commonwealth

Refer to response to Recommendation 69.

New South Wales

The New South Wales Police Service is required to operate in accordance with a set of instructions, known as the Commissioner's Instructions. These instructions (Nos 75 & 76) fully set out guidelines

on the questioning of young people, and include a requirement that a neutral third party be in attendance at the interview.

Victoria

The Office of Youth Affairs funds Alphaline, and contributes to the funding of Western Youth Lawline; which are services for young people which when taken into custody they can telephone to ensure that an independent adult witness is present during questioning by the police.

The Office also supervised a research report *Perceptions of Treatment of Juveniles in the Legal System* commissioned through the National Youth Affairs Research Scheme and published in 1992. The Report found that, despite the obligations which police have to ensure that a parent or independent adult is present during police questioning of juveniles in all Australian jurisdictions, police often fail to abide by their own Standing Orders in relation to this matter.

The *Crimes Act 1958* requires that a parent or independent person be present when a person under 17 years of age is being questioned by police. The Act also sets strict conditions under which such persons may be fingerprinted and/or have blood samples taken.

Section 129 of the *Children and Young Persons Act 1989*, requires police to have a parent or independent person present when considering a bail application.

The Office of Youth Affairs funds four Lawlines, which young people taken into police custody can ring to get an independent adult witness to be present during questioning.

Queensland

The Queensland Police Service has established guidelines for the questioning of youth which is designed to protect the rights of young people. The Department of Family Services and Aboriginal and Islander Affairs has incorporated these guidelines into the yet to be proclaimed *Juvenile Justice Act 1992*.

The Queensland Police Service has undertaken an extensive implementation plan to prepare its members for the introduction of the new Act.

Western Australia

Western Australia routine orders provide guidelines for police officers and are currently being reviewed. This area is continually being monitored and changes effected as issues are identified.

South Australia

Formal guidelines for the questioning of youth are set out in General Orders 3015, 3120/18, 3895 as well as section 79a of the *Summary Offences Act 1953*.

Tasmania

Formal guidelines already exist for the questioning of youth by police.

Northern Territory

The Northern Territory has had legislative guidelines since 1983 in the form of the Juvenile Justice Act, accordingly it would welcome any national uniformity.

Australian Capital Territory

The ACT Government supports the recommendation noting that questioning practices adopted by the AFP ACT Region are consistent with those set out in the Children's Services Act.

Recommendation 71.

All police-community liaison programs should be evaluated.

Commonwealth

The Commonwealth supports this recommendation and the Australian Federal Police is aware of its importance.

Also refer to response to Recommendation 69.

New South Wales

All major policing strategies and community liaison programs are subject to evaluation.

As part of the regionalisation of the New South Wales Police Service, local patrols and districts are encouraged to develop and implement specific local community liaison programs. It is simply not possible to conduct an in-depth evaluation of every program.

Victoria

Evaluation of police-community liaison programs is supported.

Police-community liaison programs. In 1992, the Public Safety and Anti-Crime Council provided funding for eight Safer Communities Pilot Projects. The objectives of the projects are to support communities in identifying issues which affect their security and in developing and implementing relevant strategies. The issues identified include both perceived threats to safety and security (which may or may not accord with real risk but which affect the quality of life of the community); and real threats to safety and security.

To determine how effectively safety and security can be improved by enabling local people and agencies to identify issues which threaten safety and security and to develop and implement strategies to address such issues, the project aims:

- * to determine ways of building long-lasting co-operation in communities to improve safety and security and ensuring ownership in communities of the strategies developed; and
- * to assess the extent to which the pilot initiatives have local and statewide applicability in relation to improving safety and security in the community;

The projects are based on a community development model in local communities and involve participation on Police Community Consultative Committees and local governments. The general approach is to employ a project officer to develop and strengthen local networks to identify safety and security issues and develop local solutions. Diverse communities will develop the local resources, networks and links with service providers to achieve safety and security in the selected community. The project officer will be provided for a period of twelve months to develop long-term strategies and long-lasting networks to improve safety and security.

The projects are subject to both an ongoing evaluation and specific evaluation against a set of pre-determined criteria after six and twelve months. The evaluation will include examination of the role of the police, local government and community groups. The liaison and networking between these groups is considered to have a major influence on the project's success.

Queensland

Some localised and informal evaluation has taken place in selected areas. In addition, the very nature of community police liaison provides feedback on the effectiveness of policing and the expectations of community groups. More formal and more extensive evaluation will be undertaken in time.

South Australia

Ongoing evaluation of police-community liaison programs are conducted.

Tasmania

Police-community liaison programs are continually evaluated and new programs implemented as appropriate (for example, police visiting schools, 'Adopt-a-Cop' program, etc.)

Northern Territory

The Northern Territory Police have excellent policy/community liaison programs in place such as:

- * Neighbourhood Watch;
- * School-based constables;
- * Junior Police Rangers;
- * Wongabilla Club;
- * Police Youth Club;
- * the Police Aide Scheme;
- * Aboriginal Stock Handlers Course; and
- * Drug Abuse Resistance Education (DARE) program.

It is intended that these programs will be the subject of evaluation through on-going Executive Audit by a senior officer at Commander rank who reports directly to the Commissioner.

In 1989 the Northern Territory Police commissioned a program evaluation of the pilot phase of Drug Abuse Resistance Education (DARE) in the Northern Territory, studying the effectiveness and relevance of the program. It additionally compared the results of the program as compared to DARE in Los Angeles. A large scale public opinion survey of community policing in Darwin was carried out in May 1991. Approximately 4 per cent of Darwin and Palmerston households were canvassed on a broad range of issues relating to police/community interaction and perceptions. The survey identified perceived shortfalls in policing activities as well as those offences that cause most alarm in the community.

Australian Capital Territory

The ACT Government supports the recommendation noting that all police-community liaison programs normally include provision for evaluation.

Recommendation 72.

In association with other agencies such as transport, public housing, and local government authorities, Australian police departments should develop fear reduction programs, targeting those groups in the community who express the highest levels of insecurity, and experimenting with alternative patrol techniques, public information campaigns, and other fear reduction strategies.

Commonwealth

The Australian Capital Territory (ACT) Region is conducting a survey of public perception of crime based on a similar program in New South Wales, the United States, and the United Kingdom. One of

the principal aims of this survey is to provide an independent measure of citizens' fears of crime and attitudes towards police services to enable the Australian Federal Police ACT Region to develop appropriate strategies which are responsive to the needs of the community.

New South Wales

The New South Wales Police Service is heavily involved with other agencies and non-government organisations to reduce fears held by target groups such as the aged, young children and their parents, householders, and public transport users. The Police Service actively encourages the Neighbour Watch movement and other 'Watch' organisations, and the Safety House Scheme. The mission of the New South Wales Police Service is: 'Police and the community working together to establish a safer environment by reducing violence, crime and fear'.

The New South Wales Office on Ageing has produced a booklet on 'Crime and Safety'. The booklet is one of a series of booklets comprising the New South Wales Government's Green Paper on Ageing. The 'Crime and Safety' booklet addresses the concerns of home safety and security, road safety, street crime and safety and elder abuse. Although the booklet in no way understates the needs and concerns of the older members of the community in regard to crime, the booklet makes the point that crime statistics consistently show that older people are the least likely age group to become victims of crime.

Victoria

The Victorian Community Council Against Violence (VCCAV) has undertaken an examination into violence in public places. It reported on the extent and nature of violence in public places, and causes and strategies to reduce the incidence of public violence.

The Report provides important information on community attitudes and perceptions of public violence, and provides an initial step towards the development of fear reduction programs, which could be targeted at particular groups, such as elderly citizens.

The key component of Victoria Police's Integrated Anti-Crime Strategy was the development of Police Community Consultative Committees, aimed at encouraging community participation in crime prevention and at assisting the co-ordination of activities directed towards crime prevention. To assist these local committees the former Ministry for Police and Emergency Services prepared a booklet entitled *Local Crime Analysis and Strategy Plan: A Guide for Police Community Consultative Committees*, in 1992.

The Crime Prevention Bureau of Victoria Police provides for women in the community around the issues of safety and security through the Defensive Living Program. The specific objectives of the program are to:

- * increase self-esteem through recognition of women's physical and mental capabilities;
- * make women aware of the value of self defence and to encourage them to pursue this area;
- * familiarise women with threatening situations;
- * make women aware that a positive response to a threatening situation is preferable to inaction;
- * inform women that they should not feel inadequate or reluctant to resist becoming a victim of violence; and
- * distribute commonsense crime prevention material to women.

In addition, the former Ministry for Police and Emergency Services initiated in 1992 the Confident Living Program for Older Victorians aimed at assisting older people to feel and be more secure. Specifically, the program aims to :

- * reduce fear of criminal victimisation through the provision of accurate information;
- * enhance the sense of control that older people have over their safety and security through the provision of practical measures that they can adopt for themselves and their environment; and
- * improve their personal health and fitness.

Components of the program included the publication of a handbook, regional seminars and the installation of smoke detectors and security devices for the frail and financially disadvantaged across Victoria with the support of service clubs.

In response to growing community concerns about crime, a publication was produced by the former Ministry of Police and Emergency Services to provide people with useful ideas to prevent crime and protect themselves and to link people to existing community safety groups. The Practical Crime Prevention Handbook was distributed to 500 000 households in Victoria and made available also through Shell petrol stations.

Overall responsibility for introduction of localised fear reduction programs rests with individual police district commanders. One district has introduced such a program targeted at the elderly. This program is being evaluated with a view to being introduced into other districts.

The Police Community Consultative Committees are also addressing the issues of groups where high levels of insecurity and fear of crime exist. These partnerships between police, local government and the community should provide an avenue for groups to express their concerns about crime/violence and identify ways of addressing and developing solutions.

Safety audits conducted by local governments, with the assistance of the Department of Justice, provide another partial solution to this problem.

Queensland

The Queensland Police Service has continued, through programs such as the Women's Safety Project, Home Secure Project, Police Beat (Shopfront policing program) and Safety Audits, to promote and maintain crime prevention measures in the community in conjunction with other government agencies.

South Australia

The South Australia Police Department Strategic Plan 1984 introduced community policing and crime prevention as one of its main policing strategies. This included a re-organisation of general police resources in both the metropolitan and country areas, to maximise the relationship between the various communities and the police responsible for servicing them. Further, it is intended that the Community Affairs and Information Services and Crime Prevention Section develop resources, programs and specific campaigns to promote public education and awareness of crime.

The main thrust of such campaigns is a pro-active approach by police in researching, restructuring and implementing planned programs.

This concept which is undergoing further development is receiving enthusiastic support.

The State Transport Authority (STA) has developed a joint crime prevention strategy with the South Australian Police Department.

Launched in June 1990, the program is known as Transit Watch; and operating in conjunction with the Neighbourhood Watch organisation it seeks public co-operation in preventing crime on the public transport system. An extensive public information campaign including posters fitted to all buses and rolling stock guarantees the program is constantly kept before the public. The Authority also introduced a reward policy allowing for the payment of money to informers giving information leading to the apprehension of offenders. As mentioned earlier several rewards were paid for information received to date. The Transit Squad has constantly experimented with alternate patrol techniques using both uniform and plain clothes members, and posting uniformed security guards at strategic patrol points known to have a potential for violence.

The STA held meetings with local government representatives, community leaders and politicians in two areas discussing the concept of a 'Safe Train Program'. The program is modelled on the Victorian scheme. Local community teenage rock bands play on selected trains, acting as a focal point to draw teenagers who might otherwise choose different forms of transport.

Community supervisors and youth workers accompany the group to ensure safe passage.

Funding for the hire of bands was guaranteed by the Crime Prevention Unit of the Attorney General's Department.

A trial period was arranged, subject to a number of conditions being met by the organisers. The first trips were well supported and have received favourable comment from passengers.

It is estimated that Transit Officers are now riding about 50 per cent of trains. There was a noticeable change in passenger behaviour for the better and few problems were encountered to date.

However, passengers welcome the uniformed presence and many pleasing comments were received. The use of Transit Officers has had a marked effect on the perception of safety.

The installation of a 'Help Phone' at Salisbury as well as the now wide spread use of closed circuit TV monitors at stations and interchanges provide passengers with a sense of security previously not available to them.

In addition, the Authority has a 'clean car' policy, and this ensures graffiti is removed from railcars in a short period of time.

Stations, interchanges and infrastructure such as bridges and fencing are being cleaned up and kept clean by quick response to graffiti attacks. Twelve stations were adopted by groups and organisations under the STA's 'Adopt-a-Station' program.

All of the efforts are designed to keep the STA's vehicles and infrastructures free from graffiti and hence passengers are not intimidated by the unpleasant surroundings graffiti creates.

There has not been a great focus on the development and implementation of fear reduction programs at this stage. This is largely because of the significant increase of 48 Transit Officers to the State Transport Authority which has required the emphasis of managers and supervisors to address the technical needs of personnel and the area's development. As a result of this there was greater emphasis on reducing real problems on the transit system

Notwithstanding this basic strategic thrust efforts at fear reduction were implemented by:

- * liaison and public discussion with local community groups effected by public disorder on the transit system;
- * public dissemination of information by the media at appropriate times;
- * the implementation of the Transit Response Group;

- * the rescheduling of patrol movements and the use of plain clothes and uniform officers on a constantly changing basis so that minimal consistency of behaviour is perceptible to potential offenders;
- * the presentation of a public display at the Royal Adelaide Show;
- * liaison with the employee groups within the STA, also with the purpose of advising them of their role in crime prevention and fear reduction on the system; and
- * establishment of help phones and technical surveillance at the Noarlunga and Salisbury Interchange.

Tasmania

The working group identified the elderly as potentially the most insecure and most frightened. The availability of police and other emergency services should be positively publicised to ensure local community and promote public understanding of their method of operation. Also, the success of neighbourhood watch, surveillance etc., should be evaluated.

Appropriate public housing design should contribute to fear reduction. Infill housing was considered to provide the best form of fear reduction. Priority is being given to the provision of infill housing as opposed to the expansion of broad area developments.

A new Domestic Violence Advisory Committee, consisting of senior staff from various Government Departments together with community representatives, meet on a regular basis to recommend action in this regard.

Northern Territory

The Northern Territory Police supports this recommendation and is presently addressing this issue with several of our Community Based Policing programs. The School Based Police Officers teach DARE (Drug Abuse Resistance Education) to over 20 000 children in Northern Territory schools each year and the curriculum addresses the issue of stranger danger. Other programs - Safety House, education in primary schools, and Neighbourhood Watch provide on-going education to members of the community. Pensioner and Senior Citizens groups are also regularly spoken to with regards to this issue.

Australian Capital Territory

The ACT Government supports the recommendation noting that all police-community liaison programs normally include provision for evaluation.

The ACT Government is committed to the reduction of fear of crime and endorses AFP initiatives to identify, target and neutralise fear of crime in the community.

The ACT Region of the AFP commenced a survey aimed at ascertaining the level of perception and fear of crime in the community. On the basis of this survey, other policing activities, for example, patrolling, Neighbourhood Watch, bicycle patrols etc can be specifically targeted to combat the prime areas of crime. At the same time, pro-active policing initiatives including publicity (for example, Crime Prevention Week), and media releases are aimed at helping the community develop its consciousness of crime and its defences against it.

The ACT Government is committed to the development of an integrated crime prevention strategy which will consider the issues canvassed in this recommendation. This strategy is being developed in consultation with the AFP ACT Region and will give priority to initiatives that prevent and reduce violence against women. The emphasis of this strategy will be on ensuring the cooperation of and

coordination between relevant Government and non-Government agencies in dealing with violence in the ACT.

Recommendation 73.

Fear reduction programs should be subject to rigorous independent evaluation to assess their efficiency and effectiveness.

Commonwealth

Refer to response to Recommendation 72.

New South Wales

Beat Policing is being progressively introduced across New South Wales. The aim of Beat Policing is to deliver a high quality policing service to the community, the basis of which is a police officer being responsible for a defined geographic area, representing a beat.

The objectives of Beat Policing are to:

- * make people feel safer, by reducing violence, crime and fear;
- * improve community and police relations;
- * inspire and encourage initiative in policing;
- * improve the morale and job satisfaction of all police;
- * use the resources of the community; and
- * service community based policing programs in each beat.

The New South Wales Police Service has engaged Frank Small and Associates to survey the public's concerns about violent crime, social disorder and property crime. The latest survey shows, for example, that the number of people 'very concerned' about street assault has declined from around 25 per cent in June 1989 to around 15 per cent in March 1992.

Victoria

Refer to response to Recommendation 72.

Queensland

A number of the programs in Queensland have been subject to evaluation. Further evaluations will be pursued.

South Australia

Refer to response to Recommendation 72.

Northern Territory

In relation to Recommendations 72 and 73, the Northern Territory Police does not have the same sorts of problems as are experienced in other States such as public transport and gang violence. It is, therefore, difficult to identify a target for a media campaign. Notwithstanding that the Neighbourhood Watch initiative picks up some of the target groups within the same areas of the Watch and reduces any perceived fear in some of the suggested groups in the community.

In 1989, a public opinion survey conducted by Neighbourhood Watch volunteers and evaluated by an independent analyst put 45 questions to the general population. The questions covered many community perceptions of pro-active and reactive police policies and performance, public safety issues

and neighbourhood priorities. The survey which canvassed slightly more than 4 per cent of Darwin and Palmerston households, identified some shortfalls in current policing activities and enabled a focus on those issues of the greatest public concern.

Australian Capital Territory

The ACT Government supports the recommendation noting that all AFP programs normally include provision for evaluation.

Recording Of Confessional Evidence

Recommendation 74.

Video recording of interviews by police should be introduced in all Australian jurisdictions.

Commonwealth

The video recording of interviews is a national Australian Federal Police (AFP) policy. Sites were identified in the Australian Capital Territory (ACT) for this facility. It was proposed to introduce legislation in the 1990 Budget Session of Parliament to provide for electronic recording of interviews with suspects in relation to certain offences against laws of the Commonwealth and the Australian Capital Territory.

Funding for this initiative was addressed in the 1990/91 Budget.

New South Wales

Video recording of interviews by police in respect of indictable offences commenced in New South Wales at the Sydney Police Centre on 21 January 1991 and has now been progressively extended across the State.

It is anticipated that the equipment will save valuable police time and will bring substantial saving in court time and costs resulting in more guilty pleas from persons charged.

Major benefits of the new system include:

- * less time spent in the interview situation;
- * less police time spent giving evidence;
- * shorter trials as lengthy legal argument on the issue of voluntariness of confessions will be eliminated; and
- * protection for police against false allegations.

State-wide installation - at a cost of about \$3.2 million - was expected to take two years.

Victoria

Section 464 of the *Crimes Act 1958* requires that all interviews with suspects in indictable offences must be recorded either on video tape or audio tape. At present, Victoria Police video tape interviews with suspects involved in major crimes or the re-enactment of crimes. In other cases, police audio-tape interviews with suspects. Interviews with victims of child abuse are also video taped.

Amendments to the Evidence Act introduced by the *Crimes (Sexual Offences) Act 1991* allow audio- or video-recorded statements of prosecution witnesses under the age of eighteen or suffering from mental impairment to be admitted as evidence-in-chief in cases of sexual assault or violence.

Queensland

Video and/or audio recordings of interviews with suspects for indictable offences were introduced in compliance with a Queensland Cabinet direction in 1989.

Current policy supports the video recording of interviews by police. This program is presently being implemented by the Police Service. Combined audio/video interview rooms are now located at all major police establishments across the State. Many smaller outlying stations are also equipped to conduct audio/video interviews.

Western Australia

The video taping of interviews is presently being used in Western Australia and is experiencing little problem. The matter will come under review with the full review of the Criminal Code which is underway.

South Australia

This recommendation is supported and video recording is done on a limited scale. The introduction of legislation requiring video recording of police interviews by police was delayed because of financial considerations.

Tasmania

Video recording of police interviews was extended throughout the State in the major centres. As funds are available the system may be expanded.

Northern Territory

Legislation was enacted in the Northern Territory to provide for video recording of interviews.

Approval was given for implementation of video recording equipment at police stations throughout the Northern Territory. Because of cost factors however, audio-only units were provided to smaller centres.

A large proportion of stations will soon have electronic recording equipment.

A comprehensive procedural manual was developed and a large number of members have received formal training.

In addition, liaison has taken place with the courts to ensure appropriate play-back facilities are available.

Australian Capital Territory

The ACT Government supports the recommendation. Since the previous report, the *Crimes (Investigation of Commonwealth Offences) Amendment Act 1991* has come into effect. As a consequence, interviews for criminal offences against ACT laws, where the maximum penalty for the offence includes a term of imprisonment exceeding twelve months, are audio or video taped by the police. The provision came into effect in the ACT on 1 November 1991.

Police And Victims Of Crime

Recommendation 75.

Police training programs should include curricula on victim assistance as a routine component of all courses from the initial recruit stage to specialist investigatory courses.

Commonwealth

Basic orientation on human behaviour aspects of policing, including victim assistance, is undertaken in conjunction with the Australian Capital Territory Region in order to meet community policing objectives.

New South Wales

Material on victim assistance is included in the Police Recruit Education Program, the Supervisor's Course, the Investigators Course and the Initial Response Officers Course.

Victoria

In place.

The recommendation is complied with. The Victim Liaison Officer attached to the Victoria Police Force lectures recruit squads, Sub-officers' Courses, Detective Training School and specialised squad training.

Queensland

Police recruit training and competency acquisition programs include victim assistance as a component of police career development and education.

Western Australia

The Western Australia Victim Support Unit provides additional training as part of the established training procedures.

South Australia

Various training programs include tuition on victim assistance, ranging from:

- * cadet training,
- * CIB training, and
- * sex crime investigators training.

Tasmania

The curricula of current courses includes victim assistance and assistance from appropriate support agencies.

Northern Territory

This recommendation is being addressed in recruit and in-service training courses and incorporated in the modular training curriculum.

Australian Capital Territory

The ACT Government supports the recommendation and endorses action already taken. Training on these matters is included in AFP training, for example, in courses on human behaviour, first aid and in course sessions run by AFP Health Services. Further, ACT Local Procedures training includes a segment conducted by the Victims of Crime Assistance League (VOCAL). The specialist AFP ACT Region Sexual Assault Unit strongly focuses on victim support and there is a well developed relationship with VOCAL.

Recommendation 76.

Formal mechanisms should be put in place to facilitate easy and effective referral by police of victims to appropriate support agencies.

Commonwealth

The Australian Federal Police (AFP) has developed liaison arrangements with VOCAL (Victims of Crime Assistance League) Australian Capital Territory (ACT) Branch.

Within the ACT Region, an effective formal protocol exists between AFP and the Domestic Violence Crisis Service governing the operational relationships between them. Informal effective relationships have also been developed with other agencies, for example, the Drug Referral Service and Rape Crisis Centre. As far as the AFP is concerned, present arrangements are cooperative and generally satisfactory.

New South Wales

The New South Wales Police Service refers victims to support agencies where such agencies exist. There are, however, some areas of the State where support agencies do not exist. The Police Service has therefore developed effective local area networks to offer support to victims. These networks are developed through community consultative committees.

Under the New South Wales Charter of Victims Rights, victims have the right to 'have ready access where necessary to available medical and counselling services, welfare and health services, and legal services that have, wherever possible, personnel appropriately experienced in dealing with victims. The New South Wales Victims Advisory Council is looking at what mechanism can be developed to give better effect to this right.'

Networking is one of the functions of Domestic Violence Liaison Officers and IROC officers.

Victoria

Victoria Police have a Victim Liaison Officer attached to the co-ordinating Office of Community who has state-wide responsibility for matters relating to victims of crime.

District Victim Liaison Officers were introduced to all Police Districts. These officers will receive additional training in relation to victims. The Victim Liaison Officer attached to the Victoria Police shares responsibility with District Victim Liaison Officers in the referral of victims to appropriate support agencies.

The Crime Reports that each victim receives after reporting an offence provides information on support services available to them as victims of crime.

The Court Network received funds in 1992, through the Public Safety and Anti-Crime Council, in order to expand their operations to include the piloting of the Victims of Crime Support Program in Prahran, Ballarat and Morwell. Through Police Victim Liaison Officers, Court Network Co-

ordinators will receive referrals, who link victims with volunteer support. Police were involved in providing extensive training to the Court Network volunteers.

The former Community Services Victoria funded a 12 months pilot project with Court Network designed to support women seeking intervention orders, linking them into existing support services and following up these women post-court appearance. The pilot project was to have a formal evaluation completed by August 1993.

Queensland

A number of local initiatives have already been put in place to enable such referrals. Additional mechanism will be developed in the context of new initiatives for victims.

Western Australia

The Western Australia Victim Support Unit provides an effective referral service for victims to appropriate agencies.

South Australia

Formal mechanisms were set up between the Police Department and various government and non-government support agencies for the effective and easy referral of victims by police. Victims of Crime Branch has three liaison officers, each dealing with a specific area. They are:

- * child protection;
- * domestic violence; and
- * victims of crime.

These officers each maintain close liaison with other agencies to ensure an easy flow of information and cooperation between organisations.

Tasmania

The curricula of current courses includes victim assistance and assistance from appropriate support agencies.

Northern Territory

Very few formal mechanisms are in place which require police to refer victims to appropriate support agencies. However, despite the lack of formal requirement, police, as a matter of course, refer victims to a variety of agencies for both physical or psychological reassurance and indirectly as an aid to further police enquiries.

A formal agreement is in place between Northern Territory Police and the Sexual Assault Referral Centre (SARC) for psychological and physical examination and counselling, if required. This service is also afforded to the parents of children who were sexually assaulted.

In Darwin all victims of sexual assault are also advised of the existence of the Ruby Gaea Centre which is a Government-funded counselling service.

Where a child is abused physically, mentally or sexually there are formalised procedures in referring to the Minister (or his delegate, the Director of Health and Community Services) responsible for the provision of Child Welfare Services. If the child is Aboriginal, referral is also made to the Aboriginal Child Care Agency to assist with placement, care or support needs.

The Domestic Violence Legal Help Service was operating in Darwin for six months, and has just finalised an internal evaluation as a pilot service.

Victims of domestic violence are referred to the Clerk of Courts with a view to obtaining a Section 100 AB Order for the protection of the victim from further violence and to enable the victim to re-enter the home. Additionally, Section 99 of the Justice Act also supplies a degree of protection which can be obtained through application to the courts where concern is held for the safety of one or more parties. Victims are also referred to such services as Legal Aid, Drug and Alcohol Services Association Inc., where alcohol appears to be a problem and Outreach Programs may assist or, where psychological problems appear to be the problem, onto the hospital for professional counselling.

It should be noted that hard and fast rules or agreements between departments on the larger scale may not effectively cover the situation where operational necessity dictates a particular course of action.

Australian Capital Territory

The ACT Government supports this recommendation.

Referral arrangements exist with the Domestic Violence Crisis Service and other support agencies, for example Drug Referral Service, Rape Crisis Centre and VOCAL. The AFP is prepared to enter into similar arrangements with other agencies. See also Recommendation 63.1.

Police-Aboriginal Relations

Recommendation 77.

Police training should continue to educate recruits about cultural conflicts, especially within Aboriginal society, and continue to increase the skills and scope of the Police Aide scheme.

Commonwealth

Generally, the Australian Federal Police (AFP) agrees with recommendations 77-79 and most are already AFP policy and practice.

The AFP (Australian Capital Territory (ACT) Region) is developing closer relations with the Aboriginal community in order to address problems perceived by both police and Aborigines. The training of AFP new members includes elements on the Australian social structure and deals with Aboriginal issues in courses conducted by the ACT Aboriginal Educational Consultative Group. Members of the AFP have undertaken a six month course on Aboriginal culture.

Three Aborigines who commenced training in the last six months have now completed their course. No other Aborigines have commenced New Member Training. There was an active program of correspondence and visits with suitable colleges to encourage Aborigines to join the Australian Federal Police.

The Aboriginal and Torres Strait Islander Commission notes that jurisdictions are now acknowledging the need for prison and police staff understanding of Aboriginal and Torres Strait Islander culture and lifestyles to eliminate racist practices and attitudes. Community-based options to imprisonment are being examined and adopted in some areas. However, the Commission notes also the lack of uniform approaches by magistrates and judges in using alternatives to imprisonment and policing practices. The Commission believes there is a need for all magistrates and judges to be given a greater knowledge of Aboriginal and Torres Strait Islander lifestyles and issues and a greater awareness of rehabilitation programs which offer alternatives to imprisonment for Aboriginal and Torres Strait Islanders.

New South Wales

It is the view of the New South Wales Police that police training should include recognition of the fact that many Aborigines still perceive police in a negative light having regard to oppressive legislation

which was in effect up until thirty years ago. The police, as enforcers of that legislation were seen as universally endorsing such legislation and it is inevitable that for at least the next generation, police will need to take this latent hostility into account.

It is also considered that police should also be educated to understand that despite popular misconception, Aboriginals are not part of a cohesive community and that there are many factions and the handling of these various groups needs to be carefully addressed.

The New South Wales Police Service employs the services of a special consultant; the Aboriginal Community Liaison Officer of the Department of Aboriginal Affairs (Cth) who lectures at all in-service training courses on Aboriginal cultural issues. It is felt that provision should also be made to cater for other cultural groups, and the resolution of any conflict that may emerge between them and the police.

The Department also deploys a 'distance learning' model which provides for police officers working in Aboriginal communities to commit three hours per week over thirty-four weeks to personal contact with Aboriginal representatives and to prepare essays which address that interaction. Essay papers are then endorsed by Patrol Commanders before referral to the Police Academy.

Training of New South Wales police officers includes an Aboriginal Cultural Program which covers Aboriginal society from 1788 to the present. The Program also covers the social and economic conditions of Aboriginal people.

The New South Wales Police Service employs Aboriginal Community Liaison Officers but has not introduced an Aboriginal police aide scheme.

Victoria

The Victorian Police Department have developed the position of Aboriginal Liaison Officer to provide lectures to all recruits on Aboriginal culture. Limited training is also provided in some other cultures as part of dispute resolution skills.

The Aboriginal/Police Liaison Officer addresses each recruit training group. The Liaison Officer regularly uses members of Aboriginal community organisations in his lectures to police recruits and in service courses on Aboriginal culture. There are also Aboriginal Police Liaison Committees which provide advice on issues of concern to Aboriginal communities.

Victoria Police will advertise to fill a further 7 Aboriginal Liaison Officer positions. Limited training is also provided on some other ethnic groups as part of dispute resolution skills

The Victoria Police Force is undertaking a review of all cross-cultural training programs.

Community Justice Panels, Aboriginal-Police Liaison Committees and the Police Community Consultative Committees, all work towards improving the understanding between local Koori communities and police.

Film Victoria have completed a video on relations between the Koori community and police. This project was funded by Victoria Police and will be used in police training at police district level.

During the 1992 Koori community consultations on the Royal Commission into Aboriginal Deaths in Custody, local Koori people expressed a desire to assist police District Training Officers in the provision of culturally relevant awareness training to police in regions with significant numbers of Koori people

Queensland

Since the NCV recommendations were forthcoming, there was an increase in the content of the pre-service course relating to Aboriginal culture. During the final module of the pre-service course,

recruits spend a day with persons from the Department of Aboriginal and Islander Affairs and participate in general discussions related to Aboriginal problems and other cultural issues. A series of one day seminars are conducted during initial training in which each new group of trainees are required to participate. From the viewpoint of both parties, communication between the police and the Aboriginal community was improved as the result of these seminars.

With the commencement of the new university-based recruit training in February 1991, there was additional input on Aboriginal issues. Course planning for the first semester has involved formal and informal consultation with Aboriginal and Torres Strait Islanders on course content and the development of material addressing a range of issues such as the nature of interaction between police and Aboriginal and Torres Strait Islander communities, as well as cultural issues. Aboriginal and Torres Strait Islander representatives will also be involved in course delivery. Development of Semester two units which is now occurring includes formal Aboriginal representation on curriculum development working parties as well as through community consultation.

Aboriginal cultural/social awareness training packages for trainees and serving police are being developed, assisted by a major funding grant from the Australian Aboriginal and Torres Strait Islander Commission.

Existing police training at recruit level includes components on Aboriginal cultural and society. In addition, the Queensland Police Service has arranged for the Mobile Cross Cultural Training Unit from the Bureau of Ethnic Affairs to provide workshops and seminars for police throughout Queensland. This program will address critical incidents and strategies concerned with cross cultural issues. It was launched in April 1993 and was to continue until December 1993. Following this training three Competency Acquisition Program modules on cross cultural issues should be available by late 1993 to all staff below commissioned officer. A number of other programs including intensive experimental community based cross cultural training programs will also be developed and expanded.

Western Australia

Police recruit training in Western Australia contains all of the aspects of Recommendation 77. A brief overview of the history, culture and tribal customs of the Aboriginal people is included in the Police/Aboriginal Relations module of recruit training so as to provide for an understanding of Aboriginal society at the earliest stage of a police officer's career. The resolution of cultural conflicts, which could include Aboriginals as well as other minority groups is also covered in a module of training dealing with crisis intervention and conflict resolution.

Although Aboriginal affairs training at the Police Academy was in place for some fifteen years, it has only been in the last three years that this area of study was assessed by examination during recruit training. The inclusion of this training was prompted at the request of operational police officers who were experiencing some difficulties when dealing with certain elements of the Aboriginal community and not in direct response to the NCV.

It is hoped that further training of this nature will be provided to officers after recruitment, particularly when about to be transferred to those police stations which involve interaction with Aboriginal communities. Other initiatives such as encouraging police members to undertake an interest in Aboriginal language and cultural courses of study may be encouraged in the future.

In-service training of all Western Australia police personnel in areas of Aboriginal culture and values has been given a high priority. It was envisaged that all police officers would have completed a two day training course by mid 1993, including a full day attendance at a local Aboriginal Community Centre.

South Australia

In South Australia, police training at the cadet and recruit level emphasises the need to appreciate differing cultural backgrounds of a mixed Australian population. Police members who are to be posted to remote country stations which involve high contact with Aboriginals are assessed as to their

suitability to deal with persons of Aboriginal descent prior to any transfer, and where necessary, undertake a cultural awareness training program prior to a transfer taking effect.

The South Australian Police Aboriginal Liaison Unit conducts various other training programs aimed at encouraging and fostering good relations and understanding between police and Aboriginals.

Cadet training was revised so as to include a one day workshop at the Aboriginal Studies and Teacher Education Centre at the South Australian College of Advanced Education. The aim of the workshop is to provide students with a positive and critical knowledge of the cross-cultural world shared by Aboriginals and other Australians and to assist students in developing positive attitudes and correct manners within this environment.

Officers of the South Australian Police Force have also been encouraged to undertake additional studies in courses in Ethno-Science at the Torrens College of Advanced Education. Some officers have done short courses on the Aboriginal dialect of Pitjantjatjara.

Tasmania

In-house training is provided to recruits in respect of cultural conflicts. Training is regularly reviewed to ensure that it is appropriate.

Whilst the Tasmanian Police Department fully concur with this recommendation it is also considered appropriate that police be instructed on how to deal with all ethnic or minority groups and not solely with Aboriginal communities.

Northern Territory

The substance of this recommendation was a feature of Northern Territory police recruit training for over a decade and is subject to ongoing review and refinement. Lectures and seminars are conducted by Aboriginals and anthropological experts from the Northern Territory University. All recruits receive approximately twenty hours classroom instruction on Aboriginal culture and society from a Senior Lecturer in Anthropology, Northern Territory University. This component is supplemented by a visit to a remote Aboriginal settlement.

A one hour lecture on 'Policing on Small Settlements' is also given to recruits by a member who is serving, or has served, on an Aboriginal settlement. In addition, recruits receive forty hours instruction in Human Relations/Conflict Resolution. This component is delivered by a psychologist from the Northern Territory University and also includes a practical exercise segment. The Community Relations Branch also delivers fourteen hours of instruction on current programs, initiatives and problems in police/Aboriginal community relations.

As from November 1990, all recruit courses will attend a one day seminar on 'Prevention of Deaths in Custody'. The seminar is jointly conducted by the Northern Territory Mental Health Department and Northern Territory Police. Attendance by serving police is invited and permanent watch-house staff and Watch Commanders are actively encouraged to attend.

During 1989 and 1990, several one day seminars have also been delivered to commissioned officers on the history, culture and social behaviour of Aboriginals. A further three seminars are planned in 1991 for commissioned officers and senior non-commissioned officers.

Furthermore, any police officer about to be transferred to Aboriginal towns or settlements is counselled by a panel of divisional officers prior to transfer. Where necessary, arrangements are made for Department of Aboriginal Affairs field officers to discuss relevant matters with the officer about to be transferred.

All recruits receive twenty hours classroom instruction on Aboriginal history, culture and social behaviour by the Senior Lecturer in Anthropology at the Northern Territory University. Other components of the recruit course also relate either specifically or in passing to Aboriginals.

The skills of Police Aides are increased by annual training. All Aides receive two weeks training at Batchelor College. This is carried out over a three week period with the students divided into two groups, which overlap for one week. At the completion of training, the powers of the Police Aides are extended to include training received and their 'Instrument of Appointment' amended as appropriate.

Recommendation 78.

Traditional Aboriginal input into police education should be increased so as to improve knowledge and understanding of the Aboriginal lifestyle.

Commonwealth

Refer to response to Recommendation 77.

New South Wales

The New South Wales Police Service conducts cultural awareness courses at the New South Wales Police Academy for new recruits, and at Regional headquarters and at individual patrols. Cultural awareness courses conducted at some local patrols are presented by local Aboriginal people who are aware of the traditional and contemporary issues in the local community.

See also the comment on Recommendation 77.

Victoria

Refer to response to Recommendation 77.

Queensland

Extensive consultation with the Aboriginal community is continuing to ensure the content of future police training material includes reference to Aboriginal issues.

Western Australia

Refer to response to Recommendation 77.

South Australia

Refer to response to Recommendation 77.

Tasmania

In-house training for recruits and members attending promotional and development courses continues to be provided.

The purpose of these programs is to educate police at all levels in Aboriginal culture and Police-Aboriginal relations.

The programs are conducted by specially trained police and an Aboriginal community representative.

Another development was the contracting of a consultant for a three months period commencing in May 1993, to overview police training needs with regard to Police-Aboriginal relations and make recommendations accordingly.

Northern Territory

Aboriginal culture and lifestyle form a significant part of recruit training. The modular form of recruit training allows in-service personnel, who may not have received formal education on Aboriginal matters, to attend the lectures.

Recruits visit Aboriginal settlements during a practical phase of their training. The content of recruit training addressed in Recommendation 77 is also applicable to this recommendation.

Australian Capital Territory

The ACT Government acknowledges that notwithstanding the small number of Aborigines in Canberra, there is need for sensitivity on the part of police and other elements of the justice system in handling matters concerning Aborigines.

Aboriginal cultural elements are included in AFP ACT Local Procedures training courses and are conducted by the Aboriginal Educational Consultative Group (AECG). Selected AFP members have undertaken further studies in Aboriginal culture. In addition, the AFP has embarked on a program of two day workshops conducted by the AECG under the auspices of the TAFE college, for sergeants and constables deployed in ACT Region.

The National Police Working Party on Law Reform:

Although the matters alluded to in this recommendation were touched upon in earlier discussion, (see responses under Recommendation 77) commentary on the Western Australian, Queensland and Northern Territory positions is provided for general information.

Queensland

In Queensland a pilot recruit training program has commenced at the Cherbourg Aboriginal community, which was developed through consultation between police and the Aboriginal community. This is being further developed for senior police through a regular workshop process within the community, funded by an Aboriginal and Torres Strait Islander Commission grant.

Western Australia

Recruits in Western Australia now receive one full day of training in the knowledge and understanding of the Aboriginal lifestyle with lectures being provided to recruits by serving Aboriginal Police Officers. It is felt that such a deployment provides a well balanced and reasonably objective viewpoint. The content and duration of the training is to be evaluated soon and if necessary, will be extended further.

Northern Territory

To a significant extent this is a feature of the police recruit training and expansion of the current practice is already under review.

Aboriginal culture and life-style form a significant part of recruit training. The modular form of recruit training allows in-service personnel, who may not have received formal education on Aboriginal matters, to attend the lectures.

Recruits visit Aboriginal settlements during a practical phase of their training. The content of recruit training addressed in Recommendation 77 is also applicable to this recommendation.

Recommendation 79.

Every effort should be made in every jurisdiction to encourage and support suitably qualified Aboriginals to become fully qualified police officers.

Commonwealth

Refer to response to Recommendation 77.

The Australian Federal Police (AFP) (Australian Capital Territory region) is developing closer relations with the Aboriginal community in order to address problems perceived by both police and Aborigines. The training of AFP new members includes elements on the Australian social structure and deals with Aboriginal Educational Consultative Group. Members of the AFP have undertaken a six month course on Aboriginal culture.

There was an active program of correspondence and visits with suitable colleges to encourage Aboriginals to join the AFP. Three Aboriginals completed their training.

The Aboriginal and Torres Strait Islander Commission believes that, in keeping with employment and recruitment practices in organisations such as the Public Service (States and Federal), Telecom or the National Australia Bank, police recruitment intakes should specify a number of identified positions for filling by Aboriginal and Torres Strait Islander recruits. Where there are insufficient 'suitably qualified Aboriginal people' (and Torres Strait Islanders) applying for recruitment places, efforts should be made to provide training and or bridging courses for potential applicants to achieve those qualifications.

New South Wales

The New South Wales Police Service has adopted an Aboriginal Employment Strategy, with a target of 2 per cent Aboriginal representation in the organisation. The Police Service, in conjunction with TAFE, has developed and implemented a bridging course to provide Aboriginals with the qualifications required to enter the New South Wales Police Academy as trainees. Tutoring is available to all Aboriginal trainees, through Abstudy, to assist them with their studies.

Victoria

The Victoria Police continues to target areas for recruitment where the likelihood of Aboriginal recruits exist. As Victoria has a comparatively small Aboriginal population it is difficult to attract suitable Aboriginal recruits.

Koori people are encouraged to apply for admission to the Force and assistance is provided where possible. Victoria Police have an equal opportunity mandate for the recruitment of minority groups to the Police Force.

Queensland

The Queensland Police Service is actively supporting bridging courses to enable Aboriginal and Torres Strait Islander people to gain entry into the Service as sworn officers. Fifteen Aboriginal and Torres Strait Islander applicants were recruited into the Service in the last two police intakes. The first of these groups was to be sworn-in in June 1993. In addition, the Queensland Police Service, with funding assistance from the Commonwealth Department of Employment, Education and Training, has been developing a comprehensive recruitment and employment support strategy which was due to be finalised in later 1993.

Western Australia

At December 1992 there were 30 Aboriginal Police Officers, 70 Aboriginal Police Aides and 15 Aboriginal Cadets in Western Australia.

South Australia

There are no restrictions placed on applicants as a consequence of their race. The only limitations placed on police applicants are those which apply to all applicants, for example, age or educational qualifications.

Tasmania

Tasmania Police is an equal opportunity employer and applications submitted by Aboriginal persons receive the same consideration as others submitted. A number of Aboriginal persons are employed by Tasmania Police.

Northern Territory

A 24 month Community Relations Study has just been completed. This study was jointly funded by the Federal Office of Multicultural Affairs, the Northern Territory Ethnic Affairs and the Northern Territory Police. Part of the study examined the increased recruitment of Aboriginals into mainstream policing, bridging courses for prospective applicants and specific training needs for Aboriginals. A project team has commenced to implement the recommendations of the Community Relations Study.

Negotiations have commenced with the Batchelor College for the development of bridging courses for Aboriginals.

A \$50 000 grant was forthcoming from the Federal Government for consultancy, to develop initiatives designed to improve recruitment and training of Aboriginals for the Northern Territory Police Force. These funds have yet to be committed, and the project team will address this matter in the near future. Following the results of the consultancy, it is intended that a comprehensive recruiting program will be developed to encourage Aboriginals and people of non-English speaking backgrounds to join the Northern Territory Police.

The Northern Territory is a recognised field leader in this area through the Police Aide scheme, which continues to be a cornerstone of Northern Territory policing policy in relation to Aboriginal communities and areas where there are large concentrations of Aboriginals (for example Alice Springs). The number of stations at which Police Aides operate alone as local community police is steadily increasing. Interestingly, the members of the scheme (for a number of different reasons) have expressed no great desire to become fully-fledged constables. Nevertheless, initial discussions were held with Batchelor (Aboriginal) College in relation to 'bridging' courses for Police Aides and Aboriginals to bring them to a level where they could reasonably be expected to cope with the demands of recruit training and policing.

Currently there are 34 Aboriginal Police Aides serving throughout the Northern Territory. Because of the success of the scheme demand from other communities for police aides is increasing.

Australian Capital Territory

The ACT Government supports the recommendation noting that there was a program of correspondence and visits to colleges to encourage Aboriginals to join the AFP.

The National Police Working Party on Law Reform:

Western Australia

Although suitability for appointment to the Western Australia Police Force is not determined by the ethnic origin of the applicant, there was positive encouragement for persons of Aboriginal descent to become members of the police force.

Present policy of the Western Australia Police Force is to encourage persons of all ethnic or minority groups to such appointments as constables or police cadets and not just Aboriginals.

A State Government initiative in December 1988 supported the employment of Aboriginal police cadets in anticipation that they would eventually become sworn police officers, thus providing a continual flow of Aboriginals into the Force. The scheme has met with a measure of success and is to continue into the foreseeable future.

New South Wales

New South Wales Police have made a commendable commitment to encourage and support suitably qualified Aboriginals to become fully qualified police officers and have a service policy in place which positively targets Aboriginal recruits for this purpose.

Residential college courses at Goulburn and Newcastle controlled by the Department of Technical and Further Education (TAFE) provide bridging programs for Aboriginal people wishing to enter police employment.

Queensland

In Queensland, an initiative to increase the number of Aboriginal and Torres Strait Islander personnel within the Service was developed in line with civilianisation of certain police operational support functions. Negotiations are underway to employ, initially through external funding, fifty Aboriginal and Torres Strait Islanders to work in police support function roles, such as station counter duties, radio operations, etc.

South Australia

In South Australia there are no restrictions placed on applicants as a consequence of their race. The only limitations placed on Aboriginal applicants are those which apply equally to all other applicants such as age and educational qualifications.

Northern Territory

The Northern Territory is a recognised field leader in this area through the Police Aide Scheme. The number of Stations at which Police Aides operate alone as local community police is steadily increasing. In addition, the Department is formulating a positive recruitment program designed specifically at encouraging Aboriginal, and other minority groups, to become police officers.

In the Northern Territory there are 34 Police Aides, approximately 40 'trackers' and a number of Aboriginal members (or fully qualified officers).

Recommendation 80.

The Aboriginal police aide scheme, as it operates in the Northern territory and South Australia, should be introduced in other parts of Australia where similar law enforcement circumstances exist.

Commonwealth

Refer to response to Recommendation 81.

New South Wales

New South Wales does not have an Aboriginal police aide scheme. The New South Wales Police Service does, however, employ 36 Aboriginal Community Liaison Officers (ACLO's). Their role is to improve the communication between the Aboriginal community and police. There are four regional co-ordinators, to assist in the development and implementation of programs and strategies within the four regions of the New South Wales Police Service. An Aboriginal person was employed as a client consultant to be the principal adviser on Aboriginal issues to the Minister for Police, the Police Board and the Commissioner of Police. An Aboriginal Council was formed with a clear agenda to advise the Commissioner on Aboriginal matters. The Council commenced its work on 8.12.92 following extensive consultation with the Aboriginal community.

In 1991 New South Wales had authorised positions for Aboriginal Community Liaison Officers in the following locations:

| | | | |
|-----------|------------|------------|---------------|
| Taree | Kempsey | Lismore | Coffs Harbour |
| Dubbo | Brewarrina | Wellington | Tamworth |
| Walgett | Bourke | Moree | Boggabilla |
| Redfern | Malabar | Nowra | Batemans Bay |
| Wilcannia | Narrandera | Griffith | Dareton |

Aboriginal Community Liaison Officers are Ministerial employees. They are a valuable resource for the Patrol Commander in that they advise the Minister on local issues affecting relations between police and the Aboriginal community, and assist communication between the two. Their duties include facilitating meetings between police and community, advising police on the most appropriate manner of dealing with operational problems affecting Aborigines, liaising between investigating police and Aborigines in the investigation of crime, defusing confrontations, advising and assisting Aboriginal people in their dealings with the police (including visiting people in the cells, assisting to arrange bail and legal representation), supporting police in dealing with many other day to day problems (such as delivery of death messages, locating missing persons), and active encouragement of Aboriginal applicants for police employment.

Victoria

Victoria has a comparatively small Aboriginal population and experiences less of a problem with Aborigines as is experienced in the Northern Territory, South Australia and Western Australia. Victoria has preferred the introduction of Community Justice Panels to the Aboriginal police aide scheme.

It is believed that the Community Justice Panel Program covers the role of the Aboriginal Police Aides. The Panels promote interaction, co-operation, communication and a better understanding between the Koori community and local police, when issues involving law enforcement arise.

Queensland

The Queensland Police Service is undertaking a comprehensive review of the provision of police services to remote Aboriginal and Torres Strait Islander communities in Queensland including examination of the role, functions and employment conditions of Aboriginal and Torres Strait Islander Community Police. In addition, the Service has expanded the Aboriginal Liaison officer program to enhance the relationship between police and Aboriginal communities in major centres such as Cairns, Townsville, Rockhampton and Mt Isa.

In Queensland, a system of Aboriginal community police operates on fourteen Aboriginal reserves. These community police have power to enforce the by-laws of the local community. Although at present they are not able to exercise normal police powers, it is proposed to make certain Aboriginal police Special Constables for the purpose of carrying out policing functions in the Aboriginal communities.

Western Australia

The Aboriginal Police Aide Scheme was in existence in Western Australia since 1974 and presently consists of seventy Aides stationed throughout Western Australia including the Perth metropolitan area.

Appointment by the Commissioner of Aboriginal persons to be Aboriginal Aides is authorised by Section 38A of the *Police Act 1892* (WA). Although it has not happened yet, an Aboriginal Aide 'may be given the same powers, privileges, duties and obligations as any other constable'. In Western Australia, Police Aides are town-based rather than community-based and are generally situated in remote areas. Receiving on-the-job training and being required to attend special training courses, the Aides operate under the supervision of local police. Although the Aides have their own promotion system, there is presently no scope for an Aide to become a regular member of the Police Force. Regardless, the Aide Scheme has a fairly good retention rate, despite the considerable resentment at the way Aides were deployed at times of high Aboriginal-police tension.

The Pre-service Training Section of the Western Australia Police Force conduct a training course of five weeks duration which provides for the initial training of all Aboriginal Police Aides, assigned to both country and metropolitan areas. After completing an initial course, Police Aides receive further on-the-job training from the Career Training Section and after every three years of service, return to the Police Academy for further training. Courses of this nature are constantly evaluated and updated to provide the Aides with the very best of opportunities to increase their skills.

South Australia

South Australia, being cited as an example to follow in introducing the Aboriginal Police Aide Scheme, continue with their deployment of the Scheme. An Aboriginal Liaison Unit conducts a cultural awareness program with all police cadet induction courses and lectures to police training programs about the operation and utility of the Police Aide Scheme.

The Police Aboriginal Aide Scheme is firmly entrenched and being expanded in South Australia. Liaison Officers were nominated. Schemes are being constantly reviewed and revised.

Police aides are appointed to the Pitjantjatjara lands, Yalata Aboriginal Community, Port Augusta and Elizabeth.

Currently the South Australian Police Department have deferred recruitment for one year because of an inability to guarantee ongoing funding.

Tasmania

Tasmanian Police do not perceive there to be any need for such a scheme.

Northern Territory

This recommendation acknowledges the success of the Northern Territory initiative.

The Aboriginal Police Aide Scheme, in conjunction with the Aboriginal Warden Scheme, holds great promise for Aboriginal Police relations in the Northern Territory, the prevention of crime and the maintenance of order in Aboriginal communities and the enhancement of opportunities for Aboriginal self-determination.

The Aboriginal Police Aide Scheme was initiated in 1979 and was a model for development elsewhere in Australia. There are now thirty-four Police Aides employed in the Northern Territory in both urban and remote rural locations. Being nominated by the communities in which they serve, the Aboriginal Aides assist the police in carrying out general police duties. The 'power' that an Aboriginal Police Aide has depends upon the degree of training provided and whether or not they are working alone or with a Police Officer. Overall, Northern Territory Police are committed to attaining

and maintaining the highest level of police service, and the Police Aide Scheme is one of many strategies directed to this end. Consideration is presently being given to increasing the numbers of Police Aides and the range of their responsibilities.

Australian Capital Territory

The Australian Federal Police do not consider that the Police Aide Scheme is warranted in the Australian Capital Territory due to the small number of Aboriginals within this jurisdiction.

Recommendation 81.

Consideration should be given to the introduction of the warden scheme in Aboriginal communities, where appropriate. As well, ongoing evaluation of the Aboriginal Communities Act 1979 (WA) and similar legislation in the Northern Territory should be carried out to ensure the warden system operates effectively and is supported fully by Governments.

Commonwealth

This recommendation is for implementation by the States and Territories. However, the Aboriginal and Torres Strait Islander Commission agrees with these recommendations given the over-representation of Aboriginals and Torres Strait Islanders in the criminal justice system. These and other matters relating to the over-representation of Aboriginals and Torres Strait Islanders in the criminal justice system were addressed separately, following receipt of the report of the Royal Commission into Aboriginal Deaths in Custody.

New South Wales

New South Wales does not have a warden scheme though, as mentioned in relation to Recommendation 80, Aboriginal Community Liaison Officers assist New South Wales police to carry out their policing role. It is considered that the warden scheme is mostly suited to tribal Aboriginals.

Victoria

Aboriginal Affairs Victoria believes that Community Justice Panels are fulfilling an appropriate role, and the warden system as implemented in other States does not appear relevant to Victoria.

Community Justice Panels provide an avenue for the Aboriginal community to have input into decisions about appropriate sentence for offenders and decisions about appropriate punishment for offenders, and to be involved in preventative programs with Aboriginal youths and adults. The Panels also assist Aboriginals in the post-custodial stage and increase awareness in the Aboriginal community about the criminal justice system. There are twenty Community Justice Panels operating throughout Victoria. A strong commitment was given in a number of local areas by magistrates to recognise the Koori communities' views and options for dealing with Koori offenders.

The issue was to be further addressed as the Government considered recommendations made by the Royal Commission into Aboriginal Deaths in Custody.

See also response to Recommendation 80.

The Department of Justice also provides cross-cultural awareness training to all levels of staff, particularly magistrates, district and regional workers and the Prisons Division.

Queensland

See response to Recommendation 80.

The Warden Scheme operates to some extent in Queensland under the banner of the Aboriginal Community Police. It has met with limited success due to the isolation of some of the Aboriginal communities which resulted in difficulties in supervision. The introduction of a scheme whereby Aboriginal persons act in a caretaker capacity to Aboriginal prisoners is being implemented.

The appropriateness of an Aboriginal Police Aide or Warden Schemes; and comparison of these with the Queensland Aboriginal Community Police Scheme will be examined in consultation with the Aboriginal community.

Western Australia

Not implemented.

The concept of a Warden Scheme was implicit within a community justice system. However, the *Aboriginal Communities Act 1979* made no provision to sanction such a scheme.

Although not sanctioned in the Act, the concept of a Warden Scheme continues to be embraced by many Aboriginal communities under the Act.

The question of amending the legislation to provide for the inclusion of a Warden Scheme was suggested but no action has been taken to date.

South Australia

South Australia is cited as one of the examples to follow in introducing the Aboriginal Police Aid Scheme.

The Warden Scheme which was implemented in South Australia was an Aboriginal initiative and has operated with some success for several years. Although the Scheme was considered a success, the South Australian Police Force are moving away from the Warden Scheme and will replace it with the Police Aide Scheme, whereby Aboriginals are specifically trained to work in their own communities and assist the regular Force in providing a police service. Some Aboriginal communities have since advocated a return to the Warden system of 'self-policing' and employ a local peace officer, usually a member of the local community, chosen by the relevant council to act as the 'local policeman'.

Extra Aboriginal Police Aides have been appointed. Their status was confirmed by amendments to the Police Act.

Northern Territory

The concept of the warden scheme was formally examined on 5 June 1990 by bringing together a number of relevant Commonwealth and Territory departments, private organisations and agencies whose interest lies in advancing Aboriginal communities to gain control over their own affairs. The concept was readily accepted as a move in the right direction. Further work needs to be done in consultation with interested communities to gauge their receptiveness to the concept. Informal warden schemes have commenced at Borroloola, Elliott, Imampa and Tennant Creek, Alice Springs, Hermannsburg, Papunya, Yuendumu and Ngukurr.

A survey carried out in all Northern Territory communities to find out how many self policing programs are being conducted and to gauge the effectiveness of the programs. The survey was to be completed by the end of November 1992.

Australian Capital Territory

The ACT Government supports Recommendations 80 and 81 in principle and endorses continued efforts towards closer cooperation between police and aborigines in the ACT.

However, having regard to the demographic character of the ACT, it is doubtful that the police aide and warden schemes as implemented in South Australia and Northern Territory would be appropriate in the ACT.

Police Role In The Prevention And Control Of Child Abuse

Recommendation 82.

Police and others in the criminal justice system directly involved with victims of child abuse should receive training in normal child development in issues relating to disabled children and in special forensic issues.

Commonwealth

While these issues are principally for consideration by the States and Territories, the Australian Federal Police (AFP) Australian Capital Territory (ACT) Region Sexual Assault Unit conducts ten day seminars for police during which all agencies concerned with child abuse address the participants. Child development is covered by medical and para-psychological experts.

Investigations into the feasibility of conducting video taped interviews in the ACT using facilities as for offenders will be carried out. The Director of Public Prosecutions can apply to have evidence given by video link under present arrangements.

New South Wales

New South Wales police officers receive extensive training in how to handle child abuse cases including training in normal child development, in issues relating to disabled children and in special forensic issues. Child abuse training forms a part of the Police Recruit Education Program, the Investigators Course, the Detectives Training Course, the Constable First Class Course, the Initial Response Officers Course and the Child Mistreatment Specialist Course.

Victoria

Training programs of the Community Policing Squad include components of child development and recognition of child abuse.

Queensland

In-service Juvenile Aid Bureau training courses incorporate these issues in the course syllabus and utilise the assistance of independent experts.

Western Australia

Legislation assented to on November 16, 1992, entitled the Evidence of Children Act, has now made it possible for police to request from the court permission for the child to take the evidence stand but for video tape interviewing to take place.

South Australia

Members involved in investigation or providing support to victims of child abuse receive extensive training relating to child development, psychology, interviewing techniques and the gathering of forensic evidence.

Operation Paradox was conducted on 19 August, 1992 as part of a national operation 'phone in' that sought phone calls concerning children who are, or were, victims of abuse.

The campaign was conducted in conjunction with an extensive media campaign to heighten the awareness of and encourage the reporting of child abuse.

The operation not only allows children to tell someone they were abused but provides a comprehensive system of sexual abuse investigation, developed in South Australia, which was recognised as a benchmark throughout Australia.

Tasmania

Members of the Child Protection Unit of the Tasmania Police Hobart Criminal Investigation Branch, have continued to receive specialist training in respect of victims of child abuse and normal child development.

Child Protection Officers also attend a number of seminars, both intra and interstate, dealing with child abuse.

Northern Territory

Two members from the Northern Territory Police Criminal Investigation Branch attended interstate courses on child abuse. On their return to the Northern Territory in mid 1992, the members, in conjunction with the Northern Territory Police College, ran a two week 'Sexual Offences and Child Abuse Investigations Course'. The course included training and lectures from a Child Psychiatrist, a Paediatrician, a Doctor from the Sexual Assault Investigation Centre, Royal Darwin Hospital and experienced detectives in the field of sexual offences. The course was attended by police investigators from throughout the Northern Territory. Another course was considered for 1993.

Australian Capital Territory

The ACT Government supports the need for training police in recognising and dealing with child abuse and related issues.

A ten-day Sexual Offences Investigator Course is conducted by the Australian Federal Police Training Department for members attached to, or who are seeking attachment to, the AFP Sexual Assault Unit and the Juvenile Aid Bureau to equip those concerned with an advanced level of knowledge and skills to conduct investigations involving sexual offences. The course, which also covers sexual and psychological abuse of children, is addressed by a number of agencies concerned with child abuse.

It should be noted that the Child and Adolescent Unit of ACT Health is active in the provision of training to workers in the criminal justice system, and in particular the AFP. This training involves in-service and pre-service training in aspects of child development.

Recommendation 83.

Urgent attention should be given to improving procedures in investigating allegations of the sexual abuse of children. This should entail closer liaison between police and other workers concerning interviews with the alleged victim, and the provision of training in interviewing techniques. Consideration should be given to the use of video recording techniques.

Commonwealth

Refer to response to Recommendation 82.

New South Wales

The Interviewing Children And Recording Evidence (ICARE) pilot project was conducted by the New South Wales Police Service in the Newcastle area with participation by officers of the New South Wales Department of Community Services.

The New South Wales Police Service is co-ordinating a report on the pilot project's outcomes with input from other New South Wales Government agencies: the Department of Community Services; Department of Health; Attorney General's Department; Director of Public Prosecutions and the New South Wales Child Protection Council. The report will make recommendations about the value of video taping children's evidence in improving services to child victims of sexual assault.

Victoria

Police have established a Child Exploitation Unit and the former Community Services Victoria and the police were discussing ways to improve co-operative investigation and training. A protocol for procedures of child abuse investigation was developed and implemented. In addition, the Department of Health and Community Services has substantially expanded its training of child protection staff in the investigation of child sexual abuse over recent years. Specialist training in the area of child sexual abuse investigations has continued throughout 1992.

Police video tape statements by victims in cases of child abuse and provide training for investigators of such abuse. Amendments to the *Evidence Act 1958*, in clause 11 of the *Crimes (Sexual Offences) Act 1991*, allow audio- or video-recorded statements of prosecution witnesses under the age of eighteen years to be admitted as evidence-in-chief in cases of sexual assault or violence.

Police continue to maintain a Child Exploitation Unit. The introduction of 'single-tracking' for child abuse increased the role played by the former Community Services Victoria and has meant that police now primarily investigate only child abuse which involves other offences or child sexual abuse. Protocols were developed which allow social workers and the police to operate co-operatively and to conduct joint investigations when appropriate. The Child Exploitation Unit conducts training sessions for Child Protection Workers when required.

Queensland

In Queensland, Suspected Child Abuse and Neglect (SCAN) teams investigate child abuse complaints. These teams consist of doctors, child care officers and specialist police officers. The Evidence Act enables the production of video recorded interviews with child victims as evidence.

Legislation was proclaimed in July 1989 that enabled video-taping to be introduced as part of court evidence in certain cases. A training program was developed under the auspices of the Coordinating Committee on Child Abuse, a multi-disciplinary team and a Police Manual provides policy guidelines for recording evidence. The Manual was updated over time and will be further refined in the near future. These measures provide assistance to police officers and Family Services workers in how to interview children and record evidence in sexual abuse investigations.

Western Australia

The Western Australia Department for Community Development (DCD) has reciprocal policies and procedures with the Police Department in relation to investigating all types of abuse. Where DCD receives an allegation of sexual abuse it passes the details on to the police. DCD also has reciprocal policies with the primary children's hospital.

Plans are underway to develop and improve staff skills in interviewing children and then to embark upon videoing disclosures of abuse for the purpose of presenting them to the Children's Court during Care and Protection Applications.

South Australia

The Legislative Council has established a Select Committee to examine and report on child protection policies, practices and procedures in South Australia. The South Australia Police Department has made a representation to the Select Committee in this regard. The Committee is evaluating liaisons between police and other government agencies, and the feasibility both legally and technically of using video recording techniques.

Tasmania

Police Child Protection Officers meet on a weekly basis with a multi-disciplinary committee in relation to reported cases of child abuse and neglect.

Special attention is given to interviewing procedures of children and the use of video recording techniques.

Northern Territory

This issue is recognised as one of the most important areas of the law in need of reform, and is under review by both the Department of Law and Police. Consideration is being given to the use of video recording techniques in dealing with cases of sexual abuse against children.

A draft discussion paper was prepared by the Department of Law and was distributed to relevant departments and organisations for comment.

One Northern Territory Police officer won a fellowship to study a multi-disciplinary approach to child abuse in New Zealand, Canada and the United States. Included in the training was video interviewing of child victims and the giving of evidence by video in courts. The police officer is preparing a protocol for police and welfare workers in handling child abuse matters.

Australian Capital Territory

The Government supports this recommendation and has established a consultative mechanism for ensuring liaison between police and other agencies in this regard.

Family Services has defined protocols which require close liaison with the Police Sexual Assault Unit and the Hospital Child at Risk Assessment Unit. Video recording of interviews and joint interviews by the investigative agencies are utilised to minimise the trauma of abused children who would usually be subjected to multiple interviews.

The *Evidence (Closed Circuit Television) Act 1989* enables evidence given by a child in proceedings in the Magistrates Court, Coroners Court, Children's Court or proceedings under the Domestic Violence Act to be observed and heard on a closed circuit television system.

Comments relating to Recommendation 82 also apply.

Violence By And Against Police

Recommendation 84.

Counselling and psychological services should be available and accessible to all police officers.

Commonwealth

Australian Federal Police practice generally incorporates this recommendation in its operations and occupational health and safety procedures.

New South Wales

The New South Wales Police Service employs four psychologists who provide counselling and psychological services to all New South Wales police officers involved in critical incidents, as part of the de-briefing procedure. In addition, Peer Support Officers programs are now in place across the state, to provide local support.

Victoria

The Victoria Police Force continues to operate a psychology unit, which provides counselling and psychological services to all police officers as required.

Queensland

The Queensland Police Service provides a range of counselling services to all members. These services include counselling by either professional welfare officers or ministers of religion with referral to other specialists when necessary.

Western Australia

The only change in this area is the appointment of a full time police chaplain, officially inducted as a member of the Western Australia police force.

South Australia

The Police Psychology Branch provides post-trauma counselling to police officers involved in traumatic situations.

Police receive training in all relevant aspects of firearms use. Safety issues relating to firearms are constantly emphasised. The use of firearms by police is strictly controlled by general orders and rigidly enforced by supervisors and senior police. Firearms are not permitted to be worn in 'sensitive areas' or on occasions when it is deemed unnecessary.

Persons who desire to join STAR Force, where special weapons are used, undergo rigorous and extensive psychological screening.

Any breaches of standards or guide-lines through the use of a firearm by police are dealt with by the appropriate criminal or civil law or breach of discipline infringed. Members involved in major critical incidents, such as fatal shootings, receive critical incident stress debriefing.

Refer to response to Recommendation 82.

Tasmania

Counselling and psychological services are available and accessible to police officers.

Northern Territory

This need has already been identified, but due to the small size of the Northern Territory Police it has not been considered viable to appoint an in-house counsellor or psychological staff. However, the department has access to a clinical psychologist who has undergone specialist training in critical incident stress debriefing. She is available (on call) twenty-four hours a day to provide support and counselling to employees who experience some form of post-traumatic stress reaction. The psychologist was to be paid a retainer in 1991/92 and appointed as a departmental consultant.

Police chaplains were appointed in Darwin and Alice Springs and members may consult with them if they so desire. Use is also made of the Department of Health resources, when necessary.

Critical incident stress debriefing and counselling support is also available from the Northern Territory Employee Assistant Service, which operates under a tripartite agreement between the Trades and Labour Council, the Australian Federation of Industry and the Governments of the Commonwealth, the States and Territories.

Australian Capital Territory

The ACT Government supports the recommendation, noting that the AFP provides extensive medical and psychological counselling support to members as part of its vigorous occupational health and safety program.

ACT Health also provides Critical Incident Stress Debriefing to workers who have experienced trauma in the course of their work. This service is available to police, ambulance, hospital and fire brigade workers.

Police Use Of Force

Recommendation 85.

All governments should recognise and support:

Recommendation 85.1

- Uniform laws throughout Australia regarding the use of firearms and other lethal force by police. These laws should reflect the principle that lethal force should only be used as a last resort, involving self defence or the defence of others.

Commonwealth

The Australian Federal Police procedures and practices support the principles contained in this recommendation.

On 22 May 1993 the Australasian Police Ministers' Council (APMC) considered a report from the Police Commissioners' Policy Advisory Group (PCPAG) on guidelines for police use of lethal force, which had been prepared in response to this recommendation. The guidelines were modelled, as far as possible, on the United Nations Guidelines 'Basic Principles on the Use of Force and Firearms by Law Enforcement Officials'. Where appropriate, however, prevailing local guidelines were preferred where their standard exceeded that adopted by the United Nations. The APMC resolved to adopt the guidelines as minimum national standards on the use of firearms and other lethal force by police. They form the basis of operational instructions for individual police jurisdictions throughout the country. These minimum guidelines are able to be built on if necessary by individual jurisdictions in their administrative and operational procedures.

National Guidelines for the Use of Lethal Force by Police

The following guidelines are a minimum national standard for the use of lethal force by police.

General principles

- * Pursuant to their responsibilities, police officers will only resort to the use of force when strictly necessary and to the extent required for the performance of their duty.
- * Police should use the minimal amount of force necessary to effect arrest and apprehension.

Use of lethal force

1. Police officers will not use firearms against another person except in self-defence or the defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a

person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.

2. In the circumstances provided above police shall, where the circumstances permit:
 - (a) identify themselves as police;
 - (b) give a clear warning of their intent to use firearms;
 - (c) ensure there is sufficient time for the warning to be observed before using firearms unless it would
 - (i) unduly place police at risk;
 - (ii) create a risk of death or serious harm to other persons; or
 - (iii) be clearly inappropriate or pointless in the circumstances of the incident;
 - (d) not fire warning shots.
3. When the use of lethal force is necessary, police will:
 - (a) exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;
 - (b) minimise damage and injury and respect and preserve human life;
 - (c) ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible opportunity;
 - (d) ensure that a relative or close friend of the injured or affected person is notified at the earliest possible opportunity.
4. Police will report promptly to their superiors, in accordance with established procedures, all instances involving the use of lethal force causing death or injury.
5. Police may use lethal force (other than by use of firearms) in accordance with their training and with reasoned discretion.

Training

Police management will provide ongoing training for all police officers in accordance with these guidelines. All training programs and operational procedures will be regularly reviewed and evaluated in the light of relevant incidents.

Training will include special attention to human rights and ethical issues in the use of force, alternatives including the peaceful settlement of conflict, the understanding of crowd behaviour, methods of persuasion, negotiation and mediation.

Counselling

Police management will ensure that stress counselling is available to all police involved in situations where firearms or force are used.

Independent review

Police management will ensure that the use of lethal force causing death or injury, is reviewable by independent processes appropriate to each jurisdiction.

It should also be carefully noted that a police officer will not be able to rely on a defence that he/she is only following superior orders, if it can be clearly shown that such orders were 'manifestly unlawful and the officer had a reasonable opportunity to refuse to follow it'. In any case, responsibility also rests on the superiors who gave the unlawful orders.

New South Wales

At its meeting on 22 May 1992 the Australasian Police Ministers Council resolved to adopt guide-lines developed by the Police Commissioners Policy Advisory Group on minimum national standards on the use of firearms and other lethal force by police.

Victoria

Victoria Police Force Instruction (Force Circular Memorandum 92-2-19), which regulates the use of firearms by police officers, reflects this recommendation.

Queensland

Uniform guidelines regarding the use of lethal force by police were endorsed by the Conference of Commissioners of Australasia and the South West Pacific Region. These guidelines were distributed to Queensland Police.

South Australia

The use of firearms and force by police is strictly controlled by general orders and rigidly enforced by supervisors and senior police. Lethal force is only condoned as a last resort, involving self-defence and defence of others.

The criminal law *Consolidation (Self defence) Amendment Act 1991* sets out the law on self-defence and reflects the principle that lethal force should only be used as a last resort, involving self-defence and the defence of others.

Tasmania

Tasmania introduced gun control legislation in the form of the *Guns Act 1991*, which replaced the *Firearms Act 1932*. This new legislation is not completely uniform with similar legislation in other states; nevertheless, the legislation exercises much more control over firearm ownership, sales and use than previous law.

Northern Territory

Section 28 of the Criminal Code governs the use of force which is likely to cause death or grievous harm and is consistent with this recommendation. Any move towards uniform laws of this nature would be strongly supported.

Australian Capital Territory

The ACT Government supports the recommendation and is aware that Ministers resolved at the Australian Police Ministers Council meeting on 22 May 1992 to adopt the guide-lines developed by the Police Commissioners Policy Advisory Group as minimum national standards on the use of firearms and other lethal police force.

The Government support these guide-lines noting the importance of jurisdictional uniformity in the use of firearms and other lethal force by police.

The AFP *Policy and Procedures on Police use of Force* are consistent with this recommendation. Further, current policy and practices applying within the AFP generally meet or exceed the standards contained in the aforementioned guide-lines.

Recommendation 85.2

The provision of adequate resources (including funding) to ensure police receive adequate training in the use of firearms and non-lethal weapons. This training should also include non-violent restraint and conflict resolution strategies.

Commonwealth

The Commonwealth supports this recommendation. Australian Federal Police firearms training is designed not only to provide members with firearms safety and use skills, but also, through the use of the latest training technology, to enhance a member's knowledge and decision making relating to when the use of lethal force is required.

New South Wales

The New South Wales Police Service's Police Recruit Education Program (PREP) provides detailed training to new police officers on the use of lethal force, with emphasis on the use of non-violent restraint techniques. Additionally, all operational police attend refresher courses on both firearm use and non-violent restraint techniques.

Victoria

A Firearms and Operational Survival Training Unit was established by Victoria Police with funding provided in the 1990/1991 State Budget. The Unit continues to operate within Victoria Police.

Queensland

Training for new recruits to the Queensland Police Service now includes tertiary level studies through the Queensland University of Technology (QUT) and Griffith University. Mediation, human relations and conflict resolution skills are core elements of that training. In addition significant training in non-violent restraint and firearm use is provided through the Police Academy.

Ongoing in-service professional development for police officers is under review with a new curriculum in the formative stage. This will also include detailed non-violent approaches to conflict resolution and regular firearm training.

Tasmania

Police training in the use of firearms has been the subject of a total review and upgrading. New procedures have now been implemented although non-lethal weapons have not been addressed.

Northern Territory

The matter of firearm training is presently under review in the Northern Territory. A project is underway which intends, as one of its aims, to completely review the Northern Territory Police firearms training standard. As a consequence a new standard will be adopted, probably before the commencement of the 1993/94 financial year. Training will commence to this standard as soon as practicable.

Non-lethal weapon restraint training was regularly taught as part of recruit training over the past nine years. In mid-1990 an instructor cadre in this subject involving six police members received specialist training. These members are used for continued recruit training and also to form a future regional training nucleus for regular retraining of operational members.

Australian Capital Territory

The ACT Government supports the recommendation noting that jurisdictional uniformity amongst law enforcement agencies is difficult to obtain and that the matter was to be considered by the Australian Police Ministers Council. The AFP's policy and procedures on police use of force are covered by AFP General Orders and General Instructions. These policies are consistent with the recommendation.

Recommendation 85.3

A requirement that wherever practical, a Coroner personally attends the scene of any fatality involving the use of lethal force by police.

New South Wales

In the event of a death occurring as a result of the use of lethal force by police, the practice is that the Duty Operations Inspector at Police Headquarters would notify, as quickly as possible, the State Coroner and the Coronial Investigation Unit (on secondment to the Attorney General's Department); or, if the State Coroner could not be contacted, the Deputy State Coroner. Whether or not the State Coroner or Deputy State Coroner would attend the scene where the facility occurred, shortly after notification, would depend on the circumstances of each case. In particular, it would depend on whether it is likely that an indictable charge may be laid, as the Coroner does not become involved if an indictable charge was laid in connection with a death.

Victoria

Victoria Police Force Instructions (Operating Procedures Manual, chapter 9) requires the State Coroner to be notified in such cases. In practice, the Coroner attends personally, all scenes of fatalities involving the use by police of lethal force.

Queensland

Within the Queensland Police Service, the Professional Standards Unit (Internal Investigations) and the Homicide Squad are required to investigate where a fatality occurs as a result of lethal force used by police. Under current law, the Criminal Justice Commission has the authority to take responsibility for, or overview police investigations of fatal incidents involving police. Such incidents would eventually be subject to a coroner's inquiry. It is noted that a review of the Coroner's Act is underway and new policy and procedures are likely to emerge from that process.

South Australia

At present there is no such policy for the coroner to personally attend the scene of a fatality involving the use of lethal force by police, nor has any need been identified previously for such a policy.

Tasmania

Coroners attend fatalities involving the use of lethal force by police.

Northern Territory

Whilst this recommendation is supported in principle, this matter will need to be reviewed by the Department of Law, particularly having regard to the resource implications that may follow.

Australian Capital Territory

The ACT Government supports the recommendation. This is normal practice in ACT.

Recommendation 85.4

The provision of funding for the development and deployment of non-lethal incapacitating weapons for use in appropriate situations, bearing in mind the desirability of eventually excluding the use of all weapons capable of causing death or serious injury to persons. The development and deployment of non-lethal weapons should be carefully evaluated, to ensure they minimise the risk of injury to bystanders, suspects, and police.

Commonwealth

The Commonwealth will ask the National Police Research Unit (NPRU) to evaluate the possibility of greater use of non-lethal weapons. The NPRU is working on the development of national minimum standards for police firearms training. These standards will cover training on the use of non-lethal weapons.

The Australian Federal Police (AFP) only deploys weapons after thorough evaluation. The NPRU also undertakes equipment evaluation on behalf of all Australian police forces. The Commonwealth provides a third of the funding for the NPRU.

At the Commonwealth level, policy and procedures on police use of force are covered by AFP General Orders and General Instructions. The Australian Capital Territory Region is of course covered by these policies, which adequately cover these issues.

New South Wales

The National Police Research Unit Board of Control approved a project to examine present standards of firearms training with a view to developing recommended minimum national standards relation to the validation and accreditation of firearms training and use of other weapons including non-lethal weapons.

This project is progressing in three phases with the phase I considering a standardised approach to firearms training and the development of national competency standards. Phase II will report on safety and judgemental aspects of firearms handling whilst Phase III is planned to address the question of non-lethal weapons.

It was expected that Phase III would commence in October 1993 with a report being presented to the Board of Control in March 1994.

Victoria

The National Police Research Unit, Victoria Police Firearms and Operational Survival Training Unit were discussing research into non-lethal weapons. The Victoria Police Force Firearms and Operational Survival Training Unit is also undertaking research into non-lethal weapons.

Queensland

The National Police Research Unit is undertaking a study of non-lethal incapacitating weapons.

South Australia

In regard to the level of funding or other commitment to provide for the development and deployment of non-lethal incapacitating weapons (batons or handcuffs for example), the South Australia Police Department does not have any set specific funding for the development and deployment of non-lethal weapons. The purchase of such weapons is on a needs basis, and training in the use of such is part of normal training procedures. The Department, from time to time, evaluates such weapons as part of normal departmental procedures.

Tasmania

Tasmania Police supports, in principle, the concept of non-lethal weapons capable of incapacitating rather than causing death or serious injury.

Northern Territory

The Northern Territory Police rely upon evaluations carried out by the National Police Research Unit and the larger Australian police forces. Such weapons would not be deployed until they were fully evaluated.

Australian Capital Territory

The ACT Government supports in principle the concept of non-lethal incapacitating weapons subject to rigorous evaluation.

The development of such weapons is not a cost effective enterprise for the AFP particularly in relation to the ACT. The AFP deploys weapons only after thorough evaluation drawing on the experience of other police forces within Australia and overseas.

Recommendation 86.

All police administrators should:

Recommendation 86.1

- Adopt and implement rules and regulations strictly limiting the use of force and firearms. These should emphasise the principle that the use of force and firearms by law enforcement personnel should be proportionate to the legitimate objectives to be achieved, and commensurate with due respect for human rights. In addition, wherever the use of force or firearms is unavoidable, law enforcement personnel should in all cases minimise damage, respect and preserve human life and ensure that assistance and medical aid is rendered to any injured or affected persons at the earliest possible moment.

New South Wales

New South Wales Police Commissioner's Instructions strictly regulate the use of force and firearms and require that medical aid be rendered as soon as possible. The notion that police should shoot to wound is rejected for, by having such an instruction, police would be more likely to use firearms. The Commissioner's Instructions essentially state that police are to shoot only if they have a justifiable belief that they or a member of the community is in imminent danger of being killed. See also the comment on Recommendation 85.1.

Victoria

Police Standing Order 4.8 states that police are not to use unnecessary force, and the dignity of persons must be respected at all times.

Queensland

Instructions exist in relation to the use of force by Queensland Police. A breach of these instructions may constitute a breach of discipline and can also amount to a criminal offence if force is used contrary to the provisions of the Criminal Code.

South Australia

As stated previously, the use of firearms and force by police is strictly controlled by general orders and rigidly enforced by supervisors and senior police. Emphasis is placed on the desirability of preserving and protecting life and using other means of resolution. In the event that firearms are used, guide-lines clearly outline members' responsibilities to assist and ensure medical aid is rendered promptly.

Tasmania

Standing Orders exist restricting and limiting the use of force and firearms.

Northern Territory

Rules and regulations limiting the use of force and firearms are in place by virtue of legislation, specifically sections 27, 28, 154 and 155 of the Northern Territory Criminal Code and Police General Orders. In the latter the legal implications on the use of firearms is explained and members must not use firearms in circumstances which are likely to kill or injure except in extreme circumstances. If a firearms is used in such circumstances, any action is the subject of a thorough, objective and independent investigation. In fact a member must report every instance when he or she discharges a firearm whilst on duty.

The Northern Territory review being conducted on lethal and non-lethal weapons will address the issue of accountability in the use of force and weapons in general. Any final recommendations in this regard are likely to be additional to current arrangements in place rather than as a substitute for them.

Recommendation 86.2

- Develop and implement a code of conduct for law enforcement personnel which specifies that personnel may use force only when strictly necessary and to the extent required for the performance of their duty.

New South Wales

The National Police Working Party on Law Reform has recommended that the National Police Code of Ethics be amended by the inclusion of a penultimate paragraph in the following terms - 'In the pursuit of their responsibilities police officers will resort to the use of force only when strictly necessary and to the extent required for the performance of their duty'.

New South Wales Police Service supports the recommendation.

Victoria

A code of conduct with respect to the use of force by police officers is contained in Force Circular Memorandum 92-2-19 (use of firearms) and Standing Order 4.8 (use of force). These documents are consistent with the recommendation.

Refer also to response to Recommendation 86.1.

Queensland

This recommendation was included in the National Police Code of Ethics.

South Australia

General Order 3065/2.2 states that when a police officer is effecting an arrest, it should be 'executed with the minimum of force and that unnecessary use of force or restraint is avoided'.

Further general orders deal specifically with the use of weapons, for example, batons and firearms.

The South Australia Police Department would welcome and support a code of conduct Australia-wide as to the use of force only when necessary as that is the attitude which is adopted within the South Australia Police Department.

Tasmania

See Recommendation 86.1.

Northern Territory

Besides legislation and General Orders members are expected to follow a Statement of Ethics promulgated by the Commissioner of Police which is consistent with the Northern Territory Police Mission Statement 'To Serve and Protect'.

Recommendation 86.3

- Keep the ethical issues associated with the use of force and firearms continuously under review.

Commonwealth

The Commonwealth supports this recommendation in principle and will investigate its feasibility at the Australian Police Ministers Council.

New South Wales

The Office of Professional Responsibility within the New South Wales Police Service investigates every incident where firearms are used by police.

Victoria

The Victoria Police Firearms Operational Survival Training Unit is responsible for reviewing ethical issues associated with use of force and firearms.

Queensland

These issues are subject to continuous review.

South Australia

The South Australia Police Department has accepted, in principle, the United Nations resolution on the Code of Principles on 'Use of Force and Firearms by Law Enforcement Officials'.

The South Australia Police Department was an active participant in research conducted by Professor Harding of the Western Australia University and endorsed the recommended principles 1-24.

As a result Assistant Commissioner instituted an Advisory Committee on the Use of Firearms (PCO 47/1/403303). This committee meets twice a year or when required.

The Firearms Practice Review Committee reviews training procedures with the Firearms Practice Schedule implemented in 1988.

Tasmania

Ethical issues associated with the use of force and firearms are continually under review.

Northern Territory

Police executive and management carry out this recommendation in normal, administrative practice. The Northern Territory police review being conducted on lethal and non lethal weapons will also address the issue of accountability in the use of force and weapons generally.

Australian Capital Territory

The ACT Government supports Recommendations 86.1, 86.2 and 86.3 noting that the AFP is a Federal agency.

Recommendation 86.4

- Adopt a nationally agreed set of guide-lines outlining standard operational procedures for police to be deployed in situations assessed as high risk;

Commonwealth

The Commonwealth supports this recommendation in principle and will investigate its feasibility at the Australian Police Ministers Council.

New South Wales

At its meeting on 20 November 1992 the Australasian Police Ministers Council resolved to endorse guide-lines developed by the National Police Research Unit on the deployment of police in high risk situations.

Victoria

This recommendation was endorsed by the Australian Police Ministers Council in May 1991.

The Australian Police Ministers Council adopted a set of national guide-lines outlining standard operational procedures for police to be deployed in situations assessed as high risk. These guide-lines will be adopted on a State/Territory basis. Internal Operating Procedures for Victoria Police comply with those guide-lines.

Queensland

This matter was researched by the National Police Research Unit and draft guidelines were circulated to all police jurisdictions for consideration.

South Australia

Set guide-lines are adopted by police attached to STAR Force, who are deployed in high risk situations; there are various such operational practices and procedures. These are not available for general transmission outside the South Australia Police Department, but may upon special request be made available.

Tasmania

Tasmania Police have undertaken a review of its procedures relating to deployment of police in high risk situations and new procedures were formulated.

Northern Territory

The principles imposed in these recommendations are supported, though the difficulties involved in some aspects are recognised. Several provisions of the Criminal Code, specifically Sections 27, 28, 154 and 155 govern the use of force, and the members' actions would be the subject of close scrutiny. Police officers must not act in a manner which is not justified.

National uniform guide-lines for the development of police in high risk situations were drafted by the National Police Research Unit. The Northern Territory police are cooperating in the process of formalising the guide-lines.

Australian Capital Territory

The ACT Government supports the recommendation noting that it is an issue which is to be considered by the Australian Police Ministers Council.

Recommendation 86.5

- Conduct research on the desirability of psychological screening and on-going assessment of members and prospective members of police special weapons and operational groups;**

Commonwealth

The Australian Federal Police carries out initial psychological screening of all new members and undertakes further psychological assessment of prospective members of special weapons and operational groups.

New South Wales

The State Protection Group, which is a unit within the New South Wales Police Service, responds to high risk situations. All members of the State Protection Group undergo a psychological assessment prior to entry into the unit. The psychological assessment of each officer in the State Protection Group, both tactical members and negotiators, is reviewed annually.

Victoria

All applicants for specialist weapons groups undergo psychological assessment prior to acceptance into these squads. There is no formal program for ongoing assessment of members although the police psychologist is available for consultation by any member. In the event that a possible 'psychological problem' is identified by senior officers in the group, the member is referred to the psychology unit for counselling.

Queensland

This screening process is being applied.

South Australia

Persons who desire to join STAR Force, where special weapons are used, undergo rigorous and extensive psychological screening. This type of assessment continues if a person joins STAR Force.

Tasmania

Psychological screening already exists in respect of prospective members of the Police Special Operations Group.

Northern Territory

No research was conducted by the Northern Territory Police. However, prospective members of the Northern Territory Police Task Force undergo a three-day course to assess their suitability, including psychological suitability, prior to being transferred to the group. Ongoing assessment by supervisors and commissioned officers of members in the Task Force is routinely carried out as members perform duties assigned to them.

This forum has examined, *inter alia*, police practice and procedures since 1989. The Task Force will continue to monitor and provide continuous ongoing evaluation of the domestic violence package, and this Department will continue to be receptive to any recommendations made by this group.

Australian Capital Territory

The ACT Government supports the recommendation noting that screening is already provided for in selection processes in the Australian Federal Police.

Recommendation 86.6

- Develop national minimum standards relating to the validation and accreditation of firearms training and use of other weapons, including non-lethal weapons;

Commonwealth

The Commonwealth supports this recommendation in principle. This recommendation was referred to the National Police Research Unit.

New South Wales

Police officers in the New South Wales Police Service receive extensive training in the use of their weapons.

Any person wishing to apply for a New South Wales firearms licence must successfully complete the Firearms Safety Awareness Course. This course is validated by the New South Wales Police Service. It should be noted, however, that the course tests knowledge of firearms safety, and does not provide training in the use of firearms.

Victoria

The Firearms Operational Survival Training Unit is responsible for firearms training. This Unit has accreditation to international standards.

Queensland

Currently under examination by the National Police Research Unit.

Tasmania

In Tasmania, from 1 January 1993, all persons seeking new firearms licences will be required to undertake a Firearms Safety Awareness Course before a licence will be issued.

Northern Territory

The matter of firearm training is presently under review in the Northern Territory Police as a result of the introduction of a new firearm for issue to police officers. The review is because of the recommendation of the Northern Territory Police Firearms Review Committee, and recommendations of a National Police Research Unit paper on the subject of National Police Firearms Training Standards. The final report on this subject from the NPRU has not been released to date, but the Northern Territory Police have commented on the final draft of the report.

A project is presently underway which has as one of its aims to completely review the firearms training standard in light of both the Northern Territory police and NPRU reports. As a consequence a new standard will be adopted, probably before the commencement of the 1993/94 financial year. Training will then commence to this standard as soon as practicable. The issue of accreditation of members in the use of firearms is an integral part of the review process.

Non-Lethal Weapons

The project which includes the reviewing of Northern Territory Police firearms training is also tasked with a review of all lethal and non lethal weapons training issues. There may be some changes to the training which was conducted in this regard for the past ten years. However the changes will be in detail only and not likely to be changes in principal. The changes required are necessary because of likely changes to non-lethal weapons such as batons issued to police officers. The matter of accreditation of police officers using non-lethal weapons is an integral part of the project.

Australian Capital Territory

The ACT Government supports the recommendation and notes that the matter was referred to the National Police Research Unit.

Recommendation 86.7

- Ensure, following incidents where a person dies or was seriously injured through the use of force by police, that there is a thorough investigation of the incident by police independent of those involved in the incident;

Commonwealth

The Commonwealth supports this recommendation. Australian Federal Police procedures and practices are consistent with the recommendation.

New South Wales

The New South Wales Police Service's Internal Affairs Branch conducts a comprehensive investigation whenever a person was seriously injured through the use of force by police. Police conducting such an investigation are independent of the police involved in the incident.

If a complaint is lodged, the matter may be investigated by the New South Wales Ombudsman.

Victoria

All incidents where a person dies or is seriously injured through use of force by police, are investigated by the Internal Investigation Department of the Victoria Police.

Queensland

An independent investigation is always carried out when these type of incidents occur. Under current law, the Criminal Justice Commission is to be informed of all incidents where death or injury has resulted from situations involving Queensland Police. The Criminal Justice Commission may exercise its authority to take responsibility for the investigation or overview of a police investigation.

South Australia

The Internal Investigation Branch, South Australia Police, has the responsibility of administration of incidents in which police firearms are used (excluding destruction of animals) and investigation of any person killed, injured or placed in danger. The results of such investigations are reported directly to the Commissioner.

A 'Firearms Incident Investigation Manual' is being finalised for use by Internal Investigation investigators when conducting enquiries into these incidents.

Tasmania

Provisions exist for a thorough investigation by police independent of those involved in an incident where a person has died from the use of force by police.

Northern Territory

An independent, internal investigation is always carried out into every incident where a person has died or been seriously injured through the use of force by police. Under the Coroner's Act an inquest must be held whenever a person dies: a violent or unnatural death; in a prison or police prison; in the custody of a member of the police, or under any circumstances that, in the opinion of the Minister, requires the manner and cause of death to be more clearly and definitely ascertained.

Australian Capital Territory

The ACT Government supports the recommendation. The AFP has advised that, based on the Commissioner's assessment of the situation, he may determine that the police investigation into the incident will be superimposed by a senior officer conducting an inquiry, with the Internal Investigation Division overseeing the matter. Alternatively, the Commissioner may decide to request another police force to assist with the investigation.

Recommendation 86.8

- Take appropriate action where arbitrary or abusive use of force or firearms by law enforcement personnel has occurred;

Commonwealth

The Commonwealth supports this recommendation. In the case of the Australian Federal Police, there are comprehensive procedures covering conduct of the nature described in this recommendation, including a disciplinary and complaints regime under-pinned by legislation which includes an independent review by the Ombudsman.

New South Wales

Where there is sufficient evidence to substantiate doing so, the New South Wales Police Service will lay information before the courts in respect of the alleged use of arbitrary or abusive use of force or firearms by law enforcement personnel.

Victoria

The Police Internal Investigations Department investigates all allegations of arbitrary abusive use of force or firearms by police and makes recommendations as to appropriateness of internal or criminal charges. Recommendations are made as to the appropriateness of internal or criminal charges.

Queensland

Should sufficient evidence exist, appropriate criminal or disciplinary sanctions will be imposed.

South Australia

The guide-lines and legal responsibilities placed on police officers in South Australia are encompassed in police general orders and criminal law jurisdiction.

Once an investigation identifies the misuse of a firearm by a police officer or officers, the matter is adjudicated by the Disciplinary Review Officer who is responsible for any subsequent action whether disciplinary or criminal.

Tasmania

Provision already exists for appropriate action to be taken where there is arbitrary or abusive use of force or firearms by law enforcement personnel.

Northern Territory

Besides internal police investigations, the arbitrary or abusive use of force or firearms by police is generally the subject of complaints against police. Every such complaint is also sent to the Ombudsman's Office to ensure the investigation was thorough and complete. There are many recommendations that can be made at the conclusion of the investigation of a complaint against police. These include proceeding with criminal or disciplinary charges against the member concerned.

Australian Capital Territory

The ACT Government notes that there are comprehensive procedures covering such conduct including disciplinary and complaints processes under-pinned by legislation. The *Complaints (AFP) Act 1981* also provides for independent review by the Ombudsman.

Police are subject to legal proceedings where criminal action is involved.

Recommendation 86.9

- Ensure that all police involved in major critical incidents, which include the use of lethal force by police, or where the police have themselves been subjected to or engaged in a violent encounter, be subjected to critical incident stress debriefing.

Commonwealth

Australian Federal Police practice already generally incorporates this recommendation in its operations and occupational health and safety procedures.

New South Wales

The New South Wales Police Service employs psychologists and a medical officer who are involved in the debriefing of officers after major critical incidents.

Victoria

Chapter 7 of the Police Personnel Management Manual require mandatory psychological debriefing in such circumstances.

Queensland

Debriefing and counselling occurs in these circumstances.

Western Australia

Matters relating to firearms and police are being addressed at a national level by the APMC.

South Australia

Members involved in major critical incidents, such as fatal shootings, receive critical incident stress debriefing.

Tasmania

Police are required to attend critical incident stress debriefing where they are involved in incidents which include the use of lethal force by police or where police are subjected or engaged in a violent encounter.

Northern Territory

Critical incident stress debriefing (CISD) is part of normal procedure in the Northern Territory Police Department following any incident of a major stressful nature.

The department has access to a clinical psychologist who has undergone specialist training in critical incident stress debriefing. She is available (on call) twenty-four hours a day to provide support and counselling to employees who experience some form of post-traumatic stress reaction.

A number of employees have also undergone extensive training as peer debriefers and, under the guidance of the clinical psychologist, are assisting her where large scale or on-scene debriefings are required.

Additionally, further education programs on critical incident stress debriefings are being investigated and included in as many induction and staff development courses as possible.

CISD and counselling support is also available from the Northern Territory Employee Assistance Service which operates under a tri-partite agreement between the Trades and Labour Council, the Australian Confederation of Industry and the Governments of the Commonwealth, the States and the Territories.

Australian Capital Territory

The ACT Government notes that AFP practice already incorporates this recommendation in its operations and occupational health and safety procedures.

Recommendation 87.

In the event that police abuse their powers, issues relating to the liability of the Crown are complex. These issues should be reviewed by Federal, State and Territory Law Reform Commissions.

Commonwealth

This recommendation was not accepted with respect to Commonwealth liability for the Australian Federal Police.

Section 64B of the *Australian Federal Police Act 1979* provides for Commonwealth liability for the wrongful acts of members of the Australian Federal Police. This provision provides that the Commonwealth is liable for torts committed by members in the performance or purported performance of duties in the same manner as a person is liable for torts committed by employees in the course of their employment.

The recommendation will be forwarded to the various Law Reform Commissions for their consideration.

New South Wales

This approach is not supported in New South Wales because it is considered that the law is quite certain. The Police Service Act provides protection in respect of actions of police undertaken in good faith in carrying out their duties. In the event that the police abuse their powers, the Crown is vicariously liable for their actions under the provisions of the *Law Reform (Vicarious Liability) Act 1983*. This Act reasserts the common law principle in relations to the vicarious liability of employers for the acts of their employees. These principles provide that an employer is vicariously liable for tortious acts done by the employee in the course of employment. The Crown, as an employer, may be vicariously liable for the torts of its employees. The *Law Reform (Vicarious Liability) Amendment Act 1989* specifically provided that the Crown is vicariously liable for the tortious acts of persons in the service of the Crown, this covers persons in the service of the State who do not have an employee, employer relationship with the Government, such as members of the Police Force.

Victoria

This was not an issue under review at the time the former Law Reform Commission of Victoria was dissolved. It has not yet been raised with the Parliamentary Committee on Law Reform.

Queensland

The Queensland Police Service will be willing to participate in a review of crown liability.

South Australia

The situation is South Australia is that the Crown is liable for the wrongful acts of police officers where they are exercising specific duties, arrest for example. If in these cases they have acted honestly, the Crown is liable to be sued, not the individual police officers. If the police have acted in a dishonest way, they are liable to be sued personally. See section 10 *Crown Proceedings Act 1972*; section 51a Police Act; *State of South Australia v Kubicki* (1987) SASR 282.

Tasmania

Provisions exist in Tasmanian legislation in respect to liability for police acting in good faith in the course of their duties.

Where police conduct does not fall within these parameters, they are subject to the same legislative controls as other members of the public.

Northern Territory

Section 163 of the Police Administration Act has made provision for Crown liability since 1979. The Northern Territory was the first Australian jurisdiction to provide such a liability in statute.

PUBLIC SECTOR AGENCIES: COURTS

The Department of Finance has pointed out that, though most of the following recommendations relate to the States, the Commonwealth still retains the ACT Supreme Court and some of the following recommendations may therefore need to be addressed by the Commonwealth as well as by the States.

Australian Capital Territory

The ACT Government supports the recommendation that questions of liability should be examined. Because police services in the ACT are provided by the AFP under a Commonwealth Act, the liability for police abuse of powers would attach to the Commonwealth.

Evidence Of Vulnerable Victims And Witnesses

Recommendation 88.

Where they have not already done so, State Governments should establish counselling and support services for victims and witnesses along the lines of those provided by the Victoria Court Information Network.

Commonwealth

This recommendation is addressed to the State and Territory Governments.

The Department of Social Security Social Work Service is actively involved in providing assistance to clients whose social and personal circumstances render them vulnerable. This includes linking with, and referrals to, counselling and other support services.

New South Wales

The New South Wales Government has established a Victims Advisory Council, convened by the Attorney General. It is comprised of representatives, both in the government and in the community sectors, which provide services to victims of crime.

The Victims Advisory Council is responsible for the assessment and co-ordination of services provided to victims of crime (by the government and community organisations) and for ensuring, as far as possible, that available services are complementary.

In addition the Council disseminates information among service providers to promote awareness across the government and community sectors of the services available to victims. The Council advises the Government on how to address any perceived gaps in victims' services, and on any issue impacting on victims from time to time.

One of the first tasks of the Advisory Council is to advise the Government on the provision of funding for a community-based victims association. This association would be expected to provide a fully integrated counselling and assistance service to victims throughout New South Wales on a twenty-four hour basis. A 008 phone line will be available to ensure easy initial access for victims outside the metropolitan area, and the association will refer victims to specialist assistance where necessary.

Victoria

The Victorian Court Information Network (Court Network) provides assistance to people involved in court proceedings. It offers information on court procedure and legal processes, but does not give legal advice. The Court Information Network aims to provide personal assistance for victims, witnesses, accused, defendants and families or friends attending court. It also aims to increase individual and community understanding of the criminal justice system.

The Court Information Network is available at Metropolitan and Country Magistrates Courts, County and Supreme Courts, Family and Coroners Courts. It received funding from the Victorian Government through the Government's Social Justice Strategy program. In 1991/92 its budget was \$171 500.

Queensland

The Department of Justice and Attorney-General is training court staff in the current financial year to be sensitive to the trauma that victims of crime have experienced and go through when victims are required to attend the courts.

The assistance provided by court staff involves the referral of victims of crime to a support group.

In 1991 there were no counselling or support staff employed in the courts for victims of crime. However, in the Magistrates Courts of Brisbane, Beenleigh, Ipswich, Inala, Holland Park, Wynnum and Maroochydore facilities were made available to community based organisations (Catholic Social Welfare Family Support Group, Court Support Group and Friends at Court) to assist all persons required to attend the Criminal Courts. The Salvation Army has also assisted in the provision of support services for many years in Brisbane.

In the Brisbane Supreme Court the Victims of Crime organisation was permitted to use upgraded interview rooms for their purposes on each floor of the Supreme and District Courts buildings.

The Department of Justice is investigating the introduction of a notification system to all victims of crime. It is intended that they will be automatically informed of the result of the criminal case in which they were involved.

Western Australia

Implemented.

South Australia

Counselling and support services for victims are already established in South Australia.

The South Australian Government has just released a report on the Courtroom Environment and Vulnerable Witnesses.

Northern Territory

The Departments of Correctional Services and Law and the Police are conferring in order to examine the feasibility of establishing counselling and support services for victims and witnesses. The issue will be reviewed as part of the work of the Crimes Victims Advisory Committee.

Australian Capital Territory

The ACT Government supports the recommendation and has such a program already in place. The ACT runs a Court Assistance Referral Service through the Court system. The treatment of victims in the criminal justice system was referred to the ACT Community Law Reform Committee.

The ACT Law Reform Committee is considering the Victorian Court Information Network in the context of its investigation into victims of crime. An information brochure on existing counselling and support services in the ACT has also been prepared for distribution to victims of crime.

Recommendation 89.

Jurisdictions should undertake pilot testing of various law reform proposals involving the testimony of child witnesses. These should include video-links, screens, and other modifications to the courtroom environment, to reduce the stress and trauma experienced by the child witness, and to enhance the accuracy and reliability of a child witness' testimony.

Commonwealth

While the Commonwealth has established in the Australian Capital Territory (ACT) a pilot program on testimony of child witnesses, responsibility for this program will shortly be passed to the ACT Government.

New South Wales

The New South Wales *Crimes Act 1990* was amended in 1990 to give legislative authority to courts to use closed-circuit television facilities and screens, and to make other arrangements for child victim's evidence.

The use of screens was examined in 1991 and screens were subsequently distributed to courts throughout the State to provide an economic means of reducing by some degree the stress and trauma experienced by a child witness.

The use of closed-circuit television was also tested that same year and was extended to a number of courts distributed strategically across the State.

It is common in sexual assault and abuse cases for the child to be accompanied by a support person. In addition, the Office of the Director of Public Prosecutions (DPP) has a program with the Department of Health to prepare children for court. A video called 'Going to Court' was produced last year to be used specifically to assist preparing children to give evidence and was provided to the DPP for use in their program.

The New South Wales Department of Courts Administration is about to embark on a project to install facilities in courts to allow videotaped interviews of suspected persons to be replayed to court in evidence.

Victoria

The *Crimes (Sexual Offences) Act 1991*, which addresses the content of this recommendation, was proclaimed on 5 August 1991. The Act allows for children to give unsworn evidence; removes the necessity for corroboration of a child's evidence; and allows for children's evidence to be given by closed circuit television.

Some sections of the Act have yet to be proclaimed to allow for persons responsible for implicating the provisions to receive training and for departmental guide-lines and procedures to be established.

Queensland

Two-way videos for the hearing of evidence of special witnesses, including children were installed in the Supreme Courts, the District Courts and nine major Magistrates Courts.

South Australia

The Education Department's views are reflected in the following recommendations of the South Australian Government Task Force on Child Abuse, 1986, that:

- * the Attorney-General develop policies and procedures aimed at lessening the impact of the courtroom environment on victims of child sexual abuse and ensuring that proceedings for child sexual abuse are conducted in a manner which reflects the special needs of the child victim;
- * the alleged victim of child sexual abuse be entitled to have present in court, in visual contact and in close proximity, a support person of his or her choice provided that person does not interfere with the giving of evidence and is in full view of the judge, prosecutor and defence counsel;
- * the support person should be allowed to remain in court even when an order for closure of the court is made by the judge;
- * urgent consideration be given to the arrangement of the courtroom for adequate protection of the child victim. In particular, visual contact between the victim and the accused should be minimised and physical distance between them should be maximised. A minority of Task Force members favoured removal of the accused from the courtroom while the victim is giving evidence. As a less ideal alternative, a minority of Task Force members recommended introduction of screens; and
- * courts be adjourned when a child victim is called so that the child has a chance to adapt to the courtroom.

It is likely this issue will receive attention in the near future. The Attorney-General is awaiting a report from England which analyses the United Kingdom experience with video-links for child witnesses. The program appears successful, and may be used as a model for a similar program in South Australia.

The South Australian Government has released a report on the Courtroom Environment and Vulnerable Witnesses.

Tasmania

The Department of Justice is giving consideration to a number of Law Reform proposals involving changes to the way in which the evidence of children and other vulnerable witnesses is given in criminal proceedings in order to prevent emotional trauma and stress. This would include, amongst other things, the use of screens, videotaping, closed circuit television and closed courts.

Northern Territory

This subject is presently under active consideration. The necessary technology will be available in the new Supreme Court building.

Australian Capital Territory

The ACT Government supports the recommendation.

The ACT Government, through the ACT Magistrates Court, leads the rest of Australia in providing for the video linking of child witnesses in criminal cases. ACT legislation provides for the video linking of child witnesses in proceedings involving child witnesses. The Australian Law Reform Commission is evaluating the ACT legislation and the testimony given by children in a number of actual cases. The report is soon to be published.

Court Administrators And Judicial Officers

Recommendation 90.

The Australian Institute of Judicial Administration should provide for the continuing education of judicial officers in matters relating to victims of violence generally, and victims of domestic violence, sexual assault and child abuse in particular.

Commonwealth

The Commonwealth has referred this recommendation to the Australian Institute of Judicial Administration for consideration.

Also refer to response to Recommendation 14.

New South Wales

Not supported. The New South Wales Judicial Commission has responsibility for this matter in New South Wales.

The New South Wales Judicial Commission provides educational programs specially tailored for judges and magistrates; organises seminars where a judicial officer is able to assist his colleagues in some aspect of the law or judicial administration; produces a Judicial Officers Bulletin containing information on new legislation, recent court decisions and book reviews; and produces Bench Books containing practical information, including suggested jury directions.

In addition, the Judicial Commission is developing a computerised sentencing information system to assist judges and magistrates.

Victoria

This is a matter for response by the Australian Institute of Judicial Administration.

Northern Territory

The Attorney-General will raise the issue with the Australian Institute of Judicial Administration.

Australian Capital Territory

The ACT Government supports the recommendation.

Dispute Settlement

Recommendation 91.

Governments should provide alternative dispute settlement services as widely as possible.

Commonwealth

The Family Court actively encourages alternative dispute resolution through counselling and pre-hearing procedures. The vast majority of cases are resolved without proceeding to a formal hearing. Informal

processes, such as using pre-trial conferences to resolve commercial disputes, have also been introduced in the Federal Court.

The Prime Minister has made a commitment to expand alternatives to court proceedings as a means of resolving disputes. Legislation will be introduced in the Federal and Family Courts to design more flexible procedures and to encourage parties to choose these alternative means of resolving disputes. However, most disputes involving violence will be matters that would be dealt with by the courts of the States and Territories.

The Office of Legal Aid and Family Services, which is part of the Commonwealth Attorney-General's Department, has a number of initiatives in progress which promote dispute resolution and the more efficient use of traditional services. Family mediation programs are aimed primarily at resolving issues related to family breakdown. Parent/adolescent mediation programs have as their goal the prevention of youth homelessness.

The Department of Social Security Social Work Service plays an important role in identifying client needs and making the necessary referrals. Departmental social workers also act as advocates for clients in securing access to necessary services, including counselling and dispute settlement, to mitigate as far as possible the potential for violence.

New South Wales

Alternative Dispute Resolution is presently offered as an option in a range of disputes. Mediation is used by Community Justice Centres as a means of solving minor disagreements between parties without the need to take court action. The level of emotion in such disputes, coupled with the threat of physical harm, means that only mediators with specific training should deal with these types of matters.

Mediation is inappropriate where violence has occurred.

Victoria

The Victorian Government has established seven Community Mediation centres which provide alternative means of dispute resolution. The Working Party Report on Alternative Dispute Resolution recommended a wider range of alternative dispute settlement strategies which would provide information and consumer protection through training and legislative provision. Community consultation on the report was undertaken. To date two pilot projects aimed at legal representatives were conducted in Bendigo and Geelong.

The Victim-Offender Mediation Program is aimed to minimise the incidence of re-offending and it is specifically targeted at young offenders. It is being piloted at two Dispute Settlement Centres in Frankston and Geelong. In addition, the former Ministry for Police and Emergency Services funded the Bendigo and the Preston Dispute Settlement Centres to conduct a six month pre-court Victim-Offender Mediation Project.

A pre-sentence Victim-Offender Mediation Project is also being auspiced by the Community-Based Division of the Office of Corrections.

Queensland

An alternative dispute resolution service, the Community Justice Program (CJP), was operational in Queensland since July 1990. The annual budgetary allocation to the Program in 1990-1991 was \$1.143 million. Extra funds were forthcoming in the next financial year to establish an Aboriginal mediation service.

The CJP has services in Brisbane, Logan, Townsville, Mount Isa and Toowoomba. Queensland recognises the important preventative role mediation plays in potentially violent or hostile disagreements. However, the issue of mediation in situations of actual domestic violence occurrences is a contentious issue.

The mediation process relies largely on the equality of bargaining power of the parties and invariably, in situations where domestic violence is occurring, this necessary precondition is absent.

With respect to the establishment of an Aboriginal mediation service, there are seven Aboriginal and Islander mediators in Cairns and six Aboriginal and Islander mediators in Brisbane who were trained in the last twelve months.

A pilot Aboriginal mediation scheme was introduced into the Hopevale Aboriginal community in North Queensland. This scheme recognises and complements the customary processes that this Aboriginal community already utilises for solving disputes.

Western Australia

The Citizens Advice Bureau has received considerable additional funding from the DCD to establish a mediation service to provide alternative dispute settlement services.

South Australia

South Australia has three community mediation services which receive Government funding. In addition, Court services have been altered to allow disputes involving a maximum of \$5 000 to be handled in the District Court without the need for legal representation. However, these services tend to handle matters relating to neighbourhood dispute, rather than counselling for domestic matters. The Family Court, COPE and other marriage guidance centres tend to have the major role in relation to domestic disputes.

In addition to the above, the Preventing Violence Crime Working Group of the Coalition Against Crime has sponsored a seminar dealing with the issue of Alcohol and Violence. The seminar particularly addressed the recommendations of the National Report on Violence, in relation to:

- * alcohol and violence inside the home; and
- * alcohol and violence outside the home, particularly around licensed premises.

This Working Group has also recommended that a submission from the community based organisation, Men Against Sexual Assault receive support for a program involving the survey of young men's attitudes to violence. The program will also address the way in which attitudes may be altered, particularly among young people who may be involved in a family in domestic trauma.

Northern Territory

The Attorney-General has already announced his intention to expand alternative dispute resolutions.

Australian Capital Territory

The ACT Government supports the recommendation and funds alternative dispute settlement services through the Conflict Resolution Service.

The Service assists in solving neighbourhood, personal and inter-group disputes; provides accessible, confidential, speedy and low-cost conciliation and mediation and offers the community opportunities to learn conflict resolution skills through training programs and education. Of the mediations which were conducted, most have resulted in enduring settlements.

The Service has expanded to include an Adolescent Mediation Service.

PUBLIC SECTOR AGENCIES: PRISONS AND CORRECTIONS

Recommendation 92.

All correctional agencies should continue to develop programs for the rehabilitation of offenders, and should subject these programs to rigorous evaluation. Those programs which show promise should be refined and introduced elsewhere; those which do not should be abandoned.

Commonwealth

The Commonwealth does not have correctional agencies, and therefore cannot directly implement this recommendation. The Commonwealth has reformed its sentencing legislation to ensure that the correctional authorities have a full range of rehabilitative options for Commonwealth offenders. (For example, the insertion of section 19AZD into the *Crimes Act 1914* by the *Crimes Legislation Amendment Bill (No. 2) 1989*).

New South Wales

One of the corporate objectives of the New South Wales Department of Corrective Services is 'to provide development programs which are designed to prepare inmates to lead law abiding lives'. The Department has developed a number of programs with this objective in mind, including the Young Offenders Program, Sex Offenders Program, Work Release Program, Industrial Training and external education programs. In particular the Special Care Unit Program is aimed at modification of aggressive behaviour leading to violence.

The Department's Drug and Alcohol Services Unit provides individual and group programs in correctional centres including a Relapse Prevention Program, which deals in part with the relationship between alcohol and violence. These programs are subject to regular evaluation and the Service itself has undergone an independent evaluation, the recommendations of which are to be implemented.

The Department is making the transition to a system of Case Management. This is a process of developing working relationships between inmates and officers to identify individual inmate's needs and develop programs to meet them. An ongoing process of review is an integral part of the Case Management system.

Victoria

The Guiding Principles of the Office of Corrections include a statement on the importance and nature of correctional programs for rehabilitation.

The Office of Corrections provides a wide range of rehabilitative services to prisoners and community-based offenders, including education and training programs, prisoner employment, drug treatment, alternatives to violence and sex offender programs, welfare services and psychological services and psychological treatment and counselling.

The services provided to community-based offenders are largely determined by the particular conditions attached to the offender's community-based order by the sentencing court. Prisoners have access to education, training, employment, recreational and welfare activities, while participation in drug treatment

and psychiatric or psychological services is available to prisoners who meet treatment criteria. Education and mental health programs are also provided by the relevant government departments.

In 1992 the Victorian government introduced a new community based sentencing option, the Intensive Correction Order, which is aimed at providing a more intensive community based program as an alternative to prison.

Specific treatment programs undertaken in prisons and community based corrections centres are subject to ongoing process evaluation and monitoring. Evaluation of the impact of the *Victorian Sentencing Act 1991*, which contains the new Intensive Correction Order, is being undertaken by a research team funded by the Criminology Research Council. This study will include an examination of the rate of use and offender compliance of the Order.

Queensland

The Queensland Corrective Services Commission is committed to the individual case management of offenders with rehabilitative programs aimed at addressing the underlying causes of their offending behaviour. Programs are subject to continuous evaluation and review. The Commission is running a nationally recognised program for sex offenders; conducts special drug and alcohol programs and is in the process of developing special programs for violent and young offenders.

Western Australia

Technical College programs were introduced at two correctional institutions in WA, Riverbank and Longmore, during the past year.

The Young Offender Treatment Team (YOTT) funded in the Western Australia 1992/93 budget was operational in December 1992 and will work both in the secure centres and the community with sexual and violent offenders, and substance abusers.

The YOTT treatment programs were introduced on a pilot basis and will be operationalised on a State wide basis in the coming year.

South Australia

The Department of Correctional Services utilises an anger management program which is used with individual offenders in community based settings. The program is designed to teach offenders specific anger management skills on how to control their anger. Furthermore, offenders who were convicted of offences involving child sexual abuse maybe referred to the Sexual Offenders Assessment and Treatment Program which is conducted under the auspices of the South Australian Health Commission.

The Department also attempts to provide a supportive environment through its work and recreational activities, in which prisoners are given opportunities to develop their self esteem by undertaking meaningful and worthwhile tasks. Subsequently those offenders who respond to those opportunities are likely to develop a sense of purpose and to feel better about themselves thereby reducing their potential for violence.

Tasmania

Considerable reform is underway in the management of the State Prison System following the amalgamation of Prison Services into the Department of Community Services.

Northern Territory

The Department of Correctional Services is continuing to develop programs for the rehabilitation of offenders and is subjecting these programs to vigorous evaluation. Programs most evaluated include the Community Services Order program, Wilderness Work Camp, and Bail Assessment and Supervision Service.

All correctional services programs which show promise are refined and introduced elsewhere in the Territory where appropriate.

Australian Capital Territory

The ACT Corrections Review Committee released a report 'Paying the Price' in February 1992. The report contained 88 recommendations which covered a number of issues related to rehabilitation of offenders. The Government released its response in December 1992.

Currently, programs for the rehabilitation of young offenders are created individually for each offender based on a comprehensive psychological assessment. This approach, still in its early stages, is showing considerable promise. With regard to adult offenders, those sentenced in the ACT to imprisonment are remitted to New South Wales institutions. The ACT Adult Corrections Attendance Centre Program introduced in April 1990 includes programs specifically directed at violent behaviour. Offenders are introduced to concepts to understand their aggressive tendencies and provided with alternative strategies involving non-violent behaviour.

Recommendation 93.

Correctional authorities should provide more support for ex-prisoners subsequent to their release from custody.

Commonwealth

The Commonwealth does not have correctional agencies, and therefore cannot implement this recommendation.

New South Wales

In November 1992 the New South Wales Community Corrections Service was transferred to the New South Wales Department of Courts Administration which now has responsibility for supervision of offenders released to parole. However, some funding is provided by the New South Wales Department of Corrective Services to a number of religious and welfare bodies which provide assistance to ex-inmates. The major recipients of funds are the Civil Rehabilitation Committee of New South Wales, the Prisoners' Aid Association, the Judge Rainbow Memorial Fund and the Children of Prisoners Support Group.

Following a pilot program, the Department has put in place an Aboriginal Post-Release Program to assist aboriginal inmates, on release, in relation to employment and training.

The New South Wales Community Corrections Service provides support for ex-prisoners.

Victoria

Integration of offenders back into the community after their release was included by the Office of Corrections as a key focus in their Guiding Principles. The re-integration of offenders can occur on two levels, preparing prisoners for release and by assisting them after release.

There are a number of community agencies which also provide effective post-release services (Victorian Association for the Care and Rehabilitation of Offenders, Epistle Centre, Brosnan Centre). The Office of Corrections supports these agencies by the provision of grant funds. In 1991/92 a total of \$320 000 was made available to these agencies and in 1992/93 a similar amount was provided.

Preparation for release programs which were piloted in 1991 were developed and extended to all prisons in 1992 which now operate a Community Integration Program.

Intensive post release support is provided to all parolees in the initial three month period of their release through the Office of Corrections network of community corrections centres.

Queensland

While the Queensland Corrective Services Commission recognises the need for post-release support for prisoners it considers that this best achieved through community based agencies. To the extent that funding allows, the Commission provides financial support to a number of such groups involved in assisting ex-prisoners reintegrate into society.

Western Australia

The Serious Offender Task Force funded in the 1992/93 budget will be fully operational by December 1992. Task force officers and mentors will work on a one to one basis with young people being released from the secure juvenile centres and connect them with appropriate work/training and recreation options.

It is the intention in Western Australia to develop a supervised release program similar to parole for juvenile offenders.

Ex-prisoners are referred to the appropriate government or private organisation for ongoing assistance.

South Australia

The Department of Correctional Services provides a pre-release program to assist offenders deal with their return home and with relationship difficulties. There are also professional staff within institutions and in community corrections who provide counselling and treatment to individual offenders.

Tasmania

Refer to response to Recommendation 92.

Northern Territory

Probation and Parole Officers provide support for every prisoner released on parole or a supervised bond. Prior to release from prison, Probation and Parole Officers formulate constructive post-release plans for the prisoner. On release, these prisoners are supported and assisted by their Probation and Parole Officers in relation to participation in rehabilitating programs, education, employment, accommodation and counselling. All prisoners may seek support from Prisoners Aid.

For prisoners not being released to Department supervision, the resident Prison Welfare (Probation and Parole) Officer provides assistance in post release matters prior to their discharge from prison.

Australian Capital Territory

Adult Corrective Services provides supervision of prisoners released either on parole, licence or probation. The purposes of supervision are to ensure that the statutory requirements of conditional liberty are fulfilled, and also to provide guidance and support to the offender as part of the rehabilitation process.

Juvenile offenders released from custody are offered support, both formally as part of legal conditions and informally through assistance in seeking employment, accommodation and dealing with government agencies.

The Corrections Review Committee report outlined above discusses this issue in detail. The ACT Government response to this report has reflected its commitment to addressing this matter, given its direct relevance to the ACT Correctional System.

PUBLIC SECTOR AGENCIES: MISCELLANEOUS REGULATORY AUTHORITIES

Consumer Affairs

Recommendation 94.

The Committee applauds the steps taken by the Federal Minister for Consumer Affairs in banning 'victim toys' under the Trade Practices Act, and by the Western Australian Minister for Consumer Affairs in following suit under State legislation. Other Australian States and Territories should follow their lead.

Commonwealth

Whilst this recommendation is a matter for the States and Territories the Commonwealth will continue to exercise its responsibilities under the *Trade Practices Act 1974*.

New South Wales

The New South Wales Department of Consumer Affairs is actively engaged in collaborative marketplace surveys to ensure that the Commonwealth law on this matter is complied with.

Victoria

In February 1988, a sub-committee of the former Victorian Consumer Affairs Committee was formed to advise the Minister on matters relating to anti-social toys. A number of recommendations were made and implemented, including the establishment of a Code of Practice for the toy industry.

Queensland

Pursuant to section 85 of the *Fair Trading Act 1989*, the Minister for Justice and Corrective Services empowered to make orders prohibiting or restricting the supply of dangerous or undesirable goods or services.

The Minister may exercise such power if he is of the view that any particular goods or services are of a kind likely to cause the death of any person or to injure or adversely affect the health or well-being of any person whether physical, mental or psychological.

Acting pursuant to section 85, the Minister by an Order published in the Government Gazette of 23 February 1991 prohibited the supply of the following goods:

Toys and novelties which were marketed under the names of:-

- * Skateboard Smakup or 'Skateboard Smackups';
- * 'Garbage Pail Kids';
- * 'Krazy Kookie Balls';
- * 'Weird Balls';
- * 'Foul Balls';
- * 'Mad Ball' or 'Mad Balls';
- * 'Trash Head Spitballs';
- * 'Gross Out Grunkies';
- * 'Kudlee Uglee';
- * 'Super Dough Squeezers'; and
- * 'Rude Ralph' or 'Rude Ralph Gang'.

In short, therefore, Queensland has joined with Western Australia and the Commonwealth in progressively banning victim toys and as such, Recommendation 94 was carried into effect in Queensland.

South Australia

In South Australia the proposal to ban 'victim toys' was not implemented. Victim toys, that is those toys depicting children who was hurt in accidents, caused outcry in the community when they came onto the market some years ago. Community pressure for their removal was such that retailers in South Australia voluntarily withdrew them from sale. The Commissioner for Consumer Affairs monitored the situation at the time and was satisfied with the response from retailers and did not consider that regulation to ban sales was necessary.

It is understood that there has not been a recurrence of this problem in South Australia since that time.

Northern Territory

The Commonwealth Trade Practices Act automatically applies in the Northern Territory and thus the provisions banning 'victim' toys also apply.

Australian Capital Territory

The ACT Government supports this recommendation in principle.

The Trade Practices Act has full application in the ACT and, as the Federal Minister for Consumer Affairs used this legislation to impose a temporary ban on 'victim toys' they were effectively banned in the ACT. Permanent bans will be imposed if the 'victim toys' re-emerge.

Australian Broadcasting Tribunal

Recommendation 95.

The Australian Broadcasting Tribunal should consider requiring more detailed classification and program description to enable television viewers to exercise informed choice of programs, and to enable those responsible for children to exercise responsibility for children's viewing practices.

Commonwealth

This recommendation was brought to the attention of the Australian Broadcasting Tribunal (ABT). However, it is an independent statutory authority not subject to direction in the performance of its duties or the exercise of its powers. The question was to be considered in the context of implementation of the 1990 ABT report, *TV Violence in Australia*.

New South Wales

Commonwealth matter.

Victoria

This is a Federal responsibility.

Queensland

As in all other States, Queensland prohibits any films or publications depicting children in violence or in obscene materials.

Further, there is a Bill proposed to prohibit the sale of Categories 1 and 2 publications in this State. Only publications classified as 'Unrestricted' will be able to be sold legally in Queensland.

Northern Territory

For action by the Australian Broadcasting Tribunal.

It is noted that the Committee's statement on this matter is not framed as a recommendation. Rather, the Committee endorses initiatives which protect children from participation in the production of pornography. The Northern Territory agrees with the Committee that such protection should be afforded children, and it is considering this issue in the context of its review of child sexual abuse laws.

Australian Capital Territory

The ACT Government supports this recommendation. In December 1992, the ACT together with other Australian Governments supported the introduction on a new MA classification (the Mature Adult classification deals with sex violence and coarse language) to be applied to films, videos and television programs considered unsuitable for viewing by people under the age of 15 years. The ACT also supports a unified classification system for television, films and videos.

Liquor Licensing Authorities

Recommendation 96.

All liquor licensing authorities should act flexibly and in close consultation with Aboriginal communities, and should consider the potential social consequences of their decisions in order to minimise the adverse impact of alcohol.

Commonwealth

Licensing law and its administration is a State and Territory matter. This recommendation cannot therefore be implemented by the Commonwealth.

However, the Aboriginal and Torres Strait Islander Commission supports the recommendation and considers liquor licensing authorities have the responsibility to ensure that over-servicing or over-

pricing do not result from their decisions. The Commission believes that all autonomous Aboriginal communities should have the right to control the use of alcohol, but notes that this type of control does not address the fundamental issue of why alcohol is abused in the first place.

New South Wales

This is a very general recommendation, some components of which are already in place in New South Wales. The New South Wales Liquor Administration Board and the New South Wales Licensing Court have an overall and inherent 'public interest' power in the making of its decisions and determinations.

The social consequences of decisions in terms of minimising the adverse impact of alcohol are considered in the Board's and Court's decision-making and policy formulation processes, and are incorporated into the Chief Secretary's Department Corporate Plan.

It is considered that there is an opportunity for individuals and communities to provide input through the objection processes provided under the liquor legislation.

The Department is also guided by the National Health Policy on Alcohol in Australia which was endorsed by Australian Health Ministers.

The recommendation was referred to the New South Wales Liquor Administration Board. The Board supports greater consultation with Aboriginal communities.

Victoria

The Victorian *Liquor Control Act 1987* is explicitly directed to development of the liquor industry in conjunction with effective control over the sale, disposal and consumption of liquor in the community interest. Specific regard must be had by the Liquor Licensing Commission of Victoria to whether the grant of the application is likely to have an adverse effect on the interest of the community in the area when determining a licence application.

In addition, Section 5(d) of the *Liquor Control Act 1987* provides that it is the object of the Act to respond to community interests by contributing to the effective co-ordination of the efforts of government and non-government agencies in the prevention and control of alcohol abuse and misuse.

Queensland

Part 8 of the Liquor Act 1992, administered by the Department of Tourism, Sport and Racing deals with provisions affecting communities of Aborigines or Islanders specifically, and compels the Chief Executive to liaise with Councils in making decisions pertaining to their communities.

Section 189(1) requires the Chief Executive to refer any application for a licence by a person other than an Aboriginal or Torres Strait Islander Council, to the Council for its consideration.

Under the provisions of Section 191(2), if an Aboriginal or Torres Strait Islander Council declares its community area or part of its community area as a dry area, a licence or permit in respect of premises in the area or part so declared, is suspended while the declaration subsists.

Councils may issue a Prohibition Order to a person to Show Cause why they should not be subject to a Prohibition Order, if it is considered that because of the consumption of liquor, the resident endangers, or is likely to endanger, the life, safety or well-being of the person's family or another person ordinarily resident in the community area. Similarly, if a person threatens, or is likely to threaten, the peace and good order of the community area, or endangers their own health or well-being, a Prohibition Order may be issued.

The Prohibition Order prohibits a person from consuming liquor or having it in possession or control, in the community area of the Council that made the Order and all persons are prohibited from supplying liquor to the person to whom it relates (Section 194).

The person to whom a Prohibition Order relates must not consume liquor or have liquor in possession or control in the community area of the Council that made the Order. A person must not supply liquor to another knowing that person to be subject to a Prohibition Order (Section 196).

The Chief Executive may cancel or suspend a licence or exercise disciplinary powers in relation to licence holders in the community area of a Council if, on the complaint of the Council, the selling of liquor is causing regularly occurring disorder or breaches of the peace in the community area, liquor is taken away from the premises contrary to the licence conditions, or the selling of liquor is proving detrimental or dangerous to the community (Section 198).

An amendment to the *Liquor Act 1992* has made it an offence to drink in a public place unless local authorities have designated the area as one where alcohol may be consumed.

Western Australia

In Western Australia, the liquor licensing division has consulted with local Aboriginal community Groups when considering licensing matters. Hearings are set up with the director of the Alcohol Advisory Committee, and it is in this capacity that restrictions and conditions are determined.

The consultative process with Aboriginal community groups will continue to improve with further hearings planned for next year.

The *Liquor Licensing Act 1988* requires any application for the grant or transfer of a liquor licence to be advertised and any individual has the right to lodge a formal objection.

The Act is sufficiently flexible to allow for objections to be lodged by inexperienced persons and does not require strict adherence to legal formalities.

There were objections on behalf of Aboriginal communities in respect of liquor licensing matters. The concerns of the communities were given due consideration when the application is being considered.

South Australia

The Liquor Licensing Authority exercises discretion in relation to the grant of licences and where appropriate, to conditions designed to compliment local community initiatives to combat alcohol abuse.

A request by an Aboriginal community for certain conditions to be imposed on local liquor licences was considered by the Licensing Authority.

A number of programs within the Department of Public and Consumer Affairs have continued to deal with the issue of the use and misuse of alcohol, and other associated problems.

Since 1992 the Liquor Licensing Commissioner has continued to liaise with Councils, community groups and the Crime Prevention Unit to consider strategies for assisting in this area. Although some 'Dry Areas' were continued, the declaration of such areas was accompanied by implementation of strategies in involving the local council and community to deal with the problems.

The Liquor Licensing Commissioner is continuing to liaise with all groups.

Tasmania

The working party recommended that before making these programs conditional, opportunity for self regulation should be provided. The Licensing Board should co-ordinate the development of a set of guidelines which include selection criteria, training and control.

The working party recommended that the Licensing Authority Draw up the Codes of Conduct for Tasmania and this should be implemented only after extensive consultation with all relevant bodies likely to be affected.

Northern Territory

This recommendation accords with policy adopted by the Liquor Commission and provided for under the Northern Territory Liquor Act.

This Act allows the Racing, Gaming and Liquor Commission to be flexible. It specifically requires that the 'needs and wishes of the Community' are considered. The social consequences of the Liquor Commission's decisions are foremost in the minds of the Commissioners when they consider whether to grant or not to grant new licences or to amend the conditions of existing licences. On most Aboriginal communities the impact of the introduction of alcohol is often socially disastrous. Recent events have prompted Government agencies to consider all aspects of the problem.

The ability of a community to object generally to the continuation of a licence, or to specifically object to individual conditions of a licence, is provided for in the legislation. The Committee noted that several submissions were made concerning problems posed to 'dry' communities by the granting of unrestricted licences adjacent to these communities against the express wish of the communities themselves. This notation at least in the last five or six years is incorrect. No new licences were granted in these circumstances.

The financial viability of licences is not a factor that is taken into account when new licence applications and objections to licences are considered.

Australian Capital Territory

The ACT liquor licensing authorities are conscious of the social consequences of the sale of liquor and adopt policies designed to minimise its adverse impact.

It should be noted that of the two licences in Jervis Bay, one is controlled by the Aboriginal community thereby allowing the Aboriginal people to oversee and control the distribution of liquor in their community.

The ACT Government has given effect to this recommendation through regular meetings with representatives from the Aboriginal and Torres Strait Islander communities to discuss any concerns relating to the operation of licensed premises in the ACT.

Recommendation 97.

Conformity with server intervention programs should be a condition of liquor license renewal.

Commonwealth

Laws relating to liquor licensing are the legislative responsibility of the States and Territories.

New South Wales

In New South Wales, liquor licences are not subject to renewal. Therefore, while action is not being taken to make server intervention programs a condition of licence renewal, other action is being taken on the wider issue of server intervention.

The liquor legislation contains provisions which prohibit licensees from serving intoxicated patrons, or permitting intoxication, indecent or violent behaviour on the premises. Those provisions are being given attention through Police and Chief Secretary's Department workshops and bulletins.

A package of legislative amendments is being advanced by the Chief Secretary which will:

- apply the intoxicated persons provisions of the Liquor Act to the Registered Clubs Act so that clubs also have to meet those requirements;
- give the Licensing Court the power to refuse an application for a licence or office of club secretary if the applicant does not have the skills, training, competency and qualifications required for the kind of licence (or office) applied for. This is also to apply to licence transfers.

In addition, the liquor industry itself is involved in promoting responsible serving.

The following points also need to be borne in mind:

General Provisions of the Liquor Act and Registered Clubs Act

Both Acts contain a range of controls over the service of liquor. For example, the legislation contains provisions relating to underage drinking, second-party supply of liquor and so on.

LIMAC Working Party - Alcohol and Violence

The Liquor Industry Ministerial Advisory Council (LIMAC), which is an industry advisory council to the Chief Secretary on liquor issues, has established a Working Party on Alcohol and Violence/Responsible Serving.

The Chief Secretary referred the issue of alcohol-related violence occurring in and around licensed premises to the Council (along with some of the recent research) and requested the Council to work on an industry strategy. The Council's Working Party has met several times, including one meeting with the relevant agencies, and is in the process of developing a strategic plan for the industry.

Monitoring of Trading Hours and Noise Complaints

The Chief Secretary's portfolio also monitors the trading hours of licensed premises and noise complaints made about licensed premises and clubs. As indicated in the comments on Recommendation 98, those provisions are generally relevant to the issue of alcohol and violence.

Proposals were to be advanced early in 1993 to fine-tune the trading hours provisions in the interests of the quiet and good order of the neighbourhood. To that extent, the proposals are relevant to alcohol and violence.

The New South Wales Police Service has nominated alcohol-related crime as one of its key result areas. It has developed a broad strategic approach to alcohol-related crime which will be implemented over the next few years.

The Service has developed an alcohol-related violence video and training package, in conjunction with the Health Department and the Chief Secretary's Department, which is being presented to all Police Districts. The video places a strong emphasis on the value of responsible server intervention and the benefits of the effective management of intoxicated or troublesome drinkers.

The Police Service strongly supports server intervention programs as an effective crime prevention measure. However, it does not go as far as the NCV. It believes that the industry should be given the chance to implement a responsible server program. But this must be at a standard to ensure that server professionalism and awareness of responsibilities is increased beyond that at present.

The Police Service has also noted the United States experience where in many states server liability legislation has effectively encouraged the serious application of server intervention principles to management of licensed premises. As the provisions expose servers to civil liability, they must implement strategies to reduce this liability.

Victoria

In 1991/92, \$100 000 was made available to the Liquor Licensing Commission of Victoria to introduce 'the Responsible Serving of Alcohol Program' to licensees, management and staff of licensed premises.

During 1990 to 1992, a total of 100 workshop services were conducted involving 20 licensed premises, with 2100 participants from staff. Also, the Liquor Licensing Commission conducted a 6 hour course with responsible serving of alcohol as a major component at 3 educational colleges with certificates presented to around 200 students/industry persons. Both workshops and courses are voluntary.

Queensland

The Patron Care Program run by Queensland Health is the only government run server intervention program existing in Queensland. It provides ongoing training for licensees and their staff in responsible hospitality.

Under the provisions of Section 107(1), the Chief Executive may grant an application for a licence or permit only if satisfied that the applicant is a fit and proper person to hold a licence or permit. As part of the licence application process, a questionnaire is administered to determine that licence applicants demonstrate knowledge and understanding of their obligations under the Act. A licence may be cancelled if the licensee/nominee is not a fit and proper person to conduct the business (Section 136(1)(d)), eg contravenes the Act by supplying alcohol to unduly intoxicated persons.

Western Australia

In consultation with industry association and other state government authorities, the liquor licensing division is participating in a trial project involving server education in Fremantle. The initiative was well received by licensees and the Fremantle community. In due course it is proposed to extend the project elsewhere in the State. There is no provision in the Western Australia *Liquor Licensing Act 1988* for the annual renewal of licenses.

South Australia

This is supported in principle, but is within the domain of the Liquor Licensing Authority not the police.

Liquor licences are not renewed in South Australia. However, disciplinary action may be taken on a variety of grounds as set out in Section 124 of the Act. This would enable either the Liquor Licensing Commissioner, the Commissioner of Police or a local council to instigate action by lodging a complaint. The Court may reprimand the licensee, add to or alter conditions on the licence, suspend the licence or revoke the licence.

Tasmania

The working party recommended that before making these programs conditional, opportunity for self regulation should be provided. The Licensing Board should co-ordinate the development of a set of guidelines which include selection criteria, training and control.

The working party recommended that the Licensing Authority draw up the Codes of Conduct for Tasmania and this should be implemented only after extensive consultation with all relevant bodies likely to be affected.

Northern Territory

The Liquor Commission, because of the small number of licences in the Territory, is able to be concerned about matters such as the method and style of disbursement of liquor. This can relate to the amount of liquor sold per visit to a bar or serving counter, the type of container and in some Aboriginal communities - the amount of liquor to be sold to a person each day. These are matters that the Liquor Commission takes into account when determining a licence and conditions.

Australian Capital Territory

The ACT Government supports the desirability of implementation of server intervention programs in licensed premises. The ACT Institute of TAFE includes in a limited way server intervention material in courses run in its schools of Hospitality and Tourism. However, it is not a comprehensive program in its own right.

As comprehensive training programs are not widely available, it is not feasible to expect that staff engaged by licensees will always have the relevant knowledge and awareness in relation to server intervention, and this effectively precludes the possibility of licences being issued conditional upon the implementation of such programs. However the ACT licensing authority actively encourages licensees to conduct their premises in a manner consistent with the objectives of server intervention. It should also be noted that it is an offence under the ACT Liquor Act to sell liquor to an intoxicated person and conviction could result in cancellation of the licence.

Through the provisions of the ACT *Liquor Act 1975* which enforce license cancellation, the ACT Government ensures the conformity of liquor licensees to certain server intervention guidelines. The Government is giving careful consideration to developing a responsible server program aimed at offering licensees alternative serving strategies and reinforcing existing legislative provisions with licensees. The ACT Liquor Licensing Board has also taken steps to stop licensees enticing people to drink through the promotion of certain drinking practices which can encourage excessive consumption of alcohol. To date, these steps have been successful.

Recommendation 98.

Liquor licensing authorities should promulgate guidelines for the recruitment, training and conduct of bouncers as an integral part of server intervention programs.

Commonwealth

The implementation of this recommendation is a matter for the States and Territories

New South Wales

The recruitment and training of bouncers is not an issue that was given specific priority in the New South Wales Chief Secretary's portfolio or by the New South Wales Liquor Administration Board. The approach taken is more comprehensive than just the issue of 'bouncers'.

One of the approaches in New South Wales was to focus on the 'conduct' of premises and the 'behaviour' of patrons in the context of ensuring the quiet and good order of the premises and the neighbourhoods of the premises.

The Liquor Act and Registered Clubs Act both contain provisions that enable local residents to make complaints about individual premises, and for the complaints to be dealt with informally by a member of the Board. The Board member may impose a range of conditions to resolve complaints. For example, licensees and clubs the subject of complaints may be required to hire security staff, cease entertainment at a certain time, cease to admit people after a certain time, curtail hours and so on.

The liquor and clubs legislation also contains other specific provisions which regulate the supply of liquor and conduct. The liquor industry in New South Wales has discussed the issue of bouncers as part of the development of a strategy on alcohol and violence - see specific point incorporated in the comments on Recommendation 97.

The recommendation was referred to the New South Wales Liquor Administration Board. The Board would welcome being involved in reviewing courses undertaken by security officers to ensure that the training adequately addresses server intervention programs.

All personnel performing duty as 'bouncers' or doormen in New South Wales must hold a Class 1 Security Licence issued under the Security Protection Act. In order to apply for a licence, an applicant must be able to produce a certificate showing that he has successfully completed a training course conducted by a trainer accredited by the New South Wales Police Service.

In *The Problem of Violence on Licensed Premises*, the Sydney study by R Homel, S Thomsen and J Thommeny (1991) it was emphasised that the behaviour of bouncers and their aggressive tendencies was a major factor involved in violence on licensed premises.

Present training of bouncers tends to emphasise powers and responsibilities but gives limited attention to human interaction skills, crowd control and non-violent conflict resolution. This matter is being addressed in the present review of the Security Protection Act as well as the matter of linking server intervention programs to training provided to bouncers.

Police regulation of bouncers in New South Wales generally needs to be improved, through regular ID checks, agreements with licensees, enforcing sanctions under the Act and charging bouncers where their violent behaviour is illegal. This is being undertaken as part of the Police Service Alcohol-related Crime Strategy.

Victoria

The amended Private Agents Act became operative in 1990. The amendment provides for the registration of all security staff, as crowd controllers. Crowd controllers must wear identification and their hours of duty must be recorded in a log book kept on the licensed premises. The Private Agents licensing authority may require applicants for a crowd controller's licence to undertake appropriate training.

Queensland

The Security Providers Bill was developed within the Consumer Affairs Department to regulate the recruitment, training and control of bouncers in Queensland.

Western Australia

The matter is being addressed in the Western Australia Controlled Activities Act which is presently being compiled.

Guidelines are being developed by the police and various industry associations to improve the standards of conduct for bouncers and security personnel. Legislation with respect to the licensing of bouncers is being proposed under the Controlled Activities Act.

South Australia

Changes were implemented via the Commercial and Private Agents Act to regulate bouncers and make them more accountable and to make the employer responsible for the actions of such employees. This Act is overseen by the Consumer Affairs Department.

Since July 1990 'crowd controllers' have been licensed. This includes 'crowd controllers' acting as 'bouncers' at licensed premises. Applicants for licences have to satisfy the Commercial Tribunal that they are fit and proper persons to be licensed for that occupation.

Northern Territory

In consultation with the Northern Territory police it was decided that 'bouncers' would not be licensed at this stage. The matter is being kept under review by the police.

Australian Capital Territory

The ACT Government supports the recommendation.

The ACT Government released a discussion paper entitled *Issues and Policy Options in the Regulation of the ACT Security (Protection) Industry* for public comment. The paper examines employers of security personnel, retailers, installers and servicers.

Recommendation 99.

Liquor licences for sporting venues should include requirements for server intervention to discourage excessive consumption of alcoholic beverages.

Commonwealth

Laws relating to liquor licensing are the legislative responsibility of the States and Territories.

New South Wales

The New South Wales liquor legislation contains provisions to ensure that liquor is served responsibly at sporting venues. The legislation also gives the Licensing Court the power to impose additional conditions on the licences issued.

It is considered that these provisions have worked well to minimise the violence and drunken behaviour that may occur at sporting events. For example, the requirement that drinks be sold in plastic cups was a successful strategy at sporting events.

During a recent review of the liquor legislation conducted by the Chief Secretary's Department, it was considered that the controls existing over the issue of licences for sporting events were appropriate, and therefore should be maintained.

A submission to the review that controls should be eased to allow liquor vendors to move through the crowd at sporting events was rejected, as were a number of other suggestions to ease the restrictions on the sale of liquor at sporting venues.

Victoria

Licenses for sporting venues include conditions specific to the venue. Typically, a 'two opened cans' limit per purchase applies. Promotion of low alcohol beer is encouraged by the Liquor Licensing Commission.

Queensland

The provisions of the *Liquor Act 1992* (binding all persons) includes Section 1546 which states that a person must not supply liquor to, or permit to allow liquor to be supplied to, or allow liquor to be consumed by a person who is unduly intoxicated or disorderly. The penalty for licensees or other staff is 250 penalty points. For any other person, the penalty is 40 penalty points.

Other than a licensed club, the majority of liquor served to groups at sporting venues is supplied under authority of a General Purpose Permit. Conditions may be imposed on the permit holder if patron behaviour problems arise (eg the use of plastic containers only rather than cans or bottles).

Western Australia

There are no specific requirements where liquor is sold at sporting venues to specifically discourage excessive consumption of liquor, except that under the Act it is an offence for a licensee to serve liquor to a drunken person.

The penalties for serving alcohol to a drunken person are quite severe. In the case of a licensee or manager the fine may be up to \$5 000, and in the case of an employee up to \$2 000.

South Australia

This is largely done without the need of a licence endorsement. However, such restrictions are supported in principle but would require further evaluation.

Liquor licences granted for sporting or other entertainment venues (for example rock concerts), invariably have public order and safety conditions imposed. While each application must be treated on its merits, conditions may include the requirement to sell low alcohol liquor only, to only serve in plastic cups, to employ security personnel, to restrict access to minors and will normally include a fixed capacity for the licensed area. Failure to comply with the conditions on the licence constitutes an offence under the *Liquor Licensing Act 1985*.

Tasmania

The working party proposed that clear guidelines be developed by liquor licensing authorities and in instances where negligence occurs the proprietor should be liable for civil damages.

Common law in Tasmania requires that a proprietor of licensed premises keeps proper conduct of his security staff. An employee's wrong is imputed to the employer and their negligence on behalf of an employee is covered in this State.

However, the present *Licensing Act 1976* does not provide the necessary legislation or guidelines to control the employment of security staff within the industry and the working party recommended that steps be taken to implement such reforms as a matter of priority.

Also refer to response to Recommendations 96 and 118.

Northern Territory

Liquor licences for sporting events will not be issued where there is evidence that the past performance of an organiser is not up to standard. The Liquor Commission in granting special

licences actively encourages the sale of light alcoholic beverages as opposed to full strength and on occasions has only permitted light beers to be sold as a condition of the special licence.

Australian Capital Territory

The responsible server program which is outlined under Recommendation 97 above, will target sporting venues to ensure that liquor licenses granted for those functions include requirements for server intervention.

INFORMATION AND RESEARCH AGENCIES

Australian Bureau of Statistics

Recommendation 100.

The Australian Bureau of Statistics should conduct National Crime Surveys regularly on a biennial basis.

Commonwealth

This recommendation is accepted in principle.

The Australian Bureau of Statistics (ABS) has established a National Crime Statistics Unit which compiles statistics based on criminal activity reported by the police.

In explaining the rationale for this recommendation, the Report identified a need for statistical information on the victimisation of certain groups within Australian society (eg Aboriginal and Asian Australians or those who are ill or disabled).

The Commonwealth through the Australian Bureau of Statistics recognizes the importance of reliable statistical data on crime victimisation. To that end the Bureau is negotiating with the user community (eg the police, victim monitoring bodies, State Departments and the Australian Institute of Criminology) with a view to incorporating regular crime victims surveys in its work program. Resource constraints preclude the undertaking of such surveys except on a user pays basis, and negotiations are proceeding on that basis.

New South Wales

The New South Wales Bureau of Crime Statistics and Research, in conjunction with the New South Wales Police Service, has arranged for the Australian Bureau of Statistics (Sydney Office) to carry out, from 1990 onwards, annual crime surveys across New South Wales.

It would be helpful if the Commonwealth could arrange for ABS to carry out Australia-wide surveys so that New South Wales data may be compared with national figures.

Victoria

Recommendation is the responsibility of the Australian Bureau of Statistics.

Although this recommendation is the responsibility of the Australian Bureau of Statistics, the Victoria Police Force believes that it should have a substantial input into the conduct of these surveys.

In November 1990, the Australian Police Ministers Council approved in principle the undertaking of a National Victim Survey by the Australian Bureau of Statistics in 1993. The survey included questions concerning specific membership of minority groups.

A survey of public attitudes and perceptions of police, including perception of safety and victimisation details, was conducted by the former Ministry of Police and Emergency Services.

Queensland

Federal Government responsibility.

Tasmania

The National Uniform Crimes Statistics Unit has been established and will have an ongoing requirement to undertake surveys of the crime statistics.

Northern Territory

For action by the Australian Bureau of Statistics.

Australian Capital Territory

The ACT Government supports the recommendation noting that the Australian Bureau of Statistics is to undertake such a survey in 1993.

Recommendation 101.

The Australian Bureau of Statistics should devote special efforts to identifying the incidence and prevalence of violence against specific minority groups in Australia.

Commonwealth

The Australian Bureau of Statistics' (ABS) ability to identify the incidence and prevalence of violence against specific minority groups will depend upon the outcome of negotiations to conduct crime victim surveys. Where the group concerned is small, the reliability of sample estimates is diminished, and information released may raise sensitivity issues. However, the ABS would wish to liaise closely with the users of statistics to explore the best ways in which their needs could be met.

New South Wales

As the Commonwealth noted in its response to this recommendation, the ability of the ABS to identify the incidence and prevalence of assaults against specific minority groups is dependent on the size of those groups (and the level of victimization within them). The ABS may not be able to provide reliable estimates of the incidence of assaults on different minority groups using the proposed National Crime Survey. The annual incidence of assault in the general community is only about 2 per cent. To determine what proportion of these assaults are occurring in minority groups would require a much larger sample size than is envisaged for the National Crime Survey. A more cost effective alternative course of action might be to conduct special victim surveys in Local Government Areas known to have a high proportion of residents belonging to minority groups.

Victoria

This recommendation is the responsibility of the Australian Bureau of Statistics.

See also response to Recommendation 100.

Queensland

Federal Government responsibility.

Northern Territory

For action by the Australian Bureau of Statistics.

Australian Capital Territory

The ACT Government supports the recommendation, noting that the Australian Bureau of Statistics is a Commonwealth agency.

National Injury Surveillance And Prevention Project

Recommendation 102.

The National Injury Surveillance and Prevention Program should be established on a permanent basis.

Commonwealth

The aim of the National Injury Surveillance and Prevention Project (NISPP), which was a three year pilot study, was to learn more about the aetiology of injury in general, to enable the development of better targeted injury reduction programs. The pilot proved very successful, with plans now well under way to have an on-going national injury surveillance system.

A National Injury Surveillance Unit (NISU) is being established as part of the injury prevention initiatives of the National Better Health Program (NBHP). One of its major aims is to build upon the foundations laid by NISPP and develop an on-going national all age, all injury surveillance system. This system, by providing basic information on the incidence and causal factors of injury, establishes a sound information base for the development of better targeted injury reduction programs. The Unit is located in Adelaide as an external unit of the Australian Institute of Health.

The funding provided under the NBHP was for a three year period from 1989/90 to 1991/92.

New South Wales

The proposal may well serve as a useful adjunct to the National Crime Survey estimates of assault rates. The National Crime Survey will not give information on the seriousness of assaults. Overseas research suggests that many of those reporting assaults in victim surveys have received only very slight injuries. The data provided by the National Crime Statistics Unit might provide a guide to the proportion and types of assaults which result in serious injury. This should be a useful guide to assault prevention policy.

Victoria

The National Injury Surveillance and Prevention Project has been established and received additional funding from the National Better Health Program.

Queensland

The tendency to gender neutralise the representation of male violence impacts on a number of key recommendations, notably, those relating to Information and Research agencies. As a consequence of the omission of any serious discussion of domestic violence there is no discussion or recommendation relating to the pressing need for improvements in the collection of national statistics and indicators for domestic and sexual violence to women and children.

Northern Territory

For action by the Federal Government.

Australian Capital Territory

The ACT Government, through ACT Health is participating in the National Injury Surveillance and Prevention Project and is conducting an Injury Surveillance Project through the hospital system. This project is producing a range of data on types of injuries presenting in hospitals in the ACT.

The ACT Government is also participating in the revision of priorities for national health goals and targets, noting that injury prevention is one of the areas proposed for consideration in this process.

Australian Institute of Criminology

Recommendation 103.

A national homicide monitoring system should be established within the Australian Institute of Criminology.

Commonwealth

This recommendation has been implemented.

At the Australian Police Ministers Council (APMC) meeting in Darwin in March 1990. Ministers agreed to the establishment of a National Homicide Monitoring Centre at the Australian Institute of Criminology (AIC), the costs of which were to be borne by the AIC. Data collection for the centre was to be undertaken by an officer of the AIC accessing relevant documents within each police force in the course of regular site visits.

The Privacy Commissioner formally advised both the Australian Federal Police (AFP) and the AIC that on the basis of information provided by the AFP, he considers that the AFP could not disclose personal information in its possession to the AIC in the absence of a public interest determination. This situation, however, was technically resolved by a determination of the Privacy Commissioner concerning the AIC use of information provided by the AFP.

New South Wales

The New South Wales Bureau of Crime Statistics and Research has cooperated with the National Homicide Monitoring Centre in producing a continuing series of monographs on homicide.

This is a valuable initiative, although it properly forms part of the responsibilities of the newly created National Crime Statistics Unit within the ABS. The Australian Institute of Criminology should 'peer beneath' the figures through research studies designed to probe the explanation for changing patterns of homicide revealed by the National Crime Statistics Unit.

Victoria

Victoria Police Force gathers information which will assist in the national homicide monitoring system.

Northern Territory

For action by the Australian Institute of Criminology.

Australian Capital Territory

The ACT Government notes that this recommendation was implemented.

Criminology Research Council

Recommendation 104.

Federal, State and Territory Governments should increase their contributions to the Criminology Research Council.

Commonwealth

The Criminology Research Council (CRC) is jointly funded by the Commonwealth (fifty per cent) and each of the States and the Northern Territory. In early 1989 the Criminology Research Council sought an increase in its funding. The proposal was not accepted by the Commonwealth. However, funding for the CRC is now indexed with the cost of living and is therefore maintained in real terms.

New South Wales

As mentioned by the Commonwealth in its response to the Report, contributions to the Council are indexed. In 1992/93 New South Wales contributed \$53 200 to the Council.

Victoria

Funding by the States to the Criminology Research Council is determined on a pro-rata basis as specified in the *Criminology Research Amendment Act 1986*. The Commonwealth Government provides an amount equivalent to half of the total States and Territories' contribution.

Queensland

Queensland is represented on the Council and contributes the grant agreed upon between the Commonwealth and the States.

Tasmania

Given the severe budgetary constraints it is unlikely that increased funds would be available this financial year.

Northern Territory

The Territory Government would consider any Federal Government initiative for an increase in State and Territory Government contributions to the Criminology Research Council.

The Federal Government contributes fifty per cent to the Criminology Research Council, while the States and Territories contribute pro-rata according to population. The cost to the Northern Territory is minimal and is outweighed by benefit. In view of the funding arrangements, any change should be a Federal initiative.

Australian Capital Territory

The ACT Government is not presently a member of the Council, but is seeking representation on the Council and amendment to the relevant legislation so that the ACT can be recognised under the *Criminology Research Act 1971*. Until both measures are achieved it is not appropriate that the ACT comment on this recommendation.

LOCAL GOVERNMENTS

The Local Governments Ministers Conference (LGMC) discussed the report at its April 1990 meeting. Ministers were interested in exploring the contribution which local government could make to prevention and control of violence in local communities. It was agreed that Victoria and the Commonwealth would examine the proposed national conference (Recommendation 109) and develop

a proposal for consideration at the next meeting of the Local Government Joint Officers Group in September 1990. In addition the Ministers Conference endorsed Recommendations 105, 106 and 108. Recommendation 107 was referred to the respective Governments with a request for sympathetic consideration.

The following are the specific comments of the Office of Local Government :

Recommendation 105.

Local governments should consider the implications for public safety of those planning decisions with which they are involved. In particular, they should be mindful of the principles of crime prevention through environmental design.

New South Wales

There are several community-based crime prevention programs in New South Wales which were commenced through the efforts of local councils.

Victoria

The recommendations which concern local government were considered by all Local Government Ministers at the Local Government Ministers' Conference in April 1990. Subsequently, all municipalities in Victoria were contacted for their views on the local government-related recommendations. In their responses, councils generally welcomed the opportunity to discuss the issue of local government and violence prevention, particularly those of metropolitan and provincial cities.

In the area of local government planning and design, a number of councils were cognisant of the need to consider community safety, in the context of their planning processes. Some councils have adopted special planning and design measures which are standard and recognised principles of crime prevention through environmental design.

In addition to the municipalities funded by the Public Safety and Anti-Crime Council to undertake a Safe Cities Community Pilot Project, the former Ministry for Police and Emergency Services provided additional funding for a smaller project to be undertaken in Dandenong and Geelong. The projects are designed to allow local communities to develop their own projects through wide consultation, in order to identify local safety and security problems and develop strategies to address these issues. The basis of these projects is that safety is a community responsibility, not just a problem for the police..

In conjunction with Local Government, the former Ministry for Police and Emergency Services established and funded the Safety Audits Program, designed to work in partnership with local councils and police in supporting the community to identify trouble spots in their streets and public places and in proposing remedies to make the local environment safer and more secure. A Safety Audit Kit was produced and is being used as a basis for the local activity.

Also see Recommendation 106.

Western Australia

This is the responsibility of local government. A survey of local governments would be required to identify the extent of its implementation.

South Australia

Refer to response to Recommendation 48.

Tasmania

It is recommended by the Working Party that any design security measures should be part of the Australian Model code on Residential Development but be quantified for local applications.

Not all local authorities in Tasmania could be expected to provide the same level of economic commitment as major Local Government authorities in larger States.

Each level of Government should contribute to a coordinated program of crime prevention without overlap of service delivery or administration.

The Working Party particularly recommended that the level of awareness of crime prevention through environmental design and planning be raised amongst relevant professions and the public dealing with planning and design matters through professional training, professional development and information seminars.

Northern Territory

For action by Local Government.

Australian Capital Territory

Local governments should consider the implications for public safety of those planning decisions with which they are involved. In particular, they should be mindful of the principles of crime prevention through environmental design.

Recommendation 106.

Town planners should incorporate security measures in design and when considering planning proposals.

New South Wales

The New South Wales Department of Planning has a role in providing guidelines and policy advice to Local Government on key planning issues. The Department has indicated that it will take into consideration the recommendations of the National Committee on Violence when preparing circulars and publications dealing with design matters.

Victoria

There is an increasing awareness by local council planners of the implication for public safety of decisions on town planning and environmental design. However, the level of awareness will differ from area to area depending on local factors. The most effective way to ensure that crime prevention considerations are integrated, as a matter of routine, into the planning process would be to gain the cooperation of the Royal Australian Institute of Planning and the Local Government Planners Association. Both bodies have a major influence on the initial and continuing education of planners. A successful awareness campaign would require some commitment of staff by whichever agency assumes responsibility.

Consideration of public safety in local government decisions across the board is gradually gaining momentum throughout Victorian municipalities. Some councils, mainly in metropolitan areas, are introducing the concept of public safety in corporate plans thereby giving a certain legitimacy to actions and decisions where this is considered.

The idea of 'designing out crime' through planning, architecture and environmental design is gaining acceptance and with more knowledge and use of overseas examples should certainly become the norm in the next few years.

Queensland

The Department of Housing, Local Government and Planning will encourage Local Government to consult with the Police Department at the Planning Scheme review stage to address issues of security (and therefore, prevention of violence) in existing and new developments. This would allow a systematic approach to security audits at a local level and draw the local authority's attention to potential problems in their area which may be rectified by, for example, extra lighting, removal of shrubbery and improved park maintenance.

The Scheme review could require the inclusion of guidelines for safe design principles which could be incorporated into any new development.

Western Australia

Public safety is an important criteria in designing high density housing area in Western Australia. Pro-active steps in relation to crime minimisation through better designed open areas, paths etc were looked at.

South Australia

Refer to response to Recommendation 48.

Northern Territory

The implementation of Recommendation 106 would present a departure from the planning philosophy in the Territory to date.

Whilst it is accepted that design has an effect on security, to force appropriate design criteria would reduce the freedom of designers and would discourage initiative and variation. Many desirable design features intended to provide privacy have a negative effect on security, for instance, landscaping and screen fencing.

The weight which is given to security in any design, needs to be balanced by other considerations, and in the end is only as good as the level of personal commitment by the occupant.

Australian Capital Territory

The ACT Government supports these recommendations.

Public safety and security measures in design are considered by the ACT Planning Authority in the planning process for such matters as access to housing and public spaces; commercial or retail precincts; community developments; housing densities and street layouts.

Recommendation 107.

Federal, State and Territory Governments should assist councils in providing services to families under stress.

Commonwealth

While there are important inter- and intra-state variations, many councils already provide a significant level of family support services. In Victoria and New South Wales, more than fifty per cent of council community services are directed towards family support. Funding for these services

normally comes from a mixture of Commonwealth, State, and Local Government sources. In this regard it is noted that additional Commonwealth resources were to be available through the fifteen new Family Resource Centres which were announced in the Prime Minister's election speech. Effective implementation of this initiative and of the recommendation overall, will require cooperation between the three spheres of government to ensure genuine collaboration at the local level. In this context the considerable experience of many councils in local social planning, service coordination, and the mobilisation of community resources will be important.

These centres will assist in coordination of referral to support services for disadvantaged families, including family mediation and skills training.

New South Wales

The Department of Community Services funds a variety of services to families under stress, primarily through the Community Services Grants Program and the Supported Accommodation Assistance Program. This includes the provision of funds to non-government organisations and local government for the provision of services.

The Community Services Grants Program comprises two sub-programs:

1. Family and Child Support Program which provides intensive support services to assist families with children and/or adolescents overcome difficulties where the family is at risk of breaking down or has broken down, or where children are at risk of abuse, neglect or exploitation. The program also provides specialist services for families with children and/or adolescents who are experiencing difficulties, which reduces the need for statutory intervention or institutionalisation.
2. Community Resources Program which has the following aims and objectives:
 - * to provide community services which assist in reducing the effects of disadvantage;
 - * to provide development and community support service to families with children, young people and older people to increase opportunities and increase access to services; and
 - * to improve the provision of services to disadvantaged communities, Aborigines, people of non-English speaking background and people with disabilities.

Victoria

Many of the range of community programs operating at the local government level are State or Commonwealth funded. Family counselling, family support programs and community houses are sponsored by many councils. These, together with the traditional community service programs provided by councils such as child care and Home and Community Care programs are significant in reducing family tension.

Western Australia

Local government is becoming increasing involved in services for families under stress. While assistance to councils is often useful in resourcing local services, an integrated approach to service delivery is required in meeting the needs that exist in a local area.

Local government in Western Australia is negotiating the Better Government Agreement which will clarify the roles of the two spheres of government and improve their working relationship.

In Western Australia the '*Integrated Local Area Planning' Processes: working together to identify needs*' is being implemented.

Tasmania

This recommendation calls upon Federal, State and Territory Governments to assist councils in providing services to families under stress. This is supported but all levels of government should contribute to help families under stress and to prevent stress.

Northern Territory

Under the grant-in-aid program managed by the Department of Health and Community Services (H&CS), local government organisations are funded to provide numerous welfare services in an effort to relieve family stress. Local government organisations also received direct funding for these purposes.

Australian Capital Territory

The ACT Government supports the recommendation. As a direct service provider, the ACT Government continues to ensure that a wide range of services are available to families under stress and that these services meet the particular needs of the ACT community. These services are discussed in detail elsewhere in the report, in particular under Recommendations 10, 11, 18, 19 and 37.

Recommendation 108.

Local governments should develop programs which provide a variety of high standard alcohol-free recreation and entertainment activities, planned in consultation with the intended users, where young people can express themselves freely in a safe place, removed from those who are likely to be irritated by displays of exuberance and energy.

Commonwealth

Many councils already provide indoor and outdoor recreation facilities either exclusively for young people or for all age groups. Local government's ability to substantially increase its involvement in this area is likely to be conditioned by funding considerations. Any additional funding would be a matter for the relevant State and Federal departments, and for Local Government itself.

New South Wales

Sections 87 and 117 of the *Liquor Act 1982*, were amended to allow hoteliers to apply to the New South Wales Liquor Administration Board for an authority to conduct supervised liquor-free entertainment on hotel premises for minors.

The Board may only issue these authorities to those hotels which also have an existing entertainment authority. They are subject to the conditions set out in the legislation as well as any additional conditions that may be determined by the Board.

These changes will increase the availability of suitable liquor-free entertainment venues for young people, as well as provide commercial opportunities for hoteliers to respond to this demand.

This initiative is part of a range of strategies that the New South Wales Government is introducing to combat the problem of underage drinking in the community.

Victoria

Metropolitan municipalities and regional cities assist in the provision of a large number of programs targeted at young people, with an emphasis on alcohol free recreational activities. Such programs are

seen as a means of reducing opportunities for violent behaviour. Strategies and programs were developed which are particular to the specific needs of individual municipalities.

The Office of Youth Affairs continues to fund the rock music clubs which encourage and assist young people to provide their own alcohol-free entertainment. The PUSH receives approximately \$300 000 annually and over 20 000 young people were involved in activities through 19 clubs operating in the metropolitan and country areas in 1991/92. Similar involvement can be expected in the current financial year.

In addition to PUSH-related activities in 'dry' areas, the PUSH has also assisted youth clubs to negotiate access to licensed premises for alcohol free entertainment by agreement through the Liquor Licensing Commission and proprietors.

Western Australia

The majority of Western Australia's local governments do this already via:

- * community policing committees;
- * recreation centre staff or facility based staff; and
- * donations to community committees to organise events generally with the help of police.

To organise this sort of activity usually takes a range of agencies in various roles. Another role may be subsidies and incentives, eg. providing free use of hall for community groups organising such events.

Tasmania

Supported.

Local Government should not have to take total responsibility and all levels of government should contribute.

Northern Territory

The Liquor Commission encourages, wherever possible, alcohol-free recreation and entertainment activities.

Australian Capital Territory

The ACT Government funds a network of youth centres and provides a range of recreational facilities and programs which fall within this recommendation.

A number of Government agencies work together to plan alcohol free events for young people in the ACT. Events have included the ACT Rock Eisteddfod which provided a range of alcohol free activities for young people in the ACT school system. This event was sponsored by the ACT Alcohol and Drug Service and promoted by the National Campaign on Drug Abuse slogan 'How will you feel tomorrow?'. A number of other events supporting this theme were also sponsored through the ACT Health Promotion Fund.

Recommendation 109.

A national conference of local governments should be convened to enable local government officials from around Australia to share their insights on crime prevention.

Commonwealth

Following the decision (see above) of the Local Government Ministers Conference (LGMC) about a possible conference on Local Government and Crime Prevention, preliminary discussions were held between the Office of Local Government and the Victorian Department of Local Government. One element in the conference was the results of the Local Government and Crime Prevention project at Waverley and Fairfield Councils in Sydney. This project was jointly funded by this Department's Local Government Development Program and State sources.

New South Wales

The Commonwealth Minister for Local Government organised a national conference Local Government: Creating Safer Communities held on 26-28 November 1991 in Melbourne.

Victoria

At the April 1990 meeting of the Local Government Ministers' Conference, it was agreed that the Commonwealth and Victoria would work together on a proposal to organise a national conference on Local Government and Crime Prevention. The conference aimed to address safety and security, linking it with fear reduction and violence prevention strategies and in assisting the municipalities to articulate their views and develop their ideas on public safety issues. The conference was held in Melbourne on 26 - 28 November 1991. Assisting in organising the conference were the Commonwealth Office of Local Government, the Victorian Community Council Against Violence and local government party organisations. Administrative support was provided the Australian Institute of Criminology Conference Unit.

Victoria also participated in the National Conference on Community Safety and Crime Prevention, held in Melbourne on 19 November 1992. In attendance were Federal and State Ministers and delegations of public and community leaders.

Queensland

The national conference on Local Government: Creating Safer Communities was held in Melbourne in November 1991, as planned.

Western Australia

The conference 'Creating Safer Communities' was held on December 2, 1991 at Government House in Perth. This was a State conference.

Northern Territory

An initiative required at the national level.

Community violence and lawlessness were to be included as a major topic for discussion at the Northern Territory Local Government Conference set down for Palmerston in September 1990.

Australian Capital Territory

The ACT Government supports this recommendation.

PRIVATE ENTERPRISE

Employers Generally

Recommendation 110.

Employers should provide a range of counselling and support services to assist employees with personal problems. These should include stress management, drug and alcohol rehabilitation, and domestic violence counselling.

Commonwealth

While the report primarily emphasises the role of private employers in this area, the Commonwealth as a responsible employer has in place programs that at one level promote employment opportunity; and at the Departmental level deal with stress in the workplace and the substance of this recommendation.

In the Commonwealth jurisdiction guidelines for Departments on managing the misuse of alcohol and other drugs in the work environment were issued in April 1983.

The Commonwealth has supported the National Employee Assistance Program Executive initiatives to provide counselling services to troubled employees in both the public and private sectors.

In some instances, such as in the case of the Commonwealth Department of Social Security, special attention was given to the issue of client aggression and the development of strategies to assist staff confronted by aggression.

For some years Staff Welfare Officers were available within that Department to provide confidential counselling, referral and support for staff after they have experienced traumatic incidents of client aggression. A reporting system operates to record such incidents of harassment by clients. This provides management information to enable the development of appropriate preventative measures.

In response to this, on the preventative side, as well as making system changes to reduce errors and delays in benefits processing to limit aggression, national client contact training was developed by the Department of Social Security to enhance the ability of staff to handle these situations and improve service to clients. In addition, funding was provided for a four year project in the 1989/90 Budget for training in increased development of interpersonal skills and conflict resolution.

The Commonwealth is also considering issues relevant to this recommendation in the international area. In this respect the United Kingdom requested comments from selected International Labour Organisation member countries on a paper concerning violence to staff arising from members of the public, with a view to submitting a resolution to the International Labour Conference in June 1991. The Commonwealth takes this recommendation into account.

New South Wales

This recommendation is directed to private employers. However, it should be noted that many New South Wales Government agencies provide counselling and support services to assist their staff. In any event, in view of the present economic climate, the Government should not give consideration to requiring employers to provide such services.

Victoria

The Occupational Health and Safety Division of the Department of Labour is not specifically empowered to legislate regarding employees' personal well being. The Occupational Health and Safety Act only requires that employers provide 'adequate facilities' for the health and safety of their employees (s.21.2(d)). The Industrial Relations arrangements in Victoria are similarly unable to actively make such provisions mandatory.

The *Employee Relations Act 1992* brings into being an employee relations system that is far less regulated by Government than the former prescriptive provision applying under the *Industrial Relations Act 1979*.

The undeniable move towards an employee relations focus and the development of the employer/employee relationships to the workplace is producing a realisation that 'investment' in people is key ingredient for productive and therefore competitive performance. This will in time result in more companies becoming aware of the need to consider employee well-being in a wider context than wages and conditions.

Given the Victorian Government's position on industrial relations reform, it is appropriate that issues raised in this recommendation be addressed by the private sector without government involvement.

Queensland

Many large employers provide a counselling service for employees with personal problems; however this could well be beyond the capacity of small businesses.

South Australia

A Commissioner's Circular Number 61, dated 1 August, 1991 recommending the establishment of Employee Assistance Schemes was distributed to all public service agencies. The Schemes are designed to provide counselling or referral services to employees who are experiencing a range of personal or work-related problems, including drug and alcohol problems and relationship difficulties. The Schemes may be offered by specialist employees, or by contracting with external agencies.

The Department of Industrial Relations has organised a tripartite meeting involving the ACTU, ACCI, BCA and MTIA in mid November, to further discuss the issue of racism in the workplace.

The Department of Labour is represented on the United Trades and Labour Council's Ethnic Affairs Standing Committee which monitors the progress of the Workplace English Language and Literary Program.

The Program assists employers in providing training for employees from non-English speaking backgrounds. This can be seen as a positive step in assisting in the reduction of violence in the workplace over ethnic slurs.

The Occupational Health and Safety Commission has been preparing a 'Code of Practice for the Prevention of Occupational Violence' and it was expected that the first public draft of the Code would be available for comment by the middle of 1993.

It is understood that the United Nations will soon release a draft discussion paper on violence in the workplace, and this document will be reviewed before implementing further action plans.

Northern Territory

Employers should provide a range of counselling and support services to assist employees with personal problems. These should include stress management, drug and alcohol rehabilitation, and domestic violence counselling.

Individual departments and authorities within the Northern Territory Public Service are responsible for the provision of personnel services to their employees. These services include counselling and assistance with personal problems. Normally these services are only activated where the personal problems have led, or are leading, to work and performance problems.

Some departments, however, have a number of staff who act as welfare officers for the department, necessarily become noticed as a work or performance problem.

In general, Departments do not have staff with the necessary skills to undertake a full range of counselling and support services. In most cases, use is made of professional services such as the Employee Assistance Service (EAS). The EAS provides confidential counselling and other support services, without fee, and without reporting to the employer or to any other organisation or person.

In addition, employees may be referred to specialist organisations, both private and Government, for help and counselling depending on the circumstances.

Australian Capital Territory

The ACT Government supports this recommendation.

The ACT *Occupational Health and Safety Act 1989* has provisions for duties of employers in relation to employees in Section 27. In particular, Section 27(1) states 'An employer shall take all reasonably practicable steps to protect the health, safety and welfare at work of the employer's employees'.

Recommendation 111.

Governments should offer payroll tax reductions to employers who pay their employees by bank credits.

Commonwealth

The Commonwealth does not collect payroll tax, and therefore is not in a position to implement this recommendation.

New South Wales

A reduction in payroll tax for employers who pay their employees by bank credits would cost State revenues a considerable amount yet may not lead to any significant increase in the number of employees paid in this way. Employers already gain considerable benefits through the use of direct credit payments.

Victoria

The Victorian Government's Budget constraints raise major doubts about the likelihood of any reduction in Victoria's payroll tax revenue base. Changes in payroll tax policy need inter-state cooperation, particularly since the publicly announced moves of 1990 towards greater payroll tax uniformity with other States.

Queensland

This recommendation is presumably aimed at reducing the amount of cash held both by pay offices and individual employees. Many employers in this State already pay wages and salaries by Electronic Funds Transfer (EFT) and the revenue implications of this recommendation would need to be carefully assessed.

South Australia

According to information provided by the State Taxation Office, no reductions in payroll tax were implemented to date. As advised in previous comments dated 30 May 1990, the question of financial incentive by way of payroll tax reductions would more appropriately be addressed by Treasury.

Northern Territory

Many employers already make payments by direct credit to employee's accounts and require no special incentive. In these cases, self interest is sufficient incentive to minimise the amount of cash on hand on pay days and so the risk of payroll robbery.

On equity grounds, it would be difficult not to extend the concession to all employers irrespective of when they had introduced a direct credit payroll system. A one per cent reduction in the rate of tax would result in a revenue reduction from the private sector in the order of \$395 000.

Restricting the concession to only those employers not practising a direct credit system would result in considerable administrative difficulties and costs, including identifying those employers who subsequently chose to go back onto a cash system in order to try to qualify for a payroll tax concession.

Those employers persisting with cash payments do so either because they are small or their employees have expressed opposition to moves away from cash payment.

Australian Capital Territory

The ACT Government does not support the recommendation on the following grounds:

- * it would impose an additional workload on employers where separation of cash pays and bank credits were required. It would also require additional administration;
- * tax is a complex field. The isolation of employers paying through bank credits will add to the complexity of legislation and enforcement; and
- * it would be difficult to establish a separate rate.

This recommendation clearly has revenue implications for the ACT, States and Northern Territory. The likely costs outweigh the benefits.

Specific Industries: Media

Recommendation 112.

The media generally, and the television industry in particular, should demonstrate a commitment to programming which promotes pro-social conduct and non-violent values.

Commonwealth

Ms D O'Connor, then Chair of the Australian Broadcasting Tribunal (ABT) said in her preface to the ABT report, 'It is my view that until the release of our research and the conduct of public conferences, the commercial television industry had not fully addressed or even accepted that the public was concerned by the portrayal of violence on television. By the time the public process had finished, the industry had acknowledged this concern and had committed itself to ways of rectifying the situation'. (p.xiii).

The ABT will monitor programming with these matters in mind.

The Commonwealth also has a central role in the classification of films, videos and literature. This is carried out by the Office of Film and Literature Classification, a Commonwealth body which also acts on behalf of the States and Territories.

Since the Report of the Joint Select Committee on Video Material in April 1988, several significant steps were taken in relation to videos and films continuing violence:

- * At the June 1988 meeting of Censorship Ministers, the Ministers asked the Chief Censor and the Chairman of the Films Board of Review to tighten the guidelines used to classify films and videos at the top end of the M classification and the top end of the R classification where the film or video had a violent content. The effect of this was to push borderline M films into R classification and to push those on the R/refused border into the refused category.
- * At the same meeting the Ministers approved a new set of guidelines which were drawn up to take account of the Joint Select Committee's concerns over levels of violence. A preamble to the new guidelines also referred to the community's anxiety about violent films and videos so that all discussions are taken in the general context of the preamble.
- * Legislation has now been introduced to require more prominent markings on videos, films and the advertising for both. All videos classified since May 1989 now carry the classification prominently marked across the bottom front cover, the spine and the back of the cassette case, and on the cassette itself.
- * Consumer advice was provided by the Office of Film and Literature Classification on films or videos classified above 'G'. The advice indicates the strongest elements, eg coarse language, frequent violence or sexual scenes. It is directed towards viewers, but particularly parents, so that informed choices can be made about viewing material. Video distributors have voluntarily carried the consumer advice and used it in advertising material. When legislation is in place in the States and the Territories, the consumer advice and categories will also be displayed in media advertising and at the front of theatre advertising for cinema films.
- * The Commonwealth, the States and Territories, and the film and video industry are about to embark upon a program to make the community more aware of the classification process and the kinds of films they are likely to see in each category. It will also focus on the consumer advice and the use that viewers can make of it. The campaign will be directed primarily to parents and will aim to provide support for them when they make decisions about the suitability of material for their children.

New South Wales

See comment on Recommendation 113.

Victoria

On 22 August 1988, the Federal Minister for Transport and Communication directed the Australian Broadcasting Tribunal to inquire into the portrayal, presentation and reporting of violence on television. There was an unexpected amount of public interest and participation in the Inquiry and a wide consultative process was carried out. The Tribunal submitted its report to the Minister on 31 January 1990.

The first six recommendations request the Minister to prepare an industry-wide code, acceptable to the Tribunal and reviewed within the normal licence renewal procedure.

Recommendation 9 of the Australian Broadcasting Tribunal Report on Television Violence in Australia states that all violent acts or scenes should be prohibited in television advertising.

Aussie Sport has promoted to television stations the concept of fair go and fair play in sport through community service announcements.

Recommendation 113.

Media organisations should develop a code of conduct aimed at reducing gratuitous intrusions upon victims' and alleged offenders' privacy and dignity; avoiding glorification of violence; and avoiding portrayals which may encourage the commission of similar offences.

Commonwealth

A code regulating violence on television was released on 19 March 1991 and was agreed to by the commercial networks.

The industry intends to review the code every two years, in light of prevailing community standards and has invited viewer comments on specific concerns and on the code itself.

The Australian Broadcasting Tribunal (ABT) will review broadcasters' performance in relation to the code during licence renewals or if it has reason to believe that broadcasters are acting in serious or repeated disregard of the code. Administration of the code however remains the day-to-day responsibility of the broadcasters.

The recent Strathfield shootings and coverage of the event on television unfortunately provided an opportunity to assess the effectiveness of the implementation of the code. Similar incidents in 1988 (the Hoddle and Queen Street massacres) contributed to the public debate about violence on television which led to the Minister directing the Tribunal's Inquiry into Television Violence in Australia.

The Tribunal received very little complaint about the television coverage of the Strathfield shootings. An assessment of the coverage in terms of the code of practice is underway.

The need to develop a Code for radio will be considered on development of the television Code. State and Territory Governments could approach the Press Council in respect of the print media.

New South Wales

The Australian Broadcasting Tribunal (ABT), which has now been renamed the Australian Broadcasting Authority, has published standards for program classification, which licensees must apply. The ABC and SBS are self-regulating.

The commercial stations also have a 'Violence on TV Code of Industry Practice' which covers news and current affairs, drama and fiction and program promotions. This is being updated.

In the past, television networks have had a different classification system (eg. AO, PG) to film and video. This will now be brought into line with the film and video classification categories.

The Council of Australian Governments' meeting held in Perth on 7 December 1992 agreed that the existing M category for films/videos be split with a new MA classification applying to violence or coarse language in such a manner as to make the film unsuitable for viewing by persons under 15 years of age. The new MA category will be restricted to those aged 15 and over, unless accompanied by an adult.

As a consequence of the agreement reached on 7 December 1992 New South Wales was obliged to amend the *Film and Video Tape Classification Act (New South Wales) 1984* by 1 May 1993. All films/videos are required to be submitted for classifications, prior to exhibition in cinemas or sale in New South Wales.

Victoria

Refer to response to Recommendation 112.

Media Coverage of Sport

Recommendation 114.

Media coverage of sporting events should avoid the gratuitous re-play of violent incidents.

Commonwealth

By its nature, this recommendation relates only to television coverage. The proposed voluntary Code should address this issue.

New South Wales

This is essentially a matter for the media. The media should not glamorise violent play but focus on incidents involving the principles of good sporting behaviour. See also comment on Recommendation 113.

Victoria

Refer to response to Recommendation 112.

Recommendation 115.

Media commentators on sporting events should avoid glorification of violence and should forcefully condemn violence when it occurs, and should shame the perpetrators of violence.

Commonwealth

The Code should address this matter for television. The radio situation will be considered, but the print media will have to be addressed by State and Territory governments.

New South Wales

This is essentially a matter for the media. The Sport and Recreation Ministers Council adopted a code of behaviour for the media in 1985. See also comment on Recommendation 113.

Victoria

Refer to response to Recommendation 112.

Recommendation 116.

Media advertising of sporting events should avoid metaphors of violence and should emphasise themes of fair play.

Commonwealth

Again, this recommendation should be covered by the Code. If not, the ABT has standards making powers in respect of advertising which, if appropriate, it would exercise.

New South Wales

This is essentially a matter for the media. See also comment on Recommendation 113.

Victoria

Refer to response to Recommendation 112.

Tasmania

The codes of behaviour adopted by the Sport and Recreation Ministers Council include a code of behaviour for the media.

The Tasmanian Government believes the Australian Broadcasting Tribunal should have as a policy direction, the official adoption of a code which would preclude glorification of violence and include emphasis on fair play.

Northern Territory

Recommendations 112 - 116 are aimed at self-restraint by media organisations.

Australian Capital Territory

Media regulation falls within the jurisdiction of the Federal Government and the ACT Government notes that the issues outlined in the above recommendations were referred to the Australian Broadcasting Tribunal for attention. The ACT Government supports the concepts contained in these recommendations.

Specific Industries: Licensed Premises

Server Intervention Programs

Recommendation 117.

State and Territory Governments should prepare codes of conduct for the operation of licensed premises, enforceable under fair trading legislation. These codes should be flexible enough to deal with circumstances applying to particular communities, including Aboriginal areas. They should also include segments on server intervention and bouncer employment.

Commonwealth

This recommendation relates to premises licensed under State and Territory legislation.

New South Wales

The recommendation that Governments prepare codes of conduct for the operation of licensed premises has not been implemented. To date, the role of Government agencies was to encourage the industry to develop appropriate codes for their own industry sectors.

There was good progress. For example, the Australian Hotels Association launched a comprehensive code of practice in early 1992, and the Liquor Stores Association and other industry sectors are also developing codes.

There are also indications that the liquor industry itself is responding to the general community concerns about alcohol-related harm as evidenced by several recent campaigns ('Drink in moderation' media campaign, Home Safely program, and the wine industry campaign).

See also comments on Recommendation 97.

Victoria

In Victoria, the State already assumes considerable regulatory powers in regard to the operation of licensed premises. The *Liquor Control Act 1987* contains sections which restrict the type of premises which may be licensed, the trading hours permissible to various types of licensed premises, the obligations on the license and permit holders, and the actions by them and other persons which are offences under the Act. See also responses to Recommendations 96, 97 and 98.

The Liquor Licensing Commission is facilitating discussion between industry associations and relevant agencies such as the Equal Opportunity Commission of Victoria and the Victorian Community Council Against Violence, in order that an industry generated code of practice has due regard to relevant community issues.

The National Committee should examine the initiative in the Northern Territory whereby the Liquor Commission has the statutory power to approve Codes of Conduct and include the approved codes as terms and conditions in liquor licenses.

The Community Council Against Violence conducted an inquiry into violence in and around licensed premises, which was completed in January 1990. An initiative arising from their report was the establishment of the West End Forum, which has representation from nightclub owners, local community, Melbourne City Council, police, liquor union and the Council. The forum developed local strategies for entertainment precincts to prevent violence and a code of practice for licensees, particularly nightclub owners.

Queensland

The *Liquor Act 1992* contains provisions binding licensees and permittees, with penalties associated with any breaches. Provisions relate to the consumption of liquor, the exercise of control over the premises, the eviction of minors from the premises and unlawful betting and gaming. All persons are bound by certain provisions including prohibiting the serving of liquor to minors and unduly intoxicated and disorderly persons, false representation of age, consumption or removal of liquor outside trading hours, conduct causing a public nuisance, obstruction to eviction from premises and selling by unlicensed persons.

Information provided for Recommendations 96, 97, and 98, also refer.

The Queensland Hotels Association is in the process of developing a Code of Conduct for members and other industry associations have also indicated an interest in pursuing the development of such Codes.

Western Australia

The Liquor Licensing Act sets out clear obligations in relation to licensees and whilst not specifically referring to Aboriginal people, the obligation of licensees to provide a service to all persons is clearly spelt out.

South Australia

The position in relation to the above recommendation remains the same. That is that it would be inappropriate for codes of conduct for the operation of licensed premises to be incorporated in fair trading legislation.

Experience indicates that liquor licensing legislation is the most appropriate vehicle to deal with this issue through the facility to impose conditions on licences.

During 1992, the Crime Prevention Unit of the Attorney-Generals Department initiated a 12 month project to examine crime in and around licensed premises, and how to deal with it. Pilot sites were selected, and with the involvement of licensees, police, Drug and Alcohol Service Council (DASC), Liquor Licensing Commission and the HHIA. The project aims to encourage all agencies to participate in developing appropriate strategies to reduce crimes, particularly violent crimes.

Tasmania

The working party recommended that before making these programs conditional, opportunity for self regulation should be provided. The Licensing Board should co-ordinate the development of a set of guidelines which include selection criteria, training and control.

The working party recommended that the Licensing Authority draw up the Codes of Conduct for Tasmania and this should be implemented only after extensive consultation with all relevant bodies likely to be affected.

Northern Territory

The Liquor Commission directs that, as a condition of a liquor licence, a code of conduct is implemented and enforced. The Commission also encourages the striking of agreements between Aboriginal communities and licensees in situations where the sale of liquor although legal may be disruptive to those communities.

A review of Roadside Inns was completed and its recommendations were endorsed by government. An assessment of all licence conditions for Roadside Inns is about to commence which will update those conditions to effect the Northern Territory Government's alcohol strategy.

Australian Capital Territory

The ACT Liquor Act together with practice directions issued by the Liquor Authority effectively provide licensees with a code of conduct in relation to the operation of licensed premises.

The development of separate codes for particular communities, including Aboriginals, is hindered by the demography of the ACT and therefore is not seen as a feasible option.

The Licensing Authority has provided licensees with practice directions on server intervention and is developing guidelines in relation to the employment, training and conduct of bouncers.

Bouncers

Recommendation 118.

Negligence in the recruitment, training, and supervision of security personnel which results in injury to the public should render the proprietor of licensed premises liable for civil damages.

Commonwealth

This recommendation relates to premises licensed under State and Territory legislation.

New South Wales

As mentioned in regard to Recommendation 98, all personnel performing duty as 'bouncers' or doormen in New South Wales must hold a Class 1 Security Licence issued under the Security Protection Act. In order to apply for a licence, an applicant must be able to produce a certificate showing that he has successfully completed a training course conducted by a trainer accredited by the New South Wales Police Service.

A member of the public injured due to alleged negligence in the recruitment, training and supervision of security personnel would be able to sue for damages in the courts.

Victoria

In Victoria, the licensee is responsible for a 'duty of care' to any persons on the premises and can be found liable for damages when the duty of care was breached in any circumstances. It would be a matter of the degree of failure to provide this care which would determine how successful any action against the licensee would be.

The Registry of Private Agents has an active role in the teaching of crowd controllers. Such training includes aspects of liability from criminal actions.

Queensland

The Security Providers Bill may address these issues.

Western Australia

Refer to response to Recommendation 98.

South Australia

'Bouncers' or crowd controllers are subject to licensing pursuant to regulations introduced in February 1989 under the *Commercial and Private Agents Act 1986*. An amnesty existed until 31 December 1990 when the regulations became enforced.

Also refer to response to Recommendation 98.

Tasmania

The working party proposed that clear guidelines be developed by liquor licensing authorities and in instances where negligence occurs the proprietor should be liable for civil damages.

Common law in Tasmania requires that a proprietor of licensed premises keeps proper conduct of his security staff. An employee's wrong is imputed to the employer and their negligence on behalf of an employee is covered in this State.

However, the *Licensing Act 1976* does not provide the necessary legislation or guidelines to control the employment of security staff within the industry and the working party recommended that steps be taken to implement such reforms as a matter of priority.

Northern Territory

It is not clear exactly what the National Committee on Violence is recommending here, that is, whether it is proposing creation of a specific statutory cause of action against 'negligent' proprietors of licensed premises, or whether negligence in the recruitment, training and supervision of security personnel could be actionable under a general head of negligence at common law. Further consideration needs to be given to the existing legal remedies available to a person injured by security personnel and the adequacy of those remedies. If the Committee is proposing a statutory cause of

action, consideration should be given to how that cause of action would sit with the general law of tort, and specifically of negligence and of vicarious liability.

Australian Capital Territory

The ordinary laws of negligence already make a person liable for his or her negligent acts. As well, an employer is vicariously liable for the negligent acts of an employee unless the employer can demonstrate that the employee was exceeding his or her authority. The ACT Government does not support the recommendation insofar as it would impose strict liability on an employer.

Specific Industries: Toy Retailers

Recommendation 119.

Toy retailers should embrace a code of practice and display a sign indicating that the store does not sell toys relating to violence and war.

Commonwealth

A proposition similar to this was raised by certain members of the Commonwealth Committee of Inquiry into Victim Toys as a means of preventing future retailing of toys similar to victim toys. The Committee members from the Australian Toy Association and the Australian Retailers' Association, representing the toy industry, noted that it was beyond their charters to enforce such a recommendation, whatever its merits, and that it would be for each individual retailer to determine whether or not to display such a sign. The same representatives also had reservations as to the effectiveness of such a sign.

New South Wales

This is a matter for the industry.

It might be noted, however, that Schedule 1 of the New South Wales Prohibited Weapons Act prohibits the possession of any imitation or replica of a pistol, blank fire pistol, shortened firearm, machine gun, sub-machine gun, grenade, bomb, mine or similar device.

Victoria

The Report of the Victorian Committee of Inquiry into Anti-Social Toys recommended that:

'Encouragement be given to all toy retailers to comply with the Codes of Practice and to display a sign stating that the store does not sell victim toys, toys of violence and/or war toys as the case may be (Recommendation no.6).'

In 1989 an award was established by the National Action Against War Toys and has since been presented to ten retailers who do not sell war or violence-related toys. A sticker for the store owner's window is then made available for display.

Western Australia

The sale of toys relating to violence or war is contentious and the subject of widespread debate in the community.

The Commissioner has previously come to the conclusion that toys which are believed to pose a threat to a child's social or psychological development cannot be considered to present a danger of serious injury.

The Commissioner's authority to ban or restrict goods rests upon them being found to present a risk of serious injury or death.

Therefore, the Commissioner lacks the statutory authority to control their sale on the grounds of adverse social or psychological effects.

In the light of this statutory limitation a formal policy on toys relating to violence or war has not been developed.

However, the Commissioner has adopted a ban made under Commonwealth law proscribing the sale of socially offensive or victim toys. This was possible under the Commissioner's authority to adopt product safety bans or restrictions made elsewhere in Australia.

Similarly, the Commissioner could act upon this precedent to support a code of practice in relation to toys of violence or war if this code had received widespread community support and was supported both nationally and at the state level by other consumer affairs agencies.

South Australia

As far as we are aware, there was no action by educational or children's interests agencies to promote discussion on this issue. If action were to be taken, it would need to take place at a national level.

Northern Territory

For action by toy retailers.

Australian Capital Territory

The ACT Government considers that this is an issue for the private sector to address, possibly through the development of a voluntary code of practice.

Recommendation 120.

An independent body should be established in consultation with the toy industry, governmental consumer affairs agencies, and the consumer movement for the identification and promotion of pro-social toys. It should develop an endorsement scheme whereby such toys are clearly identifiable to prospective purchasers.

Commonwealth

The Commonwealth did not support this recommendation.

The Federal Bureau of Consumer Affairs' experience with the Commonwealth Committee of Enquiry into Victim Toys shows that such an exercise would be likely to be extremely expensive. It would also have the effect of requiring the toy industry to condemn certain toys as being anti-social. The Victim Toys enquiry showed that strong disagreement existed between the representatives of the toy industry and child psychologists on a number of major issues. It would therefore seem that the chances are minimal of any form of agreement being reached between child psychologists and members of the toy industry as to which toys can be classified as pro-social (or, by implication, anti-social). However, an eighteen month ban was imposed on specific victim toys depicting injuries or ailments in May 1989, and the Minister for Justice and Consumer Affairs had gazetted a notice of his intention to make the ban permanent.

New South Wales

Not supported. As mentioned by the Commonwealth in its response to this recommendation, the establishment of such a body would be likely to be extremely expensive. Moreover, there are differing opinions amongst experts in this field and, as a result, the likelihood of reaching an agreement on any course of action would be slim.

Victoria

Refer to Recommendation 9 of the above mentioned report, supporting the establishment of a committee to develop and promote positive symbols or logos to encourage the marketing of pro-social toys. Some informal discussion regarding the composition of this group has occurred.

Western Australia

As discussed in the previous recommendation the Commissioner lacks the statutory authority to control the sale of toys which are either pro or anti social, except those socially offensive toys already specifically banned.

An overall policy on this issue has not yet been developed.

However, the Commissioner's action in adopting a ban on socially offensive toys has indicated a desire to control the sale of identifiable anti social toys, where such control is possible within the existing legislation.

Considerable difficulty has and will be faced in reliably determining whether a given toy is anti-social. This would require a substantial investigation, with broad based community and industry consultation and expert psychological advice.

However, an independent body set up to pursue the identification of pro social toys may be able to address this problem and identify both pro and anti social toys.

A body which had received the support of industry, community bodies and consumer affairs agencies would be supported by Consumer Affairs and their recommendations would be supported as appropriate.

In view of the high percentage of toys that are imported into Australia and the very few that are manufactured in this State, cooperative action involving both the Commonwealth and the States is seen as essential in addressing this issue.

South Australia

Refer to response to Recommendation 119.

Northern Territory

The Northern Territory Government would support the establishment of such an independent body.

Australian Capital Territory

The ACT supports in principle the establishment of an independent body. The ACT Government, however, considers it more appropriate that an industry code be developed between the toy industry, retailers and wholesalers to identify pro-social toys, with the ACT Government receiving feedback on the code's effectiveness.

OTHER NON-GOVERNMENT ORGANISATIONS

Religious Organisations

Recommendation 121.

Religious organisations should continue to foster non-violent values by encouraging the peaceful resolution of conflict and by denouncing violence when and where it occurs.

Commonwealth

This recommendation is addressed to religious organisations.

New South Wales

This is a matter for religious organisations.

Religious organisations funded through the New South Wales Department of Community Services are required to ensure that their programs are consistent with current professional practice relating to child abuse and domestic violence.

The New South Wales Child Protection Council (funded through the Department of Community Services) is a major training provider in this area and promotes the professional development of those working in child protection.

Victoria

Religious organizations have not been formally approached for response.

South Australia

The mainstream religious denominations in South Australia have either developed domestic violence policies or made statements about the unacceptable nature of violence within the home.

Anglican Community Services is undertaking a project aimed at raising the awareness of clergy from a range of denominations about domestic violence and how they might respond appropriately to their parishioners. It is anticipated that a Handbook specifically for the clergy will be produced as part of this project.

Australian Capital Territory

This recommendation is addressed to religious organisations and are not therefore for implementation by the ACT Government.

Recommendation 122.

Religious organisations should review training curricula for members to ensure that counselling which they may provide is consistent with current professional practice relating to child abuse and domestic violence.

Commonwealth

This recommendation is addressed to religious organisations.

Also refer to response to Recommendation 14.

New South Wales

This is a matter for religious organisations.

Religious organisations funded through the New South Wales Department of Community Services are required to ensure that their programs are consistent with current professional practice relating to child abuse and domestic violence.

The New South Wales Child Protection Council (funded through the Department of Community Services) is a major training provider in this area and promotes the professional development of those working in child protection.

Victoria

Religious organizations have not been formally approached for their response.

South Australia

The South Australia Domestic Violence Prevention Committee and the Domestic Violence Prevention Unit have initiated a curriculum development project aimed at getting the issue of domestic violence into the curriculum of various post-secondary courses, including those who provide training for the clergy.

It is anticipated that a Handbook on Domestic Violence specifically for the clergy will be produced under the auspices of the Domestic Violence Prevention Unit.

Australian Capital Territory

Refer to response to Recommendation 121.

Sporting Authorities

Australian Sports Commission

Comments by the Australian Sports Commission notes that comments provided are reflected in the draft. Further, no criticisms from sporting bodies (other than shooting) are expected.

Spectator Violence

Recommendations 123 - 132 are all directed at sporting organisations. The Australian Sports Commission has circulated the recommendations to all national sporting organisations for their information. Many sports are already taking action in line with many of the recommendations.

The Commission generally supports the recommendations although it has reservations about the acceptability of the loss of premiership points as a penalty to clubs which do not control improper behaviour by players (Recommendation 126) except in the most extreme cases.

Recommendation 123.

Sporting organisations should assist in the prosecution of players who commit criminal assault on the playing field. This should include referring matters to the police for prosecution, and assisting the Crown in the collection of evidence.

Commonwealth

The Commonwealth, through the Commission, generally supports the recommendations although, like the Commission, it has reservations about the acceptability of the loss of premiership points as a penalty to clubs which do not control improper behaviour by players (Recommendation 126) except in the most extreme cases.

New South Wales

See comment on Recommendation 50.

Victoria

All sporting associations have developed procedures for dealing with the issue of violence in sport. The Victorian Government's policy is that sporting organisations should accept responsibility for the development of their sport, however funding can be withdrawn from individual State sporting associations if there are significant concerns in relation to violence within that sport.

Western Australia

The referral of on-field violence matters to the police by sporting organisations should be a decision made by the committee of the organisation. However, the organisation should assist the Crown in the collection of evidence.

South Australia

The implementation of stricter penalties for violence within sport has remained under the control of the responsible State sporting organisation. The re-structured Sports Advisory Council however, is preparing a strategic plan for their role in the provision of policy and advice to the Minister of Recreation and Sport. The violence prevention recommendations will be submitted to the Council for their consideration and advice.

Tasmania

Sports administrators and competitors have rights to set and play sport within the rules. The breaking of these rules and judgement on the severity of the penalty should be kept within sport. If individuals desire to take further action through the courts the mechanisms exist to do so. Therefore no action is proposed on Recommendations 123 through to 129.

Because of the concern over violence in sport, the Sport and Recreation Working Party have recommended the Minister officially adopt Codes of Behaviour (COB) for Tasmanian sport.

It is proposed that future funding from Sport and Recreation Tasmania will include as a condition, an acceptance for and abidance of these COBs.

Recommendation 124.

Regardless of whether or not the criminal process may be invoked, sporting authorities should impose harsh penalties upon individual players for violent play.

Commonwealth

Refer to response to Recommendation 123.

New South Wales

This is a matter for sporting organisations.

Victoria

Refer to response to Recommendation 123.

Western Australia

Harsh penalties for violent acts are already imposed by the better administered sporting associations.

South Australia

Refer to response to Recommendation 123.

Tasmania

Refer to response to Recommendation 123.

Recommendation 125.

Sporting organisations should disqualify players found guilty of misconduct from eligibility for awards for individual achievement.

New South Wales

This is a matter for sporting organisations.

Victoria

Refer to response to Recommendation 123.

Western Australia

Most sports disqualify players found guilty of misconduct for awards for individual achievement.

South Australia

Refer to response to Recommendation 123.

Tasmania

Refer to response to Recommendation 123.

Recommendation 126.

Sporting organisations should revise their rules to penalise clubs which do not control improper behaviour by players. Such penalties should include loss of premiership and match points.

Commonwealth

Refer to response to Recommendation 123.

New South Wales

This is a matter for sporting organisations.

Victoria

The Junior Sport Development Campaign has extensively promoted and undertaken education initiatives aimed at increasing the adopting of Codes of Conduct for players, media, coaches etc. in sport. This is part of an overall strategy of changing the sporting behaviours of young people.

Refer also to response to Recommendation 123.

Western Australia

Since sporting organisations are autonomous bodies, the penalties they impose on affiliated clubs to control improper player behaviour should be a policy matter of the organisation.

South Australia

Refer to response to Recommendation 123.

Tasmania

Refer to response to Recommendation 123.

Recommendation 127.

Sporting organisations should increase penalties for foul play by penalising individuals more heavily than in the past.

New South Wales

This is a matter for sporting organisations.

Victoria

Refer to response to Recommendation 123.

Western Australia

Refer to response to Recommendation 126.

South Australia

Refer to response to Recommendation 123.

Tasmania

Refer to response to Recommendation 123.

Recommendation 128.

Sporting organisations should ensure that the terms of playing contracts do not provide any buffer or indemnification against penalties for foul play.

New South Wales

This is a matter for sporting organisations.

Victoria

Refer to response to Recommendation 123.

Western Australia

The proposal that player contracts should include an indemnification against penalties for foul play is an internal sporting association policy issue.

South Australia

Refer to response to Recommendation 123.

Tasmania

Refer to response to Recommendation 123.

Recommendation 129.

Coaches and officials should reserve the most severe and public reprimands for players who engage in violence.

Commonwealth

The Commonwealth accepts the general principle that players who engage in violence should be severely and if necessary publicly reprimanded, but not that the most severe reprimands should necessarily be reserved for violent behaviour.

New South Wales

This is a matter for sporting organisations.

Victoria

Refer to response to Recommendation 123.

Western Australia

No comment.

South Australia

Refer to response to Recommendation 123.

Tasmania

Refer to response to Recommendation 123.

Australian Capital Territory

The ACT Government proposes to refer these recommendations to local sporting organisations for their consideration.

Also refer to response to Recommendation 50.

Recommendation 130.

Younger players, and their parents, should be taught good sportsmanship. Provision should be made for penalties against the team when parents of young players engage in disrespectful conduct as spectators.

Commonwealth

The Commonwealth agrees that younger players and their parents should be taught the ethics of fair play, but considers that penalties of the type proposed could unfairly penalise young players who are not in a position to control their parents. It suggests that offending parents be warned that any recurrence will mean that they will be asked to leave the ground, and that repeated examples will be referred to the selection authorities with a recommendation the child or children of the offending parent not be selected for a certain period, as casting disrepute on the club.

New South Wales

This is a matter for sporting organisations. Schools and sporting organisations in New South Wales have developed programs which encourage fair play and normal standards of behaviour by all participants.

Victoria

The Australian Sports Commission and The Drug Offensive have developed a 'Codes of Behaviour' booklet, which included input from the Victorian Department of Sport and Recreation. The booklet was used in conjunction with the Junior Sports Development Program.

Western Australia

The Junior Sport Development Unit promotes good sportsmanship and appropriate player and coach behaviour through coaching courses and in-servicing of parents and teachers.

Examples exist of sporting organisations which have banned teams from competing due to improper player, coach or parent behaviour.

South Australia

The Sports Division of the Department of Recreation and Sport continued its educational campaign regarding violence prevention throughout 1992.

This includes the following activities:

- * The distribution of the document 'Codes of Behaviour' as forwarded last year, was on-going through the Junior Sports Unit. Over 10 000 copies have now been sent out to schools, clubs and individuals, making it the most requested item of information within the JSU.
- * Parents of talented children were targetted this year for an address on appropriate behaviours as part of the format of the Year 7 Sports Camps;
- * Continued promotion of modified rules for juniors;
- * A new document (see 'Schools Sports Policy Guidelines for Primary Schools') was distributed to school at the end of 1991 to assist them in the organisation and conduct of sport for children. This document again outlines appropriate behaviour codes. Four hundred of these documents were provided to South Australian schools with a further 800 distributed upon request;
- * The offering of coaching accreditation courses has continued at all levels; and

- * A newly established Sport Development Program will enable sports to obtain funding subsidies to run courses to improve the quality of officials.

Tasmania

The Tasmanian Junior Sports Commission and the Aussie Sport Unit are involved in educating young players and parents in the values of good sportsmanship.

The second part of this recommendation is not practicable and no direct action is proposed. Obviously, The Department of Sport and Recreation is hoping the education program mentioned above will eventually eradicate such behaviours.

Australian Capital Territory

The ACT Government supports the recommendation.

The Junior Sport Development Unit of the Office of Sport, Recreation and Racing is addressing this issue through active promotion and distribution of the AUSSIE SPORTS Codes of Behaviour through schools and the community sporting organisations.

A new St George AUSSIE SPORT Award was donated to recognise the efforts of young children who regularly participate, enjoy their sport, try hard and display good sportsmanship. This will give additional media profile to the value of good sportsmanship.

Recommendation 131.

Sporting organisations should devote attention and resources to those aspects of stadium and facility design and maintenance, such as fixed seating and proper upkeep, which are likely to discourage violence by spectators.

New South Wales

This is a matter for sporting organisations.

Victoria

Whilst spectator violence in the Victorian context has not been significant when compared to the overseas experience, positive steps are being taken to improve the seating provision at major venues to further reduce the potential for spectator violence.

Western Australia

The Ministry of Sport and Recreation building design advice service and Local Government Authority building by-laws address the issue of appropriate building design to help discourage crowd violence.

Tasmania

No action is proposed on this recommendation. The Department of Sport and Recreation Tasmania officers provide advice on facility design to sporting and community groups but at this stage the need to increase fixed seating etc., is not seen as necessary.

Australian Capital Territory

The ACT Government supports the recommendation.

The major ACT sporting venues fit these requirements (eg Bruce Outdoor and Indoor Stadiums). Under the hiring arrangements for Bruce Stadium hirers are also responsible for paying for security officers to be in attendance.

Recommendation 132.

Sporting organisations should discourage irresponsible consumption of alcoholic beverages by spectators, through such means as restriction on bringing alcohol into sporting venues, beverage pricing policies, and the use of light plastic or paper containers.

New South Wales

This is a matter for sporting organisations. However, it might be noted that the New South Wales Licensing Court may impose conditions on the licensees of sporting venues to ensure the responsible serving of liquor.

See also comments on Recommendation 99.

Victoria

The last ten years has seen major improvements in Victoria in the area of alcoholic consumption by spectators and this recommendation largely reflects the present reality. The strategies suggested are by and large in place at major venues. Alcoholic drinks cannot be brought into stadia and can only be purchased in opened aluminium cans at a maximum of two per customer. Prices are invariably higher than normal and low alcohol beverages are available.

Many organisations were encouraged to review their practices with a view to fostering increased family participation at sporting venues.

South Australia

Most sporting organisations and venues impose restrictions on liquor being brought into a venue. Conditions imposed on licenses of this type are designed to ensure public order and safety and to minimise liquor-related and anti social behaviour.

The requirement to sell low alcohol liquor in plastic containers has proved successful and the licensing authority continues to control the pricing structure by licence conditions.

The South Australia Police Department supports such actions to reduce the incidence of alcohol consumption at sporting venues.

Western Australia

Sporting organisations abide by the existing State liquor laws and for example segregate wet and dry areas.

Tasmania

Not seen as an issue in Tasmania but the Tasmanian Football League will only serve alcohol beverages in light plastic containers and patrons cannot bring alcohol into the grounds.

Northern Territory

The Racing, Gaming and Liquor Commission does not issue special licences to sporting organisations that have in the past been known to allow the irresponsible consumption of liquor by spectators. The Territory is not yet of a size that restrictions on bringing alcohol into sporting venues are necessary as

a means of controlling alcohol consumption and possible resultant violent behaviour. However, it is a matter that is under constant review by the major football codes.

Australian Capital Territory

There are already dry (no drinking) areas at the Bruce Stadium and alcohol is not permitted to be brought into these venues. Alcohol is available for sale under the Liquor Act, which makes it an offence to sell liquor to intoxicated persons.

Most venues implement their own control policies on alcohol sale and consumption (eg bounced entry, small cups or sale of open cans only, no glass containers).

The ACT Government supports the recommendation.

PROFESSIONS

Medical Profession

Recommendation 133.

Professional medical organisations and colleges should assist their members in the diagnosis and referral of victims of violence, especially victims of sexual assault, domestic violence and child abuse.

Commonwealth

Professional medical organisations and colleges are autonomous bodies governed by State and Territory laws and the implementation of this recommendation is therefore a matter for the States and Territories. Nevertheless the Commonwealth supports this recommendation and will refer it to the appropriate colleges of medical practitioners.

Recommendations 133, 134 and 135 are supported in principle. The Department of Community Services and Health will refer them to appropriate colleges of medical practitioners.

New South Wales

This is a matter for professional medical organisations and colleges. However, the New South Wales Attorney General's Department has issued multiple copies of its pamphlet on the rights of victims to doctors through the Australian Medical Association (AMA) and to solicitors through the Law Society. See also Recommendation 88.

The Royal Australian College of General Practitioners has issued a pamphlet (produced by the New South Wales Department of Community Services) to general practitioners on their responsibility to notify the Department of situations where they believe that a child was the victim of abuse or neglect.

Victoria

The former Department of Community Services Victoria has produced a training package for General Practitioners to assist them in the detection of child sexual assault (refer to Recommendation 14).

The Office of Forensic Medicine is to hold a one day seminar for doctors on their role as medical witnesses in cases of sexual assault in 1991. The Australian Medical Association recognise its responsibility for the duty of care of victims of violence of all types and to prevent such behaviour where possible and to treat victims appropriately

The Centre Against Sexual Assault Houses work in conjunction with their local hospitals and service providers to train staff in working with victims of sexual assault.

The Australian Medical Association (AMA) recognise its responsibility for the duty of care for victims of violence of all types and to prevent such behaviour where possible and to treat victims appropriately.

Western Australia

Requires information from professional organisations. Would be under consideration.

South Australia

This is being addressed through the South Australian Domestic Violence Prevention Committee and the Domestic Violence Prevention Unit's curriculum development project, whereby medical schools are being encouraged to include domestic violence (identification, treatment, referral) in their courses.

The Domestic Violence Prevention Unit has produced a 'Handbook for General Practitioners' which was endorsed by the Royal Australian College of General Practitioners. This publication was distributed to general practitioners throughout South Australia. This publication continues to be sought by members of the medical profession.

In 1990 a new national organisation, Doctors for Protection of Abused Children (DPAC), was established. Membership is of doctors from a wide range of specialists who have a role in the assessment and treatment of children who may be abused. One of its major objectives is the development of a standards and peer review. To this end a national workshop was held in Adelaide in September 1992.

Recommendation 134.

Medical education, undergraduate, postgraduate and continuing, should include components dealing with all aspects of violence. There should be special emphasis on the care of victims, the prevention of violent behaviour, and the treatment of violent persons.

Commonwealth

Medical colleges are autonomous bodies governed by State and Territory laws and the implementation of this recommendation is therefore a matter for the States and Territories. Nevertheless the Commonwealth supports this recommendation and will refer it to the appropriate Colleges of medical practitioners. The Colleges are the primary bodies responsible for providing input into medical education.

Department of Health Housing and Community Services 1993

The proposed national prevention strategy for child abuse and neglect aims to include education of students in relevant disciplines in aspects of child abuse prevention.

Also refer to response to Recommendation 14.

New South Wales

This is a matter for higher education and professional bodies. However, it might be noted that the New South Wales Women's Coordination Unit is developing modules for particular occupational groups - viz doctors, social workers, teachers, psychologists and lawyers.

Victoria

This recommendation was endorsed by the Australian Medical Association.

The Centre Against Sexual Assault Houses provide input into courses at their local teacher training institutions and work in conjunction with their local hospital to students in working with victims of sexual assault.

Western Australia

Requires information from university medical school. Would be under consideration.

South Australia

As stated in previous comments, undergraduate, post-graduate and continuing medical education are not areas for which the South Australian Health Commission has direct responsibility. Undergraduate and post-graduate education fall within the ambit of the universities, while the medical professional through the various Colleges plays the primary role with regard to continuing education. However, the Health and Welfare Child Protection Policy and Planning Unit is providing training on the issues surrounding child abuse for all sixth year medical students at both Flinders University and the University of Adelaide.

This program was to be expanded in 1992 to include domestic violence issues.

In addition to those comments under Recommendation 133, other measures include the South Australian Domestic Violence Prevention Committee's policy development project whereby hospitals are being encouraged to develop policy and guidelines for their staff. An important component of these policies is the need to provide staff with regular training opportunities in the detection and care of those affected by domestic violence.

The Adelaide School of Medicine provides information (about identification, treatment, referral) about domestic violence to final year students which is later examined. Negotiations are in progress with the only other medical faculty to increase the course content devoted to domestic violence and to also have this examined.

Recommendation 135.

The medical profession, its professional organisations and colleges, should pursue the problems of violence in the community as a major public health issue.

Commonwealth

Professional medical organisations and colleges are also autonomous bodies governed by State and Territory laws, and the implementation of this recommendation is therefore a matter for the States and Territories. Nevertheless the Commonwealth supports this recommendation and will refer it to the appropriate Colleges of medical practitioners.

New South Wales

This is a matter for the medical profession.

Victoria

The Australian Medical Association recognises that medical practitioners have a duty to care for victims of violence, to prevent violent behaviour where possible and to treat victims appropriately.

Western Australia

Requires information from professional organisations. Would be under consideration.

South Australia

The issue regarding violence in the community being highlighted as a major public health problem is again one for the various Colleges and the Australian Medical Association to pursue. Quite obviously, any move to highlight this issue and make people more aware of the problem and the services available to address violence is worthwhile.

Legal Profession

Recommendation 136.

Members of the legal profession should, through in-service training or by means of continuing education, develop greater sensitivity to the needs of victims generally, and should routinely accord victims courtesy and respect.

Commonwealth

Legal professional organisations are autonomous bodies governed by State and Territory laws and the implementation of this recommendation is therefore a matter for the States and Territories.

The Commonwealth will refer the recommendation to the Law Council of Australia which is the national body representing the legal profession.

Also refer to response to Recommendation 14.

New South Wales

This is a matter for the legal profession. However, it might be noted that, through the mandatory continuing legal education scheme which operates in New South Wales, the Domestic Violence Advocacy Service (a private organisation) provides legal education on domestic violence to practising solicitors on a targeted state-wide basis. The New South Wales Government provides funds through the Legal Aid Commission to perform this role.

Victoria

The legal profession has not been formally approached to respond to this recommendation.

South Australia

The Domestic Violence Prevention Unit, as part of its professional education program, published a booklet for lawyers and legal workers on domestic violence in May 1991.

This publication provides accurate and useful information about the issue and encourages a more helpful and sensitive response to those affected by domestic violence.

The booklet was endorsed by the Law Society of South Australia and the Judge Administrator for the Family Court of South Australia.

The South Australian Domestic Violence Prevention Committee's Curriculum Development Project has targeted law schools with the aim of having domestic violence included in the curriculum.

The Legal Committee, which was reconvened in 1991, of the South Australia Child Protection Council is considering the training needs of the legal profession.

Northern Territory

The Department of Law will take this issue up with the Law Society and directly with Director of Public Prosecutions.

Architects and Planners

Recommendation 137.

Members of the architectural and planning professions should, through their initial professional training and in continuing education programs, develop greater awareness of the principles of crime prevention through environmental design.

Commonwealth

Architects' professional organisations are also autonomous bodies governed by State and Territory laws and the implementation of this recommendation is therefore a matter for the States and Territories.

The Commonwealth will refer the recommendation to the Royal Australian Institute of Architects which is the national professional body representing architects.

New South Wales

This is a matter for architectural and planning professional bodies.

Victoria

The Institute of Architects has not been formally approached to respond to this recommendation.

South Australia

Refer to response to Recommendation 48.

Tasmania

This is a matter for professional bodies.

Australian Capital Territory

The ACT Government supports these recommendations and encourages the relevant professional organisations and colleges to address the issues raised by the recommendations.

OTHER GROUPS

Trade Unions

Recommendation 138.

Where employers provide insufficient training and protection for their public contact workers, trade unions should call this to their attention.

Commonwealth

This recommendation was referred to the Australian Council of Trade Unions for their attention.

New South Wales

This is a matter for trade unions.

Victoria

A State Government response is not appropriate.

Queensland

This would be a customary and appropriate role for trade unions.

Australian Capital Territory

The ACT Government supports this recommendation.

Individual Citizens

The National Committee on Violence commends initiatives such as the Aunties and Uncles organisation in Sydney and Big Brothers and Big Sisters in Melbourne.

MINORITY RECOMMENDATIONS

Elimination of boxing as a sport

Northern Territory

Boxing is no longer practised as a sport in any of the juvenile detention centres operating in the Northern Territory. At present boxing is a minor sport in the Territory, and the Office works closely with the boxing fraternity to ensure safety is promoted.

The recommendation to ban boxing totally may not be possible, nor realistic. A more practical approach would be to implement stringent control procedures such as the registry of boxers, safety equipment, medical check-ups before registration and reviewed periodically as well as the attendance of medical personnel at events.

Western Australia

In February 1991 the Western Australian Government introduced comprehensive legislation for the control of the boxing industry. The legislation covered, *inter alia*, the formation of a Western Australian Boxing Commission, registration of all personnel involved in local professional boxing, and development of guidelines and training standards for boxing. It also covered details of all boxers' medical history, methods of conducting medical examinations, duties of medical practitioners and the maintenance of medical records books.

Tasmania

The working party recommended:

- * a total ban on professional boxing in Tasmania;
- * banning kick-boxing or any of the martial arts designed to inflict injury; and
- * to ban amateur boxing on licensed premises.

If amateur boxing is to remain, there must be greater emphasis on skills, particularly defensive skills by:

- * all instructors and trainers to be accredited under the Australian Coaching Council's National Accreditation Scheme; and
- * certification of boxers before they are permitted to participate in contests.

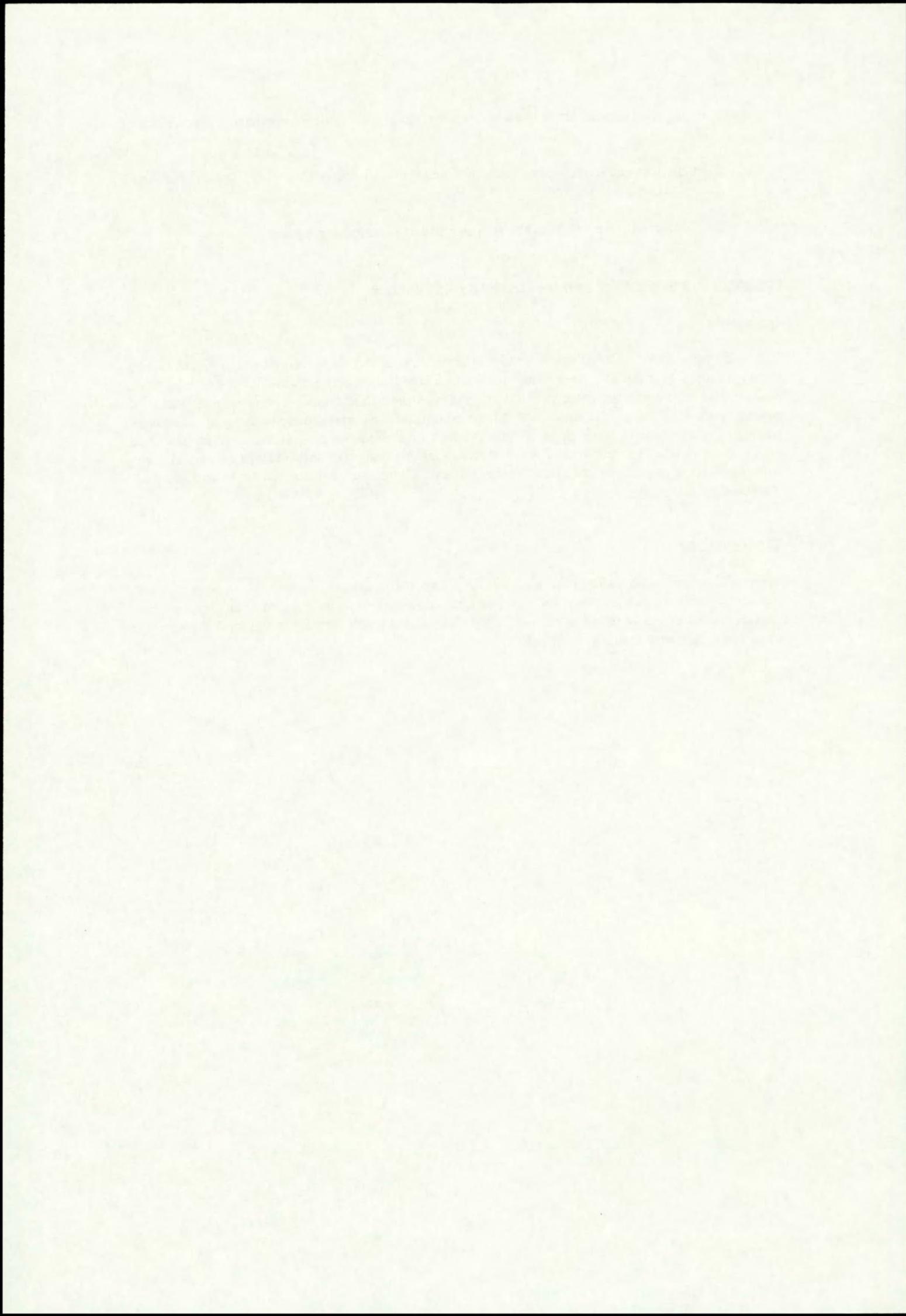
Impact of the mass media on the incidence of violence

Queensland

Women and the media. A problem of 'gender blindness' occurs with the recommendations relating to the regulatory authorities associated with the media. There is no specific discussion of the importance of the media in shaping the representation of women in the public arena. There is subsequently no consideration afforded in the discussion or the committee's recommendations as to the impact of pornography on women's experiences of male violence, or of the more general impact of the media on the quality of women's lives. It is of some concern that this issue was only addressed in the minority recommendation of P.E. Quinn and that the National Committee did not see fit to endorse these recommendations.

Other matters

Vietnam Veterans' Counselling Service (VVCS): The VVCS points out that as an agency which provides direct counselling, support and welfare assistance to veterans and their families, and considering its expertise in the stress debriefing field, it has a role to play in the implementation of some of the recommendations.



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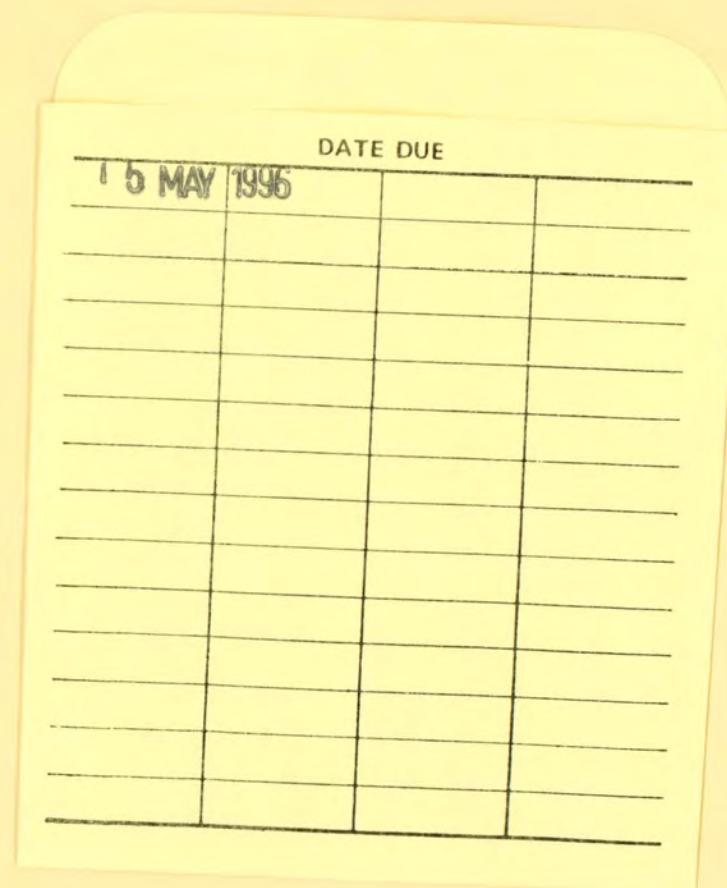
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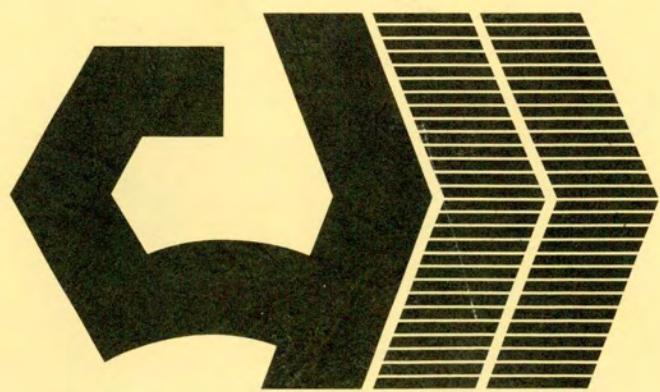
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