

Implementation of
recommendations arising from
previous inquiries of relevance to
the Royal Commission into
Institutional Responses to Child
Sexual Abuse

Final Report

Attachment B: Government Statements
of Implementation that did not
correspond to PRC Ratings

Parenting Research Centre

Commissioned by the Royal Commission into
Institutional Responses to Child Sexual Abuse



Parenting Research Centre
raising children well

This document is an attachment to the final report for the project titled ‘Implementation of recommendations arising from previous inquiries of relevance to the Royal Commission into Institutional Responses to Child Sexual Abuse’.

Established in 1997, the **Parenting Research Centre** (PRC) is Australia’s only national, independent non-profit research, development and implementation specialist organisation with an exclusive focus on parenting and families. The PRC is dedicated to gathering scientific knowledge of effective parenting and developing practical programs to help all parents raise happy, healthy children. The PRC’s work focuses on supporting the efforts of practitioners, managers, organisations and governments to effectively and sustainably adopt and implement evidence-informed practices and programs.

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Royal Commission
into Institutional Responses
to Child Sexual Abuse

Preface

On Friday 11 January 2013, the Governor-General appointed a six-member Royal Commission to inquire into how institutions with a responsibility for children have managed and responded to allegations and instances of child sexual abuse.

The Royal Commission is tasked with investigating where systems have failed to protect children, and making recommendations on how to improve laws, policies and practices to prevent and better respond to child sexual abuse in institutions.

The Royal Commission has developed a comprehensive research program to support its work and to inform its findings and recommendations. The program focuses on eight themes:

1. Why does child sexual abuse occur in institutions?
2. How can child sexual abuse in institutions be prevented?
3. How can child sexual abuse be better identified?
4. How should institutions respond where child sexual abuse has occurred?
5. How should government and statutory authorities respond?
6. What are the treatment and support needs of victims/survivors and their families?
7. What is the history of particular institutions of interest?
8. How do we ensure the Royal Commission has a positive impact?

This research report falls within theme eight.

The research program means the Royal Commission can:

- Obtain relevant background information
- Fill key evidence gaps
- Explore what is known and what works
- Develop recommendations that are informed by evidence and can be implemented, and respond to contemporary issues.

For more information on this program, please visit www.childabuseroyalcommission.gov.au/research

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Attachment B: Government Statements of Implementation that did not Correspond to PRC Ratings

Note on implementation ratings

The PRC Project Team developed a 4-point rating scale describing the extent to which recommendations were implemented (implemented in full, partially implemented, not implemented, undetermined).

In many cases government jurisdictions did not give a rating of 'implemented', 'partially implemented' or 'not implemented'. Where this was the case, the implementation rating is noted as unspecified.

Table 1 Recommendations where the government statement of implementation was specified and did not correspond to the PRC rating.

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
ACT	2003	The rights, interests and well-being of children and young people Report Number 3 (Standing Committee on Community Services and Social Equity, August 2003)	6; Page xiv	The Committee recommends that the Government investigate and report on the feasibility of a secure residential treatment facility for young people engaging in sexually offending behaviour, with specialist staffing, by March 2004.	Implemented	Undetermined
ACT	2004	Review of the Safety of Children in Care in the ACT and of ACT Child Protection Management (Territory as parent), 14 May 2004, ACT	8.6; Pages 156-157	The Review recommends that the Children and Young People Act be amended to provide the Children's Services Council with a specific overview role for care and protection services and to allow the Council to share the Territory Parent responsibility. Council members	Partial implementation	Not implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				should be remunerated in accordance with their responsibilities.		
ACT	2004	Review of the Safety of Children in Care in the ACT and of ACT Child Protection Management (Territory as parent), 14 May 2004, ACT	3.7; Pages 41-45	The Review recommends that a charter of rights be developed within the Children and Young People Act 1999; it should encapsulate the rights of children subject to the Act in relation to their health, wellbeing and Participation in decisions about their lives.	Implemented	Partially implemented
CTH	1998	Welfare of Former British Child Migrants, House of Commons (UK), Health Committee Publications: Health – Third Report, 1998	111; webpage (Table of Contents)	Markedly different views have been expressed to us by former child migrants about the issue of compensation payments. Many believe that such a measure might impede the provision of records if governments or agencies become unduly nervous about the financial consequences of irregularities or indiscretions contained therein. We therefore do not recommend a compensation payment. Matters concerning identity and background are much more important to former child migrants. However, we would expect the full weight of the law to be felt in cases where physical and sexual abuse against former child migrants can be proven, Courts should award the maximum possible damages when a conviction is obtained. We would like to see Statutes of Limitation suspended in all cases related to the abuse of former child migrants.	Implemented	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
CTH	1998	Welfare of Former British Child Migrants, House of Commons (UK), Health Committee Publications: Health – Third Report, 1998	113; webpage (Table of Contents)	We ask the governments of Canada, New Zealand and Australia to consider giving financial support to organisations in their respective countries who represent the interests of former child migrants.	Implemented	Undetermined
CTH	2005	Forgotten Australians: A Report on Australians who experienced institutional or out-of-home care as children (2005)	8; Page 232, 237-238	That the Commonwealth establish an external complaints review mechanism, such as a national commissioner for children and young people who would have the power to: <ul style="list-style-type: none"> investigate and mediate complaints received by complainants dissatisfied with Church processes with the relevant Church authority; review the operations of Church sponsored complaints mechanisms to enhance transparency and accountability; publicise the existence of Church-sponsored complaints mechanisms widely throughout the community. 	Implemented	Partially implemented
CTH	2011	Disability Care and Support: Productivity Commission Inquiry Report Volume 1, No. 54, 31 July 2011, Australian Government Productivity Commission	15.3; Page 87	Drawing on the system currently in place for working with children, Australian governments should ensure that police checks and other safeguards should be implemented that target the risk of abuse of vulnerable people with disabilities, and cover those relevant workers for a given period, rather than for a particular job.	Partial	Undetermined
NSW	2008	Special Commission of Inquiry into Child Protection Services in	23.4; Page 953	Information obtained by persons appointed by the Minister as official visitors should be available to the regulator/accreditor of OOHC with appropriate	Implemented	Partially implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
		NSW (Wood Inquiry) (2008)		procedural fairness safeguards and s.8 of Community Services (Complaints, Reviews and Monitoring) Act 1993 and clause 4 of Community Services (Complaints, Reviews and Monitoring) Regulation 2004 should be amended to achieve this outcome.		
NSW	2008	Special Commission of Inquiry into Child Protection Services in NSW (Wood Inquiry) (2008)	23.6; Page 954	DoCS should centralise its Allegations Against Employees Unit and receive sufficient funding to enable this restructure, and to resource it to enable it to respond to allegations in a timely fashion.	Implemented	Partially implemented
QLD	1999	Briton, J., Gordon, P., Parker, S., & Airo-Farulla, G. (1999). Review of the Queensland Children's Commissioner and Children's Services Appeals Tribunals Act 1996: Report and Recommendations.	33; Page 9	That private homes be generally exempt from the community visitor program but be included if: <ul style="list-style-type: none"> • more than a specified number of unrelated children and young people, say four or more, are placed in the same foster home; and • a private home is providing accommodation for a child in care and a complaint has been made which hasn't been or cant reasonably and practicably be resolved by internal grievance processes; 	Implemented	Partially implemented
QLD	2000	Project AXIS (Volume 2) Child Sexual Abuse in Queensland: Responses to the Problem (November 2000)	2; Page xiv	That a working party be established comprising Education Queensland, the Board of Teacher Registration, the Association of Independent Schools Queensland (AISQ), the Queensland Catholic Education Commission and the Children's Commission Queensland to develop appropriate policies for responding to suspicions or disclosures of child sexual abuse in non-government schools. This should be undertaken in consultation with Families Youth and Community Care	Implemented	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				Queensland and the QPS (see also Recommendations 11 and 15).		
QLD	2004	Inquiry into Abuse of Children in Foster Care - Protecting children: An Inquiry into Abuse of Children in Foster Care (2004)	7.28; Page 211	That the Department ensure that it has clear policies and procedures on disclosure of information and that it incorporate them in the training provided to Departmental and agency staff.	Implemented	Undetermined
SA	2002	Child Protection Review (Layton review) (2002)	97; Page 15.15-15.16	That the Evidence Act 1929 (SA) be amended to include a similar section to section 106 G Evidence Act (WA) which prevents an unrepresented defendant from directly cross-examining a child. Such amendment to be applicable to all children and not just those under 16 years of age.	Implemented	Partially implemented
SA	2002	Child Protection Review (Layton review) (2002)	145; Page 19.28-19.30	That representatives of non-Government education sectors including Independent Schools, Catholic Schools in conjunction with representatives of the Government education sector, FAYS, SAPOL and the proposed Commissioner for Children and Young Persons, develop guidelines which set out minimum standards to be applied across the schooling sector in relation to allegations of child sexual abuse by employees and volunteers. Such guidelines to be in keeping with the processes undertaken in the Government schooling sectors and should include an independent process both within employer organisations as well as an external independent process. The guidelines should clearly articulate the interaction with FAYS and SAPOL and the	Implemented	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				processes to be followed in relation to notification and reporting.		
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	2; Pages 368-371	That the self-protective training being taught by Second Story be reviewed to ensure that it covers the Keeping them safe: child protection curriculum developed for teaching all children in schools and is adapted to target specific needs and circumstances: <ul style="list-style-type: none"> • children and young people in care generally • Aboriginal children and young people in care • children and young people in care with disabilities. That such self-protective training is then delivered to children and young people in State care at their residential or secure care facility.	Implemented	Undetermined
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	6; Pages 371, 375	That Families SA extends its screening processes to cover known regular service providers to children and young people in care with disabilities, such as regular bus or taxi drivers.	Implemented	Undetermined
VIC	1995	Parliamentary Crime Prevention Committee Inquiry into Sexual Offences Against Children and Adults (1995)	89; Page 224	The Committee recommends that the Attorney General review penalties for sexual offences to ensure that the sexual assault of a child is regarded as seriously as the sexual assault of an adult.	Implemented	Partially implemented
VIC	2012	Protecting Victoria's Vulnerable Children Inquiry (Cummins inquiry) (2012)	89; Page 515	The Government should amend the Child Wellbeing and Safety Act 2005 to establish a Commission for Children and Young People, comprising one commissioner appointed as the chairperson and such number of full-time and Partial-time additional commissioners as the	Implemented	Partially implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				Premier considers necessary to enable the Commission to perform its functions. Commissioners would be appointed by the Governor-in-Council. The Commission should have responsibility for overseeing and reporting to Ministers and Parliament on all laws, policies, programs and services that affect the wellbeing of vulnerable children and young people. The Commission would hold agencies to account for meeting their responsibilities as articulated in the Vulnerable Children and Families Strategy and related policy documents. The Commission would also retain the current roles and functions of the Child Safety Commissioner. The Commission would be required by legislation to give priority to the interests and needs of vulnerable children. The Commission should have authority to undertake own-motion inquiries into systemic reforms necessary to improve the wellbeing of vulnerable children and young people. The specific powers granted to the Ombudsman under section 20 of the Children, Youth and Families Act 2005 should be transferred to the Commission.		
WA	1993	The Duty of Care Inquiry (1993)	3; Page 28	When a child has been assaulted or neglected by a foster carer an independent review should be conducted to clarify the circumstances and make appropriate recommendations to the Director General.	Implemented	Undetermined
WA	2006	Report on Allegations Concerning the Treatment of Children and Young People in	26; Page 14	Government establish a mechanism to provide for the monitoring and evaluation of relevant government and non-government agencies' employee disciplinary	Partial	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
		Residential Care, Ombudsman Western Australia (2006)		processes where allegations of child maltreatment are involved.		

Table 2 Recommendations where the government statement of implementation was not specified as either ‘implemented’, ‘partially implemented’ or ‘not implemented’

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
ACT	2004	Review of the Safety of Children in Care in the ACT and of ACT Child Protection Management (Territory as parent), 14 May 2004, ACT	2.2; Pages 16-17	The Review recommends that s. 161(3) of the <i>Children and Young People Act 1999</i> be amended so as to ensure that the Chief Executive <i>must</i> act in relation to a report made to him or her under s. 158 or s. 159 in relation to a child or young person for whom the Chief Executive has parental responsibility.	Unspecified	Implemented
CTH	1997	ALRC Report 84: Seen and Heard: Priority for Children in the Legal Process (1997)	6; Paragraphs 7.33-7.43	Each State and Territory should ensure that there are appropriate mechanisms, vested in either newly established or existing bodies, to: <ul style="list-style-type: none"> • handle complaints by or on behalf of children concerning the conduct of that State's or Territory's authorities including conduct of employees and omissions or failures to act by authorities 	Unspecified	Undetermined
CTH	2005	Protecting Vulnerable Children – A National Challenge, second report of the inquiry into children in institutional or out-of-home care (2005)	17; Page 183-19	The Commonwealth establish a national commissioner for children and young people to drive a national reform agenda for child protection. In doing so, the national commission should: <ul style="list-style-type: none"> • bring together all stakeholders, including the States and Territories, child protection professionals and researchers and peak organisations, to establish an agenda for change including the identification of key areas of concern; • encourage the development of innovative models within the child protection system; and • encourage State and Territory Governments to work 	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				toward harmonising child protection legislation, including agreement on common definitions.		
CTH	2001	Lost Innocents: Righting the Record – Report on Child Migration (2001)	1; Page 2-5, 8-9	That the Commonwealth Government urge the State and Territory Governments to undertake inquiries similar to the Queensland Forde inquiry into the treatment of all children in institutional care in their respective States and Territories; and that the Senate Social Welfare Committee’s 1985 inquiry be revisited so that a national perspective may be given to the issue of children in institutional care.	Unspecified	Partially implemented
CTH	2004	Complaint by a young person (under the age of 18) of an incident involving unacceptable behaviour at a Navy training establishment in mid-1996 (2004)	4; Page 1	The RAN instructions in relation to the investigation of alleged sexual assault be revised to require that such cases be referred to the civilian police at an early stage	Unspecified	Implemented
CTH	2005	Australian Defence Force: Management of Service Personnel under the age of 18 years (2005)	4; Page 23, 33-34, 38, 40	That comprehensive and accurate information about the ADF’s duty of care for minors (and what this means within each service and training establishment, where appropriate) be provided for all potential enlistees who are minors, and their parents/guardians. This information should include examples of how the duty of care will be delivered day-to-day, as well as the limits of the ADF’s responsibilities.	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
CTH	2005	Australian Defence Force: Management of Service Personnel under the age of 18 years (2005)	7; Page 27-32, 40, 42-43	<p>That the ADF review accessibility of support arrangements for minors, including:</p> <ul style="list-style-type: none"> • Conducting surveys of the opinions of minors on current arrangements. Surveys should be anonymous, include minors who do not complete their training, and provide the option for free comment on barriers to access. Given that many minors lack broad life experience, it would also be appropriate to suggest options for improvement, on which they can comment. Examples could include greater access to their families (such as more opportunity for telephone contact) and tighter confidentiality when a problem is raised. • Analysing factors, which contribute to successful support arrangements for minors; and using these as a basis for developing a best practice model for application across the ADF. • Regularly seeking feedback from minors to ensure high standards set by the best practice model are maintained. Results from feedback should be consolidated across all services and form the basis of an annual report to the Chief of the Defence Force on the effectiveness of support arrangements for minors. 	Unspecified	Partially implemented
CTH	2005	Forgotten Australians: A Report on Australians who experienced institutional or out-of-home care as children (2005)	2; Page 181-198	That all State Governments and Churches and agencies, that have not already done so, issue formal statements acknowledging their role in the administration of institutional care arrangements; and apologising for the physical, psychological and social harm caused to the children, and the hurt and distress suffered by the children at the hands of those who were in charge of	Unspecified	Partially implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				them, particularly the children who were victims of abuse and assault.		
CTH	2005	Forgotten Australians: A Report on Australians who experienced institutional or out-of-home care as children (2005)	3; Page 199-205, 213	That State Governments review the effectiveness of the South Australian law and consider amending their own statutes of limitation legislation to achieve the positive outcomes for conducting legal proceedings that have resulted from the amendments in the South Australian jurisdiction. [NOTE: The South Australia law was the Criminal Law Consolidation (Abolition of Time Limit for the Prosecution of Certain Sexual Offences) Amendment Act 2003 (SA) which removed a 3 year limitation period for the prosecution of sexual offences committed between 1952-1982. It was used in 2004 to prosecute 9 people for child sexual abuse committed in the 1950s and 1960s)	Unspecified	Undetermined
CTH	2005	Forgotten Australians: A Report on Australians who experienced institutional or out-of-home care as children (2005)	4; Page 207, 213	That in recognising the difficulty that applicants have in taking civil action against unincorporated religious or charitable organisations, the Government examine whether it would be either an appropriate or a feasible incentive to incorporation, to make the availability of federal tax concessions to charitable, religious and not-for-profit organisations dependent on, or alternatively linked to, them being incorporated under the corporations act or under state incorporated associations statutes.	Unspecified	Not implemented
CTH	2005	Forgotten Australians: A Report on Australians who experienced institutional or out-of-	7; Page 228-238	That all internal Church and agency-related processes for handling abuse allegations ensure that: <ul style="list-style-type: none"> informal, reconciliation-type processes be available whereby complainants can meet with Church officials to 	Unspecified	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
		home care as children (2005)		<p>discuss complaints and resolve grievances without recourses to more formal processes, the aim being to promote reconciliation and healing;</p> <ul style="list-style-type: none"> • where possible, there be independent input into the appointment of key personnel operating the schemes; • a full range of support and other services be offered as Partial of compensation/reparation packages, including monetary compensation; • terms of settlement do not impose confidentiality clauses on complainants; • internal review procedures be improved, including the appointment of external appointees independent of the respective Church or agency to conduct reviews; and • information on complaints procedures is widely disseminated, including on Churches' websites. 		
CTH	2005	Protecting Vulnerable Children – A National Challenge, second report of the inquiry into children in institutional or out-of-home care (2005)	17; Page 183-19	<p>The Commonwealth establish a national commissioner for children and young people to drive a national reform agenda for child protection. In doing so, the national commission should:</p> <ul style="list-style-type: none"> • bring together all stakeholders, including the States and Territories, child protection professionals and researchers and peak organisations, to establish an agenda for change including the identification of key areas of concern; • encourage the development of innovative models within the child protection system; and • encourage State and Territory Governments to work toward harmonising child protection legislation, including agreement on common definitions. 	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
CTH	2009	Lost Innocents and Forgotten Australians Revisited (2009)	4; Page 34-56, 212-214	The Committee recommends that the Commonwealth government pursue all available policy and political options to ensure that South Australia, New South Wales and Victoria establish redress schemes for people who suffered neglect and/or abuse in institutional settings or out-of-home care in the last century; and that the remaining States make provision to ensure continued receipt of redress claims.	Unspecified	Not implemented
CTH	2009	Lost Innocents and Forgotten Australians Revisited (2009)	5; Page 34-56, 212-215	The Committee recommends that the Commonwealth government pursue the establishment of State redress schemes through the Council of Australian Governments (COAG) and other appropriate national forums.	Unspecified	Not implemented
CTH	2009	Lost Innocents and Forgotten Australians Revisited (2009)	6; Page 57-62, 215-216	The Committee recommends that churches take steps to ensure that processes for handling abuse allegations are consistent across all jurisdictions; and that such processes conform to recommendation 7 of the Forgotten Australians report.	Unspecified	Undetermined
CTH	2009	Lost Innocents and Forgotten Australians Revisited (2009)	15; Page 223-226	The Committee recommends that the Ministerial Council for Police and Emergency Management (Police) develop and implement a national policy on the prosecution of, and data collection and sharing about, historical crimes of sexual and physical abuse of children in care; and that the establishment or further development of specialist State police units be considered as Partial of this policy development process.	Unspecified	Partially implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
CTH	2010	ALRC Report 114, NSWLRC Report 128: Family Violence: A National Legal Response (2010)	25–1; Pages 1130-1136	State and territory sexual assault provisions should include a wide definition of sexual intercourse or penetration, encompassing: (a) penetration (to any extent) of the genitalia (including surgically constructed genitalia) or anus of a person by the penis or other body Partial of another person and/or any object manipulated by a person; (b) penetration of the mouth of a person by the penis of a person; and (c) continuing sexual penetration as defined in paragraph (a) or (b) above.	Unspecified	Undetermined
CTH	2010	ALRC Report 114, NSWLRC Report 128: Family Violence: A National Legal Response (2010)	25–2; Pages 1136-114	Federal, state and territory sexual offence provisions should provide a uniform age of consent for all sexual offences.	Unspecified	Undetermined
CTH	2010	ALRC Report 114, NSWLRC Report 128: Family Violence: A National Legal Response (2010)	25–8; Pages 1176-1181	State and territory legislation dealing with sexual offences should state that the objectives of the sexual offence provisions are to: (a) uphold the fundamental right of every person to make decisions about his or her sexual behaviour and to choose not to engage in sexual activity; and (b) protect children, young people and persons with a cognitive impairment from sexual exploitation.	Unspecified	Undetermined
NSW	2008	Special Commission of Inquiry into Child Protection Services in	11.1; Page 461	With respect to the Children and Young Persons (Care and Protection) Act 1998: vii. Section 29(1)(f) should be amended to permit the disclosure of the reporter’s details to a law enforcement agency pursuant to the investigation of a serious crime	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
		NSW (Wood Inquiry) (2008)		committed upon a child or young person, where that might impact on the child's safety, welfare or well-being.		
NSW	2008	Special Commission of Inquiry into Child Protection Services in NSW (Wood Inquiry) (2008)	23.8; Page 954	<p>The Commission for Children and Young People Act 1998 should be amended to require background checks as follows:</p> <ul style="list-style-type: none"> a. in respect of DoCS and other key human service agencies all new appointments to staff positions that work directly or have regular contact with children and young persons (that is, permanent, temporary, casual and contract staff held against positions including temporary agency staff) b. any contractors engaged by those agencies to undertake work which involves direct unsupervised contact to children and young persons, and, in the case of DoCS, access to the KiDS system or file records on DoCS clients c. students working with DoCS officers d. children's services licensees e. authorised supervisors of children's services f. principal officers of designated agencies providing OOH or adoption agencies g. adult household members, aged 16 years and above of foster carers, family day carers and licensed home based carers h. volunteers in high risk groups, namely those having extended unsupervised contact with children and young persons. 	Unspecified	Partially implemented
NSW	2012	NSW Ombudsman Report - Responding to Child	14; Page 82	That Community Services improves the guidance in the Mandatory Reporter Guide in relation to the reporting	Unspecified	Not implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
		Sexual Assault in Aboriginal Communities (2012)		of diagnosed STIs in children in light of our observations in Chapter 7 of this report.	(Under consideration)	
NSW	2012	NSW Ombudsman Report - Responding to Child Sexual Assault in Aboriginal Communities (2012)	76; Page 239	That the NSW Police Force conducts a review of the current capacity of individual local area commands to effectively manage their responsibilities in administering the Child Protection Register.	Unspecified (Under consideration)	Not implemented
NSW	2012	NSW Ombudsman Report - Responding to Child Sexual Assault in Aboriginal Communities (2012)	77; Page 239	That the NSW Police Force identifies best practice by local area commands in managing the Child Protection Register and develops a process for sharing information about successful initiatives across commands.	Unspecified (Under consideration)	Not implemented
NSW	2013	Prevention of abuse and safeguarding mechanisms in Ageing Disability and Home Care (21 January 2013)	2; Page 8	<p>Develop training modules for ADHC staff and managers that establish understanding, skills and capabilities in preventing and responding to abuse:</p> <p>Revise the ADHC induction program to include comprehensive information on the rights of people with a disability, what constitutes abuse and neglect, the impact of abuse and neglect on a person, enablers and staff accountabilities in preventing and responding to abuse.</p> <ul style="list-style-type: none"> • Develop a learning and development module focused on the practical requirements of the care and support role, Particularly in the provision of interventions that can require physical contact to prevent the incidence of inadvertent physical harm. • Develop a learning and development module focused on supporting managers in understanding and 	Unspecified (Under consideration)	Not implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				<p>undertaking their role in the management and response to incidences of abuse and neglect and investigation procedures</p> <p>Re-introduce the requirement for the Code of Conduct to be signed on an annual basis, supported by mandatory information and education sessions prior to signing.</p>		
NSW	2013	Prevention of abuse and safeguarding mechanisms in Ageing Disability and Home Care (21 January 2013)	4; Page 9	<p>Collect new data on misconduct, abuse and neglect to inform organisational understanding, management and response. This should include:</p> <ul style="list-style-type: none"> • change the current categorisation of offence and misconduct to differentiate the types of misconduct • collect data that provides information and understanding of the contextual factors, causes, precursors and enablers associated with individual cases of misconduct, abuse and neglect • collect data on the outcomes of actions undertaken in the course of an investigation to support a person to report an allegation and respond to trauma and harm experienced by the victim • communicate the outcomes and findings of investigations into abuse and neglect across the organisation to reinforce awareness and demonstrate the consequences of misconduct and create a deterrent effect. 	Unspecified (Under consideration)	Not implemented
NT	2011	Report: Review of Vulnerable Witness Legislation (Department of Justice, June 2011)	8; 28	That an amendment be made to the Sexual Offences (Evidence and Procedure) Act in response to the High Court's decision in Crofts to provide clear guidance as to	Unspecified	Not implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				the directions, if any, that should be given to the jury in relation to the timing of a complaint.		
QLD	2000	Project AXIS (Volume 2) Child Sexual Abuse in Queensland: Responses to the Problem (November 2000)	4; Page xiv	That appropriate funding be provided to the Children's Commission Queensland to undertake a formal evaluation of the Coordinating Committee on Child Abuse (CCOCA) and Suspected Child Abuse and Neglect (SCAN) team procedures.	Unspecified (Relates to the Children's Commission, a separate entity to the State)	Undetermined
QLD	2000	Project AXIS (Volume 2) Child Sexual Abuse in Queensland: Responses to the Problem (November 2000)	6; Page xvi	That the Children's Commission Queensland be granted sufficient funding to expand its trial data tracking project to examine the progress of individual cases of child sexual abuse through the criminal justice system with a view to: <ul style="list-style-type: none"> • gaining a comprehensive understanding of why child sex offence matters are withdrawn and discontinued at a higher rate than other offence types; • providing information about the effect of changes to legislation and court practices. This research should be commenced as soon as possible to enable information to be collected against which the effectiveness of any reforms can be measured. 	Unspecified (Relates to the Children's Commission, a separate entity to the State)	Undetermined
QLD	2000	Project AXIS (Volume 2) Child Sexual Abuse in Queensland: Responses to the Problem (November 2000)	13; Page xvii	That the 12 month review of the proposed Commission for Children and Young People Act consider the following issues: <ul style="list-style-type: none"> • whether adequate screening has been applied to private childcare providers; • whether the legislation should enable voluntary applications for suitability notices for areas of child- 	Unspecified (Relates to the Children's Commission, a separate entity to the State)	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				related employment not covered by existing provisions; <ul style="list-style-type: none"> whether information in relation to disciplinary proceedings should be maintained by the Commission 		
QLD	2000	Project AXIS (Volume 2) Child Sexual Abuse in Queensland: Responses to the Problem (November 2000)	17; Page xvii	That the Children’s Commission Queensland consider the question of the accountability of church institutions when an allegation of child sexual abuse has been made involving a church employee, and consider whether the introduction of any official oversight mechanism might improve the response of churches.	Unspecified (Relates to the Children's Commission, a separate entity to the State)	Undetermined
QLD	2000	Project AXIS (Volume 2) Child Sexual Abuse in Queensland: Responses to the Problem (November 2000)	19; Page xviii	That the Children’s Commission Queensland explore mechanisms for improving accountability of childcare centres and other youth recreation and adventure groups to ensure that complaints handling policies are in place and enforced, and that allegations of child sexual abuse are brought to the attention of the appropriate authorities.	Unspecified (Relates to the Children's Commission, a separate entity to the State)	Undetermined
QLD	2000	Project AXIS (Volume 2) Child Sexual Abuse in Queensland: Responses to the Problem (November 2000)	20; Page xviii	That the Children’s Commission Queensland be adequately funded to enable it to document the services available for victims of child sexual abuse and identify any gaps in services provided.	Unspecified (Relates to the Children's Commission, a separate entity to the State)	Undetermined
QLD	2013	Queensland Child Protection of Inquiry - Taking Responsibility: A Roadmap for Queensland Child Protection - June	4.2; Page xxvii	The Department of the Premier and Cabinet and the Department of Communities, Child Safety and Disability Services lead a whole-of-government process to: - review and consolidate all existing legislative reporting obligations into the Child Protection Act 1999	Unspecified (Still being considered)	Not implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
		2013, Queensland Child Protection of Inquiry		- develop a single 'standard' to govern reporting policies across core Queensland Government agencies - provide support through joint training in the understanding of key threshold definitions to help professionals decide when they should report significant harm to Child Safety Services and encourage a shared understanding across government.		
QLD	2013	Queensland Child Protection of Inquiry - Taking Responsibility: A Roadmap for Queensland Child Protection - June 2013, Queensland Child Protection of Inquiry	12.7; Page xxxviii	The role of the Child Guardian be refocused on providing individual advocacy for children and young people in the child protection system. The role could be combined with the existing Adult Guardian to form the Public Guardian of Queensland, an independent statutory body reporting to the Attorney-General and Minister for Justice.	Unspecified (Still being considered)	Not implemented
QLD	2013	Queensland Child Protection of Inquiry - Taking Responsibility: A Roadmap for Queensland Child Protection - June 2013, Queensland Child Protection of Inquiry	12.8; Page xxxviii	The role of Child Guardian — operating primarily from state-wide 'advocacy hubs' that are readily accessible to children and young people — assume the responsibilities of the child protection community visitors and re-focus on young people who are considered most vulnerable.	Unspecified (Still being considered)	Not implemented
QLD	2013	Queensland Child Protection of Inquiry - Taking Responsibility: A Roadmap for Queensland Child Protection - June 2013, Queensland Child Protection of Inquiry	12.9; Page xxxviii	Complaints about Departmental actions or inactions, which are currently directed to the Children's Commission, be investigated by the relevant Department through its accredited complaints-management process, with oversight by the Ombudsman.	Unspecified (Still being considered)	Not implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	3; Pages 371-374	<p>That the application of section 8B of the Children’s Protection Act 1993 be broadened to include organisations as defined in section 8C. [NOTE: Section 8B required govt organisations and non-govt schools to obtain a criminal history, or police report for people holding, or to be appointed to, positions that involve regular contact with, proximity to, or access to records concerning children. Section s 8C applied to organisations that provide health, welfare, education, sporting or recreational, religious or spiritual, child care or residential services wholly or Partially for children and are govt Departments, agencies, instrumentalities, or local govt or non-govt organisations.]</p> <p>That consideration is given to reducing or waiving the fee for an organisation applying for a criminal history reporting order to comply with section 8B.</p> <p>That a criminal history report be defined as a report that includes information as to whether a person is on the Australian National Child Offender Register (ANCOR).</p>	Unspecified	Partially implemented
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	4; Pages 371-374	<p>That the Children’s Protection Act 1993 be amended to require organisations to lodge a copy of their policies and procedures established pursuant to section 8C(1) with the chief executive and that the chief executive be required to keep a register of those policies and procedures. [NOTE: Section 8C(1) required certain organisations to establish appropriate policies and procedures for ensuring that mandated reports of abuse were made and that child safe environments are established and maintained in the organisation. There</p>	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				was a penalty of \$10,000 for non compliance. It applied to organisations that provide health, welfare, education, sporting or recreational, religious or spiritual, child care or residential services wholly or Partially for children and are govt Departments, agencies, instrumentalities, or local govt or non-govt organisations.]		
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	5; Pages 371, 374-375	That Families SA, as Part of the screening process of employees, carers and volunteers, obtains information as to whether or not that person is on the Australian National Child Offender Register (ANCOR).	Unspecified	Undetermined
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	20; Pages 411-413	That the practice guidelines of the Special Investigations Unit (SIU) be amended to include specific guidelines concerning notifications and investigations of alleged sexual abuse of children and young people in care. In regard to notifications, it is recommended that the guidelines include requirements for mandatory notification of sexual abuse allegations by SIU to South Australia Police and the Guardian for Children and Young People immediately or within 24 hours, depending on the urgency of the circumstances. In regard to SIU investigations, it is recommended that the guidelines include requirements for: <ul style="list-style-type: none"> • a strategy discussion between SIU and SA Police before the start of any SIU investigation, with the GCYP given prior notification of the discussion and invited to attend • a written record signed by SIU and SA Police of the strategy discussion, outlining any actions to be taken by 	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				<p>each, with a copy provided to the GCYP within 24 hours</p> <ul style="list-style-type: none"> • SIU to only take action in accordance with what was agreed in writing at the strategy discussion • SIU to take no action that would prejudice a police investigation or potential prosecution. In particular, the SIU must not speak to the child, alleged perpetrator, potential witnesses or other potential complainants without seeking, and then gaining, approval in writing from SA Police • the GCYP to be kept informed by SIU and SA Police of the progress and outcome of the investigation. Both SIU and SA Police to provide the GCYP with information concerning the investigation on request and to respond within 24 hours to any request by the GCYP for information regarding the investigation. 		
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	23; Pages 418-420	<p>That the Children's Protection Act 1993 be amended to add a function to the Guardian for Children and Young People, namely to act as an advocate for a child or young person in State care who has made a disclosure of sexual abuse.</p> <p>That in accordance with section 52B of the Act, the GCYP is provided with sufficient staff and resources to accomplish this function.</p>	Unspecified	Implemented
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	24; Page 420	That it be mandatory for the chief executive of the Department for Families and Communities or Commissioner of Police to notify the Guardian for Children and Young People when a child or young person under the guardianship or in the custody of the	Unspecified	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				Minister makes an allegation of sexual abuse. (Also refer Recommendation 20.)		
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	25; Page 421	That Families SA's new C3MS (Connection client and case management system) include a separate menu for allegations of sexual abuse of a child in State care, which would collate the names of all such children. That the system include a separate field in relation to each child in State care, which is dedicated to recording any information about allegations of sexual abuse, including when that information had been forwarded to the Guardian for Children and Young People.	Unspecified	Undetermined
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	37; Pages 433-437	That a panel of appropriately qualified people be formed to consider and establish a model for restorative justice in regard to complaints of child sexual abuse made by victims.	Unspecified	implemented
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	39; Pages 443-447	That the South Australian Government funds a free specialist service to adult victims of child sexual abuse (while in State care) as was provided by Respond SA. That the service is provided by an organisation that is independent of government and church affiliation, and has never provided institutional or foster care. That the organisation employs practitioners specially trained in the therapeutic response to adult victims of child sexual abuse.	Unspecified	Implemented
SA	2008	Children in State Care (Mullighan Inquiry) (2008)	40; Pages 447-449	That a task force be established in South Australia to closely examine the redress schemes established in Tasmania, Queensland and Western Australia for victims of child sexual abuse; to receive submissions	Unspecified	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				from individuals and relevant organisations on the issue of redress for adults who were sexually abused as children in State care; and to investigate the possibilities of a national approach to the provision of services.		
SA	2008	Children on Anangu Pitjantjatjara Yankunytjatjara (APA) lands (Mullighan Inquiry) (2008)	44; Page 250-251	That the Children's Protection Act or regulations be amended to add a function of the Guardian for Children and Young People to act as an advocate of an Anangu child or young person who is not in State care but is the subject of a Family Care Meeting Agreement and who has made a disclosure of sexual abuse.	Unspecified	Partially implemented
SA	2008	Children on Anangu Pitjantjatjara Yankunytjatjara (APA) lands (Mullighan Inquiry) (2008)	21; Page 181-183, 222-224	That section 11 of the Children's Protection Act be amended to provide that it is an offence to prevent, obstruct or interfere with a person discharging or attempting to discharge the obligation of mandatory reporting pursuant to section 11(1) of that Act.	Unspecified	Implemented
SA	2008	Children on Anangu Pitjantjatjara Yankunytjatjara (APA) lands (Mullighan Inquiry) (2008)	44; Page 250-251	That the Children's Protection Act or regulations be amended to add a function of the Guardian for Children and Young People to act as an advocate of an Anangu child or young person who is not in State care but is the subject of a Family Care Meeting Agreement and who has made a disclosure of sexual abuse.	Unspecified	Partially implemented
TAS	2003	Memorandum of Advice to Minister of Health and Human Services: Partial Two: Complaints Process for Abuse of Children in Care (Patmalar Ambikapathy,	Rec; Page 18.4	Investigation processes of Police be developed to higher best practice standards with respect to abuse of children in care	Unspecified	Not implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
		Commissioner for Children Tasmania, September 2003)				
TAS	2003	Memorandum of Advice to Minister of Health and Human Services: Partial Two: Complaints Process for Abuse of Children in Care (Patmalar Ambikapathy, Commissioner for Children Tasmania, September 2003)	Rec; Page 12.8	That the allegations of abuse are properly heard, received, acknowledged and acted upon	Unspecified	Partially implemented
TAS	2003	Memorandum of Advice to Minister of Health and Human Services: Partial Two: Complaints Process for Abuse of Children in Care (Patmalar Ambikapathy, Commissioner for Children Tasmania, September 2003)	Rec; Page 17.6	That the victim and their family be clearly informed avenues of redress available to them	Unspecified	Partially implemented
TAS	2003	Memorandum of Advice to Minister of Health and Human Services: Partial Two: Complaints Process for Abuse of Children in Care (Patmalar	Rec; Page 9.2	That the guidelines contain provisions for clear and independent interview and investigative procedures for children	Unspecified	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
		Ambikapathy, Commissioner for Children Tasmania, September 2003)				
TAS	2003	Memorandum of Advice to Minister of Health and Human Services: Rights of Children with Disabilities and Services for Them (Patmalar Ambikapathy, Commissioner for Children Tasmania, September 2003)	Rec; Page 20.1	That specific provisions be contained within the Tasmanian Police Manual for dealing with child victims of sexual assault who are disabled	Unspecified	Not implemented
TAS	2004	Review of Claims of Abuse from Adults in State Care as Children (O'Grady Report) (2004)	3; Page 39	It is recommended that a unit be established within the Department of Health and Human Services to manage claims referred to it by the independent unit, including the provision of guided access to personal files, assessment of other needs and referral to appropriate services, and referral to an Independent Assessor for determining ex gratia payments.	Unspecified	Implemented
TAS	2004	Review of Claims of Abuse from Adults in State Care as Children (O'Grady Report) (2004)	6; Page 39	It is recommended that the Government liaise with church authorities to seek a contribution to the establishment of a private educational trust fund.	Unspecified	not implemented
TAS	2004	Review of Claims of Abuse from Adults in	7; Page 39	It is recommended that the Government liaise with church authorities to seek an apology for claimants who allege that they had been abused while in Approved	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
		State Care as Children (O'Grady Report) (2004)		Children's Homes run by the churches and who have specifically stated that they desire an apology.		
TAS	2006	Report on Child Protection Services in Tasmania (Jacob-Fanning Report) (2006)	10.3.1; Page 140	A unit dedicated to investigating and responding to complaints and serious issues relating to child protection services will be established as Partial of the overall organisational model, after further consultation with staff.	Unspecified	Not implemented
TAS	2006	Report on Child Protection Services in Tasmania (Jacob-Fanning Report) (2006)	10.3.4; Page 140	The Commissioner for Children should have responsibility for oversight of all complaints processes in relation to children. The Ombudsman should retain responsibility for the investigation of individual complaints if a person is dissatisfied with the internal response to the complaint.	Unspecified	Not implemented
TAS	2006	Who is listening to the children now? (Commissioner for Children Tasmania, October 2006).	2.10.3; Page 134	Recommendation 2.10.3; Page 134 It is recommended that the current Department of Health and Human Services policy relating to allegations of abuse in care, including quality of care matters, be reviewed to determine if it is consistent with contemporary practice.	Unspecified	Implemented
TAS	2010	Inquiry into the circumstances of a 12 year old child under Guardianship of the Secretary (Mason Report) (2010)	7.5; Page 12	That if the evaluation of the current Children's Visitors Pilot shows that children under the guardianship of the Secretary have obtained benefit from the Pilot that the Minister provide for the appointment of a Children's Visitor for each such child whether in OOHC, in their birth family or in kinship care, such Visitors to be engaged by a body independent of the Government.	Unspecified	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	28; Page 52	Police checks and assessments of kinship placements be prioritised to avoid a child suffering the emotional trauma of being placed with a stranger.	Unspecified	Implemented
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	41; Page 75	It is essential that adverse incidents and complaints are fully investigated and managed in a model that is responsive and transparent, similar to the Complaints Management Unit in Western Australian.	Unspecified Work has yet to commence)	Not implemented
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	62; Page 99	That there be a statutory obligation on community sector organisations who deliver out of home care residential services to comply with key standards and reporting criteria.	Unspecified	Undetermined
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	63; Page 100	The Working with Children check in Tasmania be implemented as a priority.	Unspecified	Undetermined
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	67; Page 102	Police checks for potential kinship carers should be expedited.	Unspecified	Implemented
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	77; Page 120	That Section of the Act be amended to ensure that it is clear that the Commissioner for Children has the power to require information from any Government Department or Agency where such information is, in the reasonable opinion of the Commissioner, necessary or convenient in the performance of his or her function. Such amendment should make it clear that in requiring	Unspecified	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				information, it is not necessary for the Commissioner to identify the specific head of power being exercised for the purposes of the inquiry. The Commissioner should also be able to specify a reasonable time frame for the satisfaction of the information request.		
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	79; Page 125	The role of the Commissioner for Children be expanded to enable the undertaking of own-motion inquiries within the proper function of the Commissioner for Children.	Unspecified	Undetermined
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	80; Page 125	Child advocacy services be strengthened as Partial of the planned amendments to the Children, Young Persons and Their Families Act .	Unspecified	Undetermined
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	82; Page 138	Counselling of a child suspected of being the victim of sexual abuse should be mandatory, not subject to parental agreement.	Unspecified	Undetermined
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	119; Page 164	Additional resourcing be provided to enable the expansion of Statewide trauma services for abused children and young people to ensure more than 30% of children in care can access such services.	Unspecified	Partially implemented
TAS	2011	Select Committee on Child Protection Final Report, Parliament of Tasmania (2011)	138; Page 198	The Charter of Rights for Children in Out of Home Care should be embedded into legislation governing child protection and out of home care.	Unspecified (Outcome is supported but implementation may be alternate	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
					to that prescribed)	
VIC	1995	Parliamentary Crime Prevention Committee Inquiry into Sexual Offences Against Children and Adults (1995)	123; Page 29	The Committee recommends that child pornography legislation be created to provide that all commercial photographic processors and similar organisations, who have knowledge of, observe, or process and photographic image, negative or slide that depicts a child in a sexually explicit way, be mandated to report the offence to the police.	Unspecified	Not implemented
VIC	1995	Parliamentary Crime Prevention Committee Inquiry into Sexual Offences Against Children and Adults (1995)	129; Page 309	The Committee recommends that protocols be developed within religious organisations to ensure that the SART is immediately notified of any suspected sexual assault.	Unspecified (Not our jurisdiction)	Undetermined
VIC	1995	Parliamentary Crime Prevention Committee Inquiry into Sexual Offences Against Children and Adults (1995)	130; Page 313	The Committee recommends that religious organisations develop protocols to ensure evidence is not contaminated by internal investigations or inquiries.	Unspecified (Not our jurisdiction)	Undetermined
VIC	1996	Special Report no. 43. Protecting Victoria's Children: The Role of the Department of Human Services (1996)	7.82; Page 189	The overriding factor, in audit opinion is that the interests of the child are paramount. In this regard, audit strongly supports the Crime Preventions Committee's recommendation for legislative change, action which has been supported by the Government in its whole-of- government response to the Committee's Report. A review of the legislation is highly desirable in	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				order to address the current restrictions which are seen by the Victoria Police as giving rise to an imbalance of justice in favour of the alleged offender to the detriment of the child.		
VIC	1996	Victorian Auditors General's Office (VAGO) (1996). Protecting Victoria's Children: The Role of the Department of Human Services (special Report 43)	Audit opinion Parra 7.113; Page 197	On balance, audit considers the benefits of videotaping of evidence outweigh the potential impediments. However, in order to maximise these benefits, further research should be undertaken with a view to restricting the levels of trauma that a child should be exposed to within the legal system as a direct result of introducing videotaping, without compromising the basic rights of the accused.	Unspecified	Implemented
VIC	2006	Improving responses to allegations involving sexual assault (2006)	14; Page 31	That government agencies ensure that allegations of sexual assault made against employees and former employees are thoroughly investigated and that policies and practices, including recruitment practices, be reviewed by agencies to ensure they maintain an environment that will: a) minimise the risk of sexual assault; and b) encourage early reporting of sexual assault.	Unspecified	Implemented
VIC	2006	Improving responses to allegations involving sexual assault (2006)	15; Page 31	Where an employee has been accused of sexual assault, government agencies not agree to confidentiality clauses that prevent disclosure of information to future employers or complaint authorities in the negotiation of severance agreements.	Unspecified	Partially implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
VIC	2006	Improving responses to allegations involving sexual assault (2006)	16; Page 31	That the Department of Justice convene a working group comprising the Department of Human Services and the Department of Education and Training, Victoria Police and other relevant agencies to consider the implementation of pre-employment vetting that includes mandatory referee checking of previous employers for public sector employees. The Department of Justice should report on the outcomes within six months.	Unspecified	Partially implemented
VIC	2006	Improving responses to allegations involving sexual assault (2006)	7; Page 21 In the Compendium this is split into three recs: 7a & 7b	That government-funded agencies providing 24-hour care: a) collect data to identify the incidence of sexual assault; and b) provide information about a resident's previous unproven allegations of sexual assault to other residents or their families after careful consideration on a case by case basis. The decision whether or not to release such information and the reasons for that decision should be documented.	Unspecified	Undetermined
VIC	2006	Improving responses to allegations involving sexual assault (2006)	8; Page 21 (In Compendium this is split into three recs; 8a, 8b & 8c)	That the Department of Human Services and the Department of Justice: a) allocate extra resources to providing specialised programs for treating children under the age of 14 exhibiting sexually abusive behaviour; b) collate data about the incidence of sexual assault in residential services and initiate action to reduce the incidence of sexual assault, including measures such as female-only residential facilities. These initiatives should be reviewed for their effectiveness; and	Unspecified	Undetermined

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				c) with the Children's Court, review the effectiveness of amendments to the Magistrates' Court Act to discern the impact, if any, of the amendments on court practices and the effectiveness of interventions aimed at keeping children subject to sexual abuse within their family environment		
VIC	2011	Sex offenders registration. Final Report, Victorian Law Reform Commission (2011)	1; Page xxii	The purpose of the Sex Offenders Registration Act 2004 (Vic) should be amended as follows: <ul style="list-style-type: none"> The purpose of the legislation is to protect children against sexual abuse from people who have been found guilty of sexually abusing children. 	Unspecified (Under consideration)	Not implemented
VIC	2011	Sex offenders registration. Final Report, Victorian Law Reform Commission (2011)	2; Page xxii	Part 5 of the Sex Offenders Registration Act 2004 (Vic), concerning child-related employment, should be removed from that Act and integrated with the Working with Children Act 2005 (Vic)	Unspecified (Under consideration)	Not implemented
VIC	2011	Sex offenders registration. Final Report, Victorian Law Reform Commission (2011)	3 (i); Page xxii	The Sex Offenders Registration Act 2004 (Vic) should outline the way it seeks to achieve the revised purpose, including by: <ul style="list-style-type: none"> (i) providing for monitoring and review of the operations of the sex offenders registration scheme and of this Act in order to assess whether the purpose is being achieved. 	Unspecified (Under consideration)	Not implemented
VIC	2011	Sex offenders registration. Final Report, Victorian Law Reform Commission (2011)	31; Page xxvi	Registered sex offenders should be required to report the names, ages and addresses of any children with whom they have 'contact', and the means of contacting those children.	Unspecified (Under consideration)	Not implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
VIC	2011	Sex offenders registration. Final Report, Victorian Law Reform Commission (2011)	34; Page xxvi	Registered sex offenders should be required to: (a) within one day of the change, notify the police of any changes to information about their contact with children, and (b) within seven days of the change, provide a written child contact report to the police in person.	Unspecified (Under consideration)	Not implemented
VIC	2011	Sex offenders registration. Final Report, Victorian Law Reform Commission (2011)	41; Page xxvii	A child protection prohibition order should be able to prohibit the registered sex offender from: (a) associating with or contacting specified persons (b) being in specified locations (c) engaging in specified behaviour, and/or (d) engaging in specified employment.	Unspecified (Under consideration)	Not implemented
VIC	2011	Sex offenders registration. Final Report, Victorian Law Reform Commission (2011)	55; Page xxviii	The Chief Commissioner of Police and the Secretary of the Department of Human Services should be authorised to exchange information they hold about a registered sex offender when the Secretary is investigating any contact between that offender and a particular child or children.	Unspecified (Under consideration)	Not implemented
VIC	2011	Sexual Assault Reform Strategy: Final Evaluation Report, prepared for Department of Justice, January 2011	25; Page 222	We have also noted that there are some inequities in the level of access to the reforms. Specifically people from Aboriginal and Torres Strait Islander and from culturally and linguistically diverse backgrounds require special consideration in the implementation of the reforms and may require special measures and programs to aid their access to them. Our recommendation is: That consideration be given to the needs of ATSI and CALD communities in relation to the reporting of sexual assault and relationships developed between key criminal justice agencies and	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				relevant community organisations to develop culturally safe approaches to the reporting of sexual assault and the provision of support for people going through the criminal justice system		
VIC	2012	Protecting Victoria's Vulnerable Children Inquiry (Cummins inquiry) (2012)	44; Page 349	The Victorian Government should progressively gazette those professions listed in sections 182(1)(f) - (k) of the Children, Youth and Families Act 2005 that are not yet mandated, beginning with child care workers. In gazetting these groups, amendments will be required to the Children, Youth and Families Act 2005 and to the Children's Services Act 1996 to ensure that only licensed proprietors of, and qualified employees who are managers or supervisors of, a children's service facility that is a long day care centre, are the subject of the reporting duty.	Unspecified (Will be informed by outcome of another recommendation)	Not implemented
VIC	2012	Protecting Victoria's Vulnerable Children Inquiry (Cummins inquiry) (2012)	45; Page 349	The Department of Human Services should develop and implement a training program and an evaluation strategy for mandatory reporting to enable a body of data to be established for future reference. This should be developed and implemented in consultation with the representative bodies or associations for each mandated occupational group.	Unspecified (Will be informed by outcome of another recommendation)	Not implemented
VIC	2012	Protecting Victoria's Vulnerable Children Inquiry (Cummins inquiry) (2012)	47; Page 355	The Crimes Act 1958 (Vic) should be amended to create a separate reporting duty where there is a reasonable suspicion a child or young person who is under 18 is being, or has been, physically or sexually abused by an individual within a religious or spiritual organisation. The duty should extend to: <ul style="list-style-type: none"> • A minister of religion; and 	Unspecified (In progress)	Not implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
				<ul style="list-style-type: none"> A person who holds an office within, is employed by, is a member of, or a volunteer of a religious or spiritual organisation that provides services to, or has regular contact with, children and young people. An exemption for information received during the rite of confession should be made. A failure to report should attract a suitable penalty having regard to section 326 of the Crimes Act 1958 and section 493 of the Children, Youth and Families Act 2005. 		
VIC	2012	Protecting Victoria's Vulnerable Children Inquiry (Cummins inquiry) (2012)	51; Page 365	The Victorian Government should, consistent with other Australian jurisdictions, enact an internet grooming offence.	Unspecified (Under consideration)	Not implemented
WA	2002	Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities (Gordon Inquiry) (2002)	144; Page 411	The Inquiry recommends that a Children's Commissioner be established which is independent and reports directly to the Premier. The Implementation Body should consider the structure and responsibilities of other children's commissioners to decide on the most appropriate model for Western Australia.	Unspecified	Partially implemented
WA	2002	Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities (Gordon Inquiry) (2002)	186; Page 452	The Inquiry finds that there is a lack of information sharing between agencies in relation to family violence and child abuse, giving rise to considerable impediments in service delivery. The Inquiry recommends that further consideration be given to legislative and administrative changes to ensure information sharing between agencies	Unspecified	Implemented

Jurisdiction	Year	Inquiry/Report	Rec #; Page #	Recommendation	Government statement of implementation	Implementation rating PRC
WA	2002	Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities (Gordon Inquiry) (2002)	189; Page 458	The Inquiry recommends that serious consideration be given to the requirement for medical personnel to report suspected abuse in children under 13 years as part of the consideration of the report on mandatory reporting for the Child Protection Council.	Unspecified	Implemented
WA	2007	Review of the Department of Community Development(Ford Review) (2007)	68; Page 119	The State Solicitors' Office in conjunction with the Department of Child Safety and Wellbeing consider whether Section 23(2) of the Children and Community Services Act 2004 is sufficient or whether further legislative amendment is needed to give protection to Department of Child Safety and Wellbeing staff if they provide information to other interested agencies, service providers or individuals to ensure the safety and wellbeing of a child or young person.	Unspecified	Implemented
WA	2012	Special Inquiry into the response of government agencies and officials to allegations of sexual abuse, Public Sector Commission (St Andrews Hostel) (2012)	3; Page 342	That, as part of the statutory review of the Children and Community Services Act 2004 (CCS Act) and of any further consideration by Government of the provisions of the CCS Act, consideration be given to including staff of the Authority as mandatory reporters for the purposes of the CCS Act.	Unspecified (Yet to be considered)	Not implemented