

**DARWIN CITY COUNCIL**  
**SPECIAL COUNCIL MEETING**  
**TUESDAY, 9 MARCH, 2010**

**MEMBERS:** The Right Worshipful, Lord Mayor, Mr G R Sawyer (Chairman); Member J D Bailey; Member R T Dee; Member R K Elix; Member H I Galton; Member G A Lambert; Member R Lesley; Member F P Marrone; Member A R Mitchell; Member K M Moir; Member J L Sangster; Member H D Sjoberg.

**OFFICERS:** Chief Executive Officer, Mr B Dowd; General Manager Corporate Services, Mr F Crawley; General Manager Community & Cultural Services, Mr J Banks; General Manager Infrastructure, Mr L Cercarelli; Committee Administrator, Ms L Elmer.

**GUESTS:** Members of the Larrakia Nation will be in attendance from 5.15 p.m. to update Council on the key issues for Homeless Aboriginal people.

**Enquiries and/or Apologies: Linda Elmer**  
**E-mail: l.elmer@darwin.nt.gov.au**  
**PH: 8930 0670**

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## **1 MEETING DECLARED OPEN**

## **2 APOLOGIES AND LEAVE OF ABSENCE**

### **2.1 Apologies**

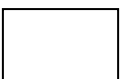
### **2.2 Leave of Absence Granted**

- A. THAT it be noted that Member F P Marrone is an apology due to a Leave of Absence being previously granted on 23 February 2010 for the period 27 February – 13 March 2010.
- B. THAT it be noted that Member J L Sangster is an apology due to a Leave of Absence being previously granted on 16 February 2010 for the period 16 February – 22 March 2010.

DECISION NO.20\() (09/03/10)

### **2.3 Leave of Absence Requested**

## **3 DECLARATION OF INTEREST OF MEMBERS AND STAFF**



**4 CONFIDENTIAL ITEMS****4.1 Closure to the Public for Confidential Items**

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential matters referred from Committees including Confidential Committee Items, and the following Items:-

<u>Item</u>	<u>Regulation</u>	<u>Reason</u>
C9	8(c)(ii)	Information that would, if publicly disclosed, be likely to prejudice the maintenance or administration of the law.

DECISION NO.20\() (09/03/10)

**5 MISCELLANEOUS ITEMS****5.1 Overview of Key Issues for Homeless Aboriginal People**  
Common No. 1526418

*Members of the Larrakia Nation will be in attendance from 5.15 p.m. to update Council on the key issues for Homeless Aboriginal people*

THAT the presentation by the Larrakia Nation in relation to the key issues for Homeless Aboriginal people, be received and noted.

DECISION NO.20\() (09/03/10)

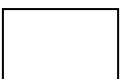
**5 MISCELLANEOUS ITEMS****5.2 Submission to the Inquiry into the Child Protection System in the Northern Territory**

Common No. 1727481

*General Manager Community & Cultural Services will be in attendance to brief the Council regarding Council's Submission to the Inquiry into the Child Protection System in the Northern Territory immediately following .*

THAT the presentation by the General Manager Community & Cultural Services in relation to Council's Submission to the Inquiry into the Child Protection System in the Northern Territory, be received and noted.

DECISION NO.20\() (23/02/10)



ENCL: YES

**DARWIN CITY COUNCIL  
REPORT**

DATE: 4/3/2010

TO: SPECIAL COUNCIL/OPEN

APPROVED: JB

FROM: GENERAL MANAGER COMMUNITY &  
CULTURAL SERVICES

APPROVED: AF

REPORT NO: 10C0028 AF:kl

COMMON NO: 1727481

SUBJECT: SUBMISSION TO THE INQUIRY INTO THE CHILD PROTECTION  
SYSTEM IN THE NORTHERN TERRITORY

**ITEM NO: 5.2**

**SYNOPSIS:**

This report provides Council with an overview of the Inquiry into the Child Protection System in the Northern Territory and recommends that the attached submission to the Inquiry be endorsed.

It also provides an overview of the recent audit of Council's internal child protection policy and procedures.

**GENERAL:**

At Council's 2<sup>nd</sup> Ordinary meeting on December 12<sup>th</sup> 2010 the following decision was made:

That Council make a submission to the Northern Territory Child Protection Inquiry.

**REPORT**

In November 2009, as a result of the identification of significant inadequacies in the Northern Territory child protection system, the Minister for Child Protection announced that a broad-ranging Inquiry would be conducted to examine those problems and recommend strategies to resolve them.

A Board of Inquiry was established by the Chief Minister in December 2009 to undertake carriage of the Inquiry under the legislative auspices of the Inquiries Act. Submissions close on March 15 2010.

The attached draft submission to the Inquiry undertakes to inform Council of the recent reviews of the child protection system in the Northern Territory. Informed by these substantive commissions, the submission's recommendations provide an

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opportunity for Council to situate the care and protection of children as of paramount importance to all tiers of government and the community and to advocate for the remediation of the system's current challenges.

At the same time, and in view of Council's raft of services to children including child care centres, Fun in the Parks and a range of recreational services including pools, a review of internal child protection policies and procedures was established. The methodology of this review was to:

- consult key Council staff with roles in the provision of services to children
- consult key Council staff with statutory expertise in relation to the care and protection of children
- consult key Council staff, and their Managers, who undertake roles in the community in which they are particularly likely to encounter vulnerable children
- solicit the views of Elected Members via an email from the General Manager of Community and Cultural Services on January 20 2010

As a result of this internal review, a host of recommendations have been formulated which aim to enhance established care and protection practices and which will be subject to the consideration of Council's Chief Officers' Group.

#### **FINANCIAL IMPLICATIONS:**

Nil

#### **STRATEGIC PLAN IMPLICATIONS:**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

#### **Key Strategies**

##### **Goal**

7 Demonstrate Effective, Open and Responsible Governance

##### **Outcome**

7.1 Effective governance

##### **Key Strategies**

7.1.1 Continuously review service delivery to meet the communities' needs and expectations

7.1.2 Minimise exposure of Council through effective risk management practices

7.1.6 Develop contemporary management policies and by-laws

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## **Outcome**

7.2 Display strong and effective leadership, within Council and across Government

## **Key Strategies**

7.2.1 Display contemporary leadership and management practices within Council

## **LEGAL IMPLICATIONS:**

Nil

## **ENVIRONMENTAL IMPLICATIONS:**

Nil

## **PUBLIC RELATIONS IMPLICATIONS:**

Positive in view of Council's commitment to enhanced internal child protection policies and procedures and explicit external advocacy for improved preventative and statutory approaches to the care and protection of children.

## **COMMUNITY SAFETY IMPLICATIONS:**

Potentially improved community safety in relation to Council's enhanced child protection policies and procedures.

## **DELEGATION:**

Nil

## **CONSULTATION:**

- Elected Members via email from General Manager, Community and Cultural Services
- General Manager, Community and Cultural Services
- Manager, Community Development
- Family and Children's Services Officer
- Manager, Regulatory Services
- Rangers
- Manager, Library Services
- Recreation Coordinator
- Recreation Project Officer



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**PROPOSED PUBLIC CONSULTATION PROCESS:**

Nil

**APPROPRIATE SIGNAGE**

Nil

**RECOMMENDATIONS:**

- A. THAT Report Number 10C0028 AF:kl entitled Submission to the Inquiry into the Child Protection System in the Northern Territory be received and noted.
- B. THAT Council endorses the submission to the Inquiry into the Child Protection System in the Northern Territory attached to Report Number 10C0028 AF:kl.
- C. THAT Council requests that the NT Government commits to the implementation of the unmet and partially unmet recommendations made in the Little Children are Sacred Report of 2007 in accordance with the NT Children's Commissioner's Child Deaths Review Committee's 2008-09 annual report.
- D. THAT in recognition that the care and protection of children should rank in the highest order of priorities, Council requests that the NT Government ensures that funding for the child protection system is adequate in terms of the development of effective and contemporary policy development and program implementation.
- E. THAT Council requests that the NT Government makes publically available its endeavours to resolve the current inadequacies of its child protection system including an implementation plan and its timeframes.

**ANNIE FARRELL**  
**PRINCIPAL POLICY OFFICER**

**JOHN BANKS**  
**GENERAL MANAGER COMMUNITY &**  
**CULTURAL SERVICES**

Any queries on this report may be directed to Annie Farrell on 5404 or  
 a.farrell@darwin.nt.gov.au



**Darwin City Council  
Submission to the Inquiry into the Child Protection System  
in the Northern Territory – March 2010**

**Key Assertions**

- Darwin City Council (Council) strongly urges the NT government to continue to develop a legislative, funding, policy, procedural, program delivery and risk assessment framework designed to ensure the care and protection of children.
- Council acknowledges the broader role and responsibility of all other tiers of government (Federal, local and non-government) and the community to promote the fundamental rights of children to be free from sexual, physical and emotional abuse and neglect and to act to remedy breaches of their safety and well-being at all times.

## Introduction

Council's strategic planning document, *Evolving Darwin Strategic Directions: Towards 2020 and Beyond*, in particular the vision of building cohesive and harmonious communities, demonstrates Council's commitment to the care and protection of children.

In view of Council's provision of a raft of services to children including child care centres, Fun in the Parks, the Fun Bus and recreational activities such as swimming pools and sporting facilities, the organisation is well-placed as a legitimate advocate in relation to the care and protection of children.

## Current Context

Council acknowledges the legislative and procedural complexity and resource implications required to delivery an exemplary child protection system.

However, in view of the recent tragic deaths of two children linked by the NT Coroner investigating these matters to legislative and procedural failures within the NT government's child protection system, Council is concerned that child protection systems be enhanced in order to ensure the care and protection of all children in the first instance and the eradication of preventable child deaths.

Drawn from the Child Deaths Prevention Review Committee 2008-09 Annual Report 2008-09, the following overview of child deaths in the NT evidences the profound vulnerability of children, particularly Aboriginal children, in the NT:

*There are several major findings from the data on child deaths in the NT that give cause for serious concern:*

- 1. Death rates for children in the NT are high in comparison with the other states and territories, in particular, infant death rates are more than double the national average.*
- 2. Over 40% of all infants and children in the NT are Aboriginal and they carry a much higher death risk than their non-Indigenous counterparts. Aboriginal children in all Australian jurisdictions have high death rates but the rates for NT children are higher than those for their Aboriginal counterparts in the rest of the country.*
- 3. From previous research reported here, perinatal conditions, congenital malformations and ill-defined symptoms appear to be the primary causes of death in infancy. Whilst the impact of these conditions on non-Aboriginal infants in the NT is around the same as that for infants across the rest of Australia, Aboriginal infants are disproportionately affected.*

4. *The predominant causes of child deaths in the NT for children over 1 year of age are in the category of injuries (mainly motor vehicle accidents and drowning) and poisoning. These are followed by circulatory disease and infectious and parasitic diseases. Again, NT Aboriginal children are disproportionately at risk.*<sup>1</sup>

Drawn from the NT Children's Commissioner's 2008-09 Annual Report, the following extract provides an overview of the targets achieved against the recommendations of the Little Children are Sacred Report of 2007:

Beginning with the two broad child protection targets, the NTG had committed to a target in which official rates of child sexual abuse and neglect actually *increase* rather than decrease over a five year period. The reason for this is the under-reporting of child abuse and neglect that is understood to occur in the NT, particularly amongst the Aboriginal population. As a result, child protection services see an increase in child protection substantiation reports as being indicative of progress, at least in the short term. Data obtained from NTFC indicates that both substantiation numbers and rates of child sexual abuse and neglect have increased over the past few years.

Numbers and rates of child sexual abuse have more than doubled (from a small base) whilst both numbers and rates of neglect have increased markedly from a higher base.

Of the NTG commitments based on 42 recommendations in the Report, 12 were classified as **met** and 14 as **largely met** (62% of the total reviewed). In contrast, 13 were classified as **partially met** and three as **not met**. There has been notable progress in meeting the majority of key commitments despite a number of competing priorities that arose throughout the year.

Commitments that have been met include the establishment of the office of Children's Commissioner, the commencement of the *Child Deaths Review and Prevention Committee*, the expansion and formalisation of the Child Abuse Taskforce, and the expansion of Sexual Assault Referral Centres.

There was a group of significant commitments that have taken longer to implement than had been anticipated. Some have recently started whilst others were on the cusp of commencing as of 30 June 2009. These include the implementation of the mandated employment screening program, the establishment of new sex offender treatment services, the establishment of a Therapeutic Support Services Team, and the development of Aboriginal Child Protection and Care services in major centres.

Sixteen of the commitments had not been met or had only partially been met. Some of these involved child protection-related initiatives (policy reviews and information sharing procedures) that were to be undertaken by a number of NTG agencies. Some agencies had made more progress than others but overall there appeared to be a lack of clarity about the commitments and a need for coordination.

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<sup>1</sup> <http://childrenscommissioner.nt.gov.au/publications/Child%20Deaths%20%Review%AnnualReport%2008-09%20.pdf> - viewed on January 20 2010

A small group of commitments had not been met as of 30 June 2009. The most problematic of these pertained to the education of the broader community and remote Aboriginal peoples in particular, around various aspects of sexual assault.

This was one of the consistent themes in the Report. For example, the Board concluded that:

*All information gathered leads us to conclude that education is the key to solving (or at least, ameliorating) the incidence of child sexual assault in Aboriginal communities. By education, we not only mean that which occurs in schools, but that which occurs in its wider context... (p. 15)*

This being the case, it is of some concern that some of the key recommendations pertaining to the broader education of Aboriginal communities about sexual abuse (e.g. Recs. 57, 95 & 95), are yet to be implemented. In each case the NTG committed to “a wide-spread and sustained community education campaign”. Although there have been some scattered educational initiatives these fall well short of “a widespread and sustained campaign” with the goal of shifting attitudes towards child sexual abuse.

Given the importance of community education as an abuse prevention strategy, it is recommended that priority be given to the development and implementation of the “widespread and sustained” campaign. As outlined in the CTG response to Recommendation 94, this campaign will need to involve a number of different media including “radio, television, print and discussion forums”.

## Conclusions

The recommendations from the *Little Children are Sacred* Report and NTG responses reviewed here, suggest that although a great deal has been achieved there is still more to be done in order to implement all relevant NTG decisions. In particular, the NTG needs to fully implement the “widespread and sustained” educational campaign that was flagged as being one of the key elements of the strategy to combat the abuse of Aboriginal children.

It is of some concern that new policy agendas have emerged that have shifted child protection from its central place in Indigenous policy development. The focus of NTG Indigenous policy has shifted to a re-alignment of NT CTG targets with the federal *Closing the Gap* targets (under the COAG National Indigenous Reform Agenda) and to developing the *Working Future* framework based on the transformation of 20 Indigenous communities into “growth towns”. The objective of both of these frameworks is to improve outcomes for Indigenous Australians in general, but neither has a clear place or specific reporting framework for child protection issues.

It is now two years since the CTG commitments were made following the release of the *Little Children are Sacred* Report and it is essential that the impetus for addressing child abuse in Aboriginal communities is not lost as competing policy priorities emerge. It is clear from the available statistics that the abuse of Aboriginal children remains a serious problem (see, for example data reported in Chapter 4).

The authors of the *Little Children are Sacred* Report observed that although amelioration of the problem may take as long as an Aboriginal generation of 15 years, this will only occur if there is urgent and sustained action to lay the foundations for change (Wild & Anderson, 2007, p. 13). The Report and the CTG initiative that followed it were catalysts for action in the NT. With the passage of time and the emergence of new policy priorities, there is a need to renew the focus on protecting vulnerable Aboriginal children and to develop a new and compelling framework for the commitments to action that have been made.<sup>2</sup>

## Conclusion

In view of the requirement to immediately strengthen the approach to care and protection within the Northern Territory, the following recommendations capture Council's sense of urgency in remedying the current resource and systemic challenges:

## Recommendations

1. That the NT government commits to the implementation of the unmet and partially unmet recommendations made in the *Little Children are Sacred* Report of 2007 in accordance with the NT Children's Commissioner's Child Deaths Review Committee's 2008-09 annual report.
2. In recognition that the care and protection of children should rank in the highest order of priorities, that the NT government ensures that funding for the child protection system is adequate in terms of the development of effective and contemporary policy development and program implementation.
3. Council requests that the NT Government makes publically available its endeavours to resolve the current inadequacies of its child protection system including an implementation plan and its timeframes.

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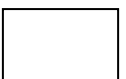
<sup>2</sup> <http://childrenscommission.nt.gov.au/publications/Annual%Report%3008-09.pdf> - viewed on January 20 2010

## 5 MISCELLANEOUS ITEMS

### 5.3 Community Satisfaction Survey Recommendations Common No. 482285

THAT the presentation by the Manager, Strategy and Outcomes in relation to Community Satisfaction Survey Recommendations, be received and noted.

DECISION NO.20\() (09/03/10)



ENCL: NO

**DARWIN CITY COUNCIL**  
**REPORT**

DATE: 09/03/10

<b>TO:</b>	SPECIAL COUNCIL MEETING / OPEN	<b>APPROVED:</b> BD
<b>FROM:</b>	MANAGER STRATEGY & OUTCOMES	<b>APPROVED:</b> AH
<b>REPORT NO:</b>	10TC0019	<b>APPROVED:</b>
<b>COMMON NO:</b>	482285	
<b>SUBJECT:</b> ANNUAL COMMUNITY SATISFACTION SURVEY RECOMMENDATIONS		

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**ITEM NO: 5.3****SYNOPSIS:**

The results of the 2009 Annual Community Satisfaction Survey were presented to Council on 20 October 2009. Following on from this further analysis of the results has been undertaken and a series of recommendations have been developed to respond to areas of lesser performance.

**GENERAL:**

During July 2009 McGregor Tan were appointed to contact 700 residents by phone to undertake Darwin City Council's Annual Community Satisfaction Survey.

The results were presented to Council on 20 October 2009 at a Special Council Meeting (refer decision number 20\2137). At this time the full report was circulated to Elected Members.

Overall the results were pleasing, which was also reinforced by McGregor Tan who indicated that of the 13 Council surveys that they had completed in the previous months, Darwin City Council had by far received the best results.

However, all results can be improved and at the conclusion of the presentation Council Officers made the commitment that further analysis would occur and appropriate strategies would be developed to improve results which would be brought back to Council for consideration.

Immediately after the October meeting, the survey results were made publicly available via Council's website (refer <http://www.darwin.nt.gov.au/documents/2009CommunitySatisfactionSurvey.pdf>)

Ms Anne Hammond, Manager Strategy and Outcomes will present an overview of the proposed recommendations to improve community satisfaction with Council services.



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 REPORT NUMBER: 10TC0019  
 SUBJECT: ANNUAL COMMUNITY SATISFACTION SURVEY RECOMMENDATIONS

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### **FINANCIAL IMPLICATIONS:**

The recommendations outlined in the presentation and subsequently adopted by Council, will have implications for the 2010-2011 annual budget

### **EVOLVING DARWIN, TOWARDS 2020 IMPLICATIONS:**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

#### **Goal**

7 Demonstrate Effective, Open and Responsible Governance

#### **Outcome**

7.1 Effective Governance

#### **Key Strategy**

7.1.1 Continuously review service delivery to meet communication needs and expectations.

#### **Outcome**

7.2 Display strong and effective leadership within Council and across Government

#### **Key Strategy**

7.2.3 Use contemporary community engagement techniques to inform decision making

### **LEGAL IMPLICATIONS:**

Nil

### **ENVIRONMENTAL IMPLICATIONS:**

Nil

### **PUBLIC RELATIONS IMPLICATIONS:**

Positive as Council is taking action to address areas of concern raised by our community.

### **COMMUNITY SAFETY IMPLICATIONS:**

Nil

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**DELEGATION:**

Nil

**CONSULTATION:**

N/A

**PROPOSED PUBLIC CONSULTATION PROCESS:**

The exact channels of communication have not yet been finalised, but the community will be made aware of the implementation of the agreed recommendations.

**APPROPRIATE SIGNAGE**

N/A

**RECOMMENDATIONS:**

THAT Report Number 10TC0019 entitled Annual Community Satisfaction Survey Recommendation and ensuing presentation, be received and noted.

**ANNE HAMMOND**  
**MANAGER STRATEGY AND OUTCOMES**

**BRENDAN DOWD**  
**CHIEF EXECUTIVE OFFICER**

Any queries on this report may be directed to Anne Hammond on 88930 0531 or [a.hammond@darwin.nt.gov.au](mailto:a.hammond@darwin.nt.gov.au)

**6 CLOSURE OF MEETING TO THE PUBLIC**

THAT pursuant to Section 65 (2) of the Local Government Act and Regulation 8 of the Local Government (Administration) Regulations the meeting be closed to the public to consider the Confidential Items of the Agenda.

DECISION NO.20\() (09/03/10)

