



GOVERNMENT RESPONSE TO THE FIRST REPORT OF THE

PARLIAMENTARY CRIME PREVENTION COMMITTEE INQUIRY INTO
SEXUAL OFFENCES AGAINST CHILDREN AND ADULTS, MAY 1995
Combating Child Sexual Assault: An Integrated Model.

Introduction

1. The Government welcomes the first report of the Parliamentary Crime Prevention Committee's Inquiry into Sexual Offences Against Children and Adults.
2. The issue of sexual assault against children is a very serious one which must be given a high priority.
3. The Government supports the need to provide high quality accountable and effective services to child victims of sexual assault and their families and is committed to a review of and continuous improvement in the provision of such services.
4. However, there are a number of recommendations which are not supported for the following reasons:
 - many recommendations are currently in operation;
 - many recommendations have substantial resource implications;
 - insufficient evidence was provided that the proposed new administrative and operational structures would be the most effective;
 - the proposed Sexual Assault Response Team model may lead to a fragmentation of response to child victims;
 - possible alteration to Ministerial responsibilities.
5. The Government response to the recommendations of the Report is grouped into four broad categories: structures; processes and procedures; resources; and legislative changes.

The Government response

(a) Structures

The Committee's Proposals

6. The Committee recommends the establishment of new administrative, policy advice and review structures to respond to reports of child sexual assault. All structures involve accountability to the Minister for Community Services. The structures include the establishment of a Child Protection (Sexual Assault) Board, Child Protection (Sexual Assault) Committees throughout Victoria and Sexual Assault Response Teams to provide support services and undertake investigation of reports of child sexual assault.

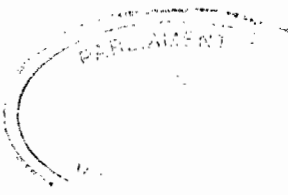
The Government Response

7. The Government considers that responding to child sexual assault is not the sole responsibility of the Minister for Community Services. A number of other Ministers also play a significant role through responsibilities undertaken by police, courts, correctional services, schools and support services funded by various government agencies.
8. The establishment of the Child Protection (Sexual Assault) Board and Regional Child Protection (Sexual Assault) Committees is supported in principle with respect to the provision of an advisory function only. It is not appropriate for such bodies to have a management or review function.
9. The proposal to establish Sexual Assault Response Teams requires further consideration before resources could be devoted to piloting or implementation. Evaluation needs to be undertaken of the most appropriate approach and detailed consideration given to resourcing, management, administrative and service guideline issues prior to implementation. Government agencies are committed to a joint investigatory approach to notifications of child sexual assault and to improving the efficiency and effectiveness of their responses.

(b) Processes and procedures

The Committee's Proposals

10. A number of recommendations concerned procedures for responding to notifications of child sexual assault. These included ensuring the appropriate investigators respond to notifications; parental involvement in decision making regarding delay in or cessation of an investigation; processes for responding to the needs of the child; the conduct of the investigation process; and review mechanisms for decisions.



11. Recommendations were also made regarding assessment of adolescent and adult sexual offenders following conviction and the provision of treatment services to young offenders, prisoners and those under the supervision of Community Based Corrections.

The Government Response

12. In responding to the proposals, the Government was supportive of the principles underlying the recommendations made by the Committee to ensure adequate accountability of actions by professionals investigating incidents and providing support services to child victims.
13. To ensure accountability of decision making, the development of operational guidelines, inter-agency protocols, management structures and review mechanisms for protective and investigative workers will be crucial.
14. Involvement of parents in extra-familial incidents is supported. However, in intra-familial child abuse cases, the possibility of pressure being applied by the alleged offender and collusion of the non-offending parent with the alleged offending parent means that parental involvement in decision making is not appropriate and may jeopardise the safety of the child.
15. Extension of assessment and treatment of adolescent and adults sexual offenders is supported. It is also noted that substantial additional resources will be required to extend assessment and treatment to all sexual offenders.
16. The development of national crimes intelligence data bases is supported. Information related to crimes will be more useful than information related only to offenders. It is noted that Federal agreement has been given to the establishment of a centralised national DNA database. The requirement that all prospective employees (including voluntary staff) who will have care and supervision of children must undergo a criminal history check is not supported in its present form, as it may not guarantee inappropriate people will be detected. There are important resource and privacy considerations relating to the above two proposals which will need to be taken into account prior to implementation.

(c) Legislative changes

The Committee's Proposals

17. The Committee made recommendations for legislative changes in a number of areas to enhance the justice system's capacity to pursue child sexual assault prosecutions, increase penalties for child sexual offences to bring parity with sexual offences against adults and protect children from being exploited in the development of pornographic material.

The Government Response

18. The Government supports strengthening of legislation to enable appropriate evidence to be presented before the court to maximise the prosecution case. The Government is aware of the exploitative way in which children can be used in the manufacture of pornographic material and has taken steps to legislate against such practices.

(d) Resources

The Committee's Proposals

19. The Committee has made a wide range of recommendations which, if implemented fully, will require substantial resources and a rearrangement of existing resources. The recommendations relate to the creation of new positions; the provision of support services to all child sexual assault victims and their family; training of professionals who respond to notifications; assessment and treatment of sexual offenders; buildings, infrastructure and facilities for investigators and courts; establishment of an emergency fund; and establishing and maintaining national databases to assist with detection of sexual offenders.

The Government Response

20. The Government believes enhancing the profile of activities and rearranging priorities will address many issues.
21. The provision of counselling and support services is important to assist victims and their family to recover from the trauma of the crime committed against them. However, issues of access to such services must also be considered.
22. The establishment of specialised locations and facilities for the Sexual Assault Response Teams would not be financially or practically feasible. A number of recommendations relating to better facilities in courts to assist victims of crime are already available or have been considered and are currently being implemented in a planned process.