

## NT Police consider operational implications cont...

serving and protecting members of the Northern Territory community.

The Commonwealth assistance presents the opportunity to continue the excellent work already carried out by the NT Police right across the Territory. The initiatives that have already been introduced have provided a strong base to work from and build upon.

A phased approach to the policing initiative is planned, firstly concentrating on community assessments and prioritising assistance based upon the level of perceived community dysfunction.

This will be followed by the deployment of additional resources on the ground to gain community confidence, gather intelligence and begin to create an environment where other stakeholder agencies can more effectively attend to their respective core responsibilities.

The ongoing hard work of NT Police members across the Territory will not be overshadowed by the presence of the additional members provided under the Commonwealth assistance. It is those very efforts that allow the NT Police to stand proudly on its record of achievements. Members of the NT Police will continue to work alongside police from other jurisdictions in order to produce the best outcomes for the Territory community.

## The Central Australian Aboriginal Family Legal Unit Aboriginal Corporation (CAAFLUAC)

### Recent initiatives to address the needs of victims of sexual assault

#### Who are we and what services do we provide?

CAAFLUAC was established in 2000. Funded by the Commonwealth Attorney-General's Department. We are a Family Violence Prevention Legal Service.

Located in Alice Springs, we provide services to Indigenous women, children and men in Alice Springs, Ntaria, Papunya, Yuendumu and Tennant Creek, in accordance with our operational framework and service delivery priorities.

We are a justice, advisory and referral centre for victims of family violence. Our primary focus is to provide Indigenous victims of family violence, including sexual abuse, with legal advice and case-work assistance, counseling, assistance and support, child protection, information, support and referral services.

We also participate in and deliver community awareness and prevention initiatives, provide referral as appropriate to mediation and perpetrator programs, and contribute to law reform and policy initiatives. Our priority areas of law are family violence restraining orders, sexual assault, child protection, criminal compensation, and family law where the legal matter relates to family violence.

#### Protection of Aboriginal children from sexual abuse

CAAFLUAC is a member of the Central Australian Family Violence and Sexual Assault Network (the peak body for specialist and related Central Australian organisations providing domestic



#### A service for victims of family violence

and family violence, including sexual assault, services in Central Australia) which provided a substantive submission to the Inquiry into the Protection of Aboriginal Children from Sexual Abuse. The submission:

- Recognised and responded to the extreme lack of sexual assault and related services in Central Australia, the negative impact this has upon victims, their families, and, future reporting of sexual abuse.
- Noted that the trauma of sexual assault is further compounded by the processes and procedures by which victims are required to report sexual assault, and, the consequential legal processes and procedures.
- Outlined the complex and often inter-related factors contributing to sexual abuse, and barriers to effective protection against sexual abuse and reporting of offences – including the lack of female police officers.
- Advocated for improved responses to Indigenous victims of sexual assault including the establishment of a multidisciplinary 'One Stop Shop' sexual assault referral centre in Alice Springs as an ideal way to systematically

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address barriers to both effective service provision and effective responses to victims of sexual assault.

**Progress - Ampe Ake-lyernemane Meke Me-karle "Little Children are Sacred"**

We welcome The Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse 2007. We support an increased focus upon protection of Indigenous children from sexual abuse by Governments, and in particular:

- Progress through genuine consultation and partnership with Indigenous people;
- Holistic, targeted and child sexual abuse related responses; and,
- Improved servicing and additional resources to secure positive and long-term outcomes for Indigenous people on both an individual and community level.

We await the detailed and comprehensive response of the Northern Territory Government to the report in August. In the interim:

- We acknowledge and welcome the positive and appropriately resourced actions this year by the Northern Territory Government to upgrade facilities, expand staffing levels and to increase service capacity at the Alice Springs Sexual Assault Referral Centre.

We now hope this initiative is matched with the establishment of a reference group that includes appropriate Indigenous representation, and targeted Indigenous community consultations. We also hope additional funding is provided to the Tennant Creek Sexual Assault Referral Centre, which is currently staffed by a sole sexual assault counselor without a dedicated 4WD motor vehicle!

- We acknowledge and welcome Northern Territory Gov-

ernment proposed amendments to the Bail Act, Evidence Act, Justices Act and the Sexual Offences (Evidence and Procedure) Act to extend previous and introduce new initiatives.

The proposed further amendments are timely and generally aim to address and reduce trauma experienced by complainants as a consequence of legal processes and procedures following a complaint. In particular, a presumption against bail for specified sexual offences recognises and responds to the reality that offenders are most likely to be part of the victim's immediate or extended family; offenders are often an important person within the victim's community; victim's fear potential and or actual recrimination from offenders, their extended family and community members following the report of a sexual assault (which in turn impacts negatively upon further legal processes and outcomes); and, for a victim, knowledge that an offender is in custody can significantly reduce psychological trauma, whilst facilitating a complainant's evidence and consequential legal processes. The efficacy of the proposed amendments is dependent upon a report to police. Given this, the Northern Territory Government should ensure the availability of a female police officer at each police station so that all female victims of sexual offences can report to and be allocated a female officer.

Not all police stations are currently staffed with a female police officer. The absence of a female police officer impacts negatively upon the reporting of sexual offences, full disclosure (particularly in the first instance), and rates of conviction. An available female police officer would facilitate the proposed amendments, enhance criminal justice responses to victims of sexual offences, and remove an existing and fundamental barrier

to reporting and responding effectively to needs of victims.

- We understand the Northern Territory Government is currently determining whether to introduce legislation to require mandatory reporting of adult family violence by health professionals.

We are concerned that this proposal appears to have been developed and progressed without genuine consultation with Indigenous people, as recommended by the report, and further, that such a requirement will lead to victims not attending for medical treatment (or being prevented from attending by the offender), victims not disclosing the cause of injury to medical staff, and not disclosing the offence to police who presumably contact the victim following receipt of a notification.

An alternate approach to achieve the same objectives that is consistent with best practice could be to require health professionals to address the issue in appropriate circumstances in accordance with a written protocol, for example upon victim disclosure or multiple presentations etc, and to then facilitate information provision and referral if instructed to do so by the victim. Another option could be to extend the existing but limited mandatory family violence screening at hospitals. This successful screening tool could be extended with relevant protocols and precedent documents for health professionals to utilise and record communications and any action taken.

We have chosen to focus on three recent initiatives – two of which are positive and will assist victims of sexual abuse at the local level. We now await the response of the Northern Territory Government to the report and look forward to further progress regarding progress on protections for Indigenous children from sexual abuse.