



CDPP

Australia's Federal Prosecution Service



Commonwealth Director of Public Prosecutions

ANNUAL STATEMENT OF COMPLIANCE WITH THE
CHILD SAFE FRAMEWORK 2024

A. ANNUAL STATEMENT OF COMPLIANCE WITH THE CHILD SAFE FRAMEWORK

1. The safety and wellbeing of children and young people is a priority for our leadership team and staff with particular emphasis in providing support for victims of child abuse.
2. As Australia's Federal Prosecution Service, the Office of the Director of Public Prosecutions (Cth) (**CDPP**) has a significant role and responsibility for ensuring that all CDPP staff treat victims with courtesy, compassion, cultural sensitivity and respect. Ensuring the safety of children and respecting their rights underpins the important work of this Office.

The CDPP's commitment to child safety

3. The CDPP is committed to the safety and wellbeing of children and young people and has a zero-tolerance approach to child abuse. The CDPP recognises it is the shared responsibility of all individuals to promote the rights of children and young people in Australia and prevent child abuse.
4. The CDPP's Child Safety and Wellbeing Policy is guided by the following considerations:
 - 4.1. recognition of children's rights and interests;
 - 4.2. building and maintaining a child safe culture and environment;
 - 4.3. ensuring all staff are aware of and comply with relevant requirements; and
 - 4.4. providing support and protection to staff who report incidents under this policy.
5. The CDPP aims to create and maintain a child safe organisation which:
 - 5.1. empowers and values children and young people;
 - 5.2. engages with families and the broader community in relation to child safety issues;
 - 5.3. adopts and implements strategies to ensure the safety of children and young people; and
 - 5.4. takes appropriate action to promote child safety and wellbeing at all levels of the CDPP.

Interaction with children

6. CDPP lawyers, external counsel and the Witness Assistance Service (**WAS**) staff have some interaction with children. This interaction usually occurs during the process of prosecuting offences where the child or young person is a victim of crime. Prosecution of matters involving offences against children will ordinarily have been investigated and referred to the CDPP by either the Australian Federal Police or by State or Territory Police.
7. The usual types of interaction between CDPP staff and children or young people during the prosecution process are as follows:
 - 7.1. conferences to discuss the child or young person's evidence;
 - 7.2. conferences to discuss a prosecution decision, such as in plea negotiations, and to seek their views;
 - 7.3. guided court familiarisation tours conducted by WAS staff; and
 - 7.4. verbal and electronic communication from CDPP staff regarding updates on the prosecution.

8. In accordance with the CDPP's *Child Safe Professional Behaviours*, another adult is to be present when a CDPP staff member has face to face contact with children or young people. Further a WAS Officer should be present at any meeting or conference between CDPP prosecutors and children/young people.
9. Compliance with the CDPP's Child Safety and Wellbeing Policy is a standard condition for counsel briefed by the CDPP.

Child safety risk assessment and mitigation initiatives

10. The CDPP has conducted a risk assessment and the overall risk rating is **low**. The risks that have been identified in the risk assessment are:
 - 10.1. abuse of the relationship of trust with a child victim/s;
 - 10.2. not providing best practice victim support during the prosecution process; and
 - 10.3. failing to comply with requirements under the Commonwealth Child Safe Framework.
11. In order to mitigate the risks set out at 10.1 and 10.2, the CDPP has put the following controls in place:
 - 11.1. contact with children by CDPP staff should occur in the presence of another staff member and a WAS officer should be present for conferences with a child victim;
 - 11.2. it is a mandatory employment condition for all WAS employees to hold a current Working with Children Check in the state or territory in which they are based;
 - 11.3. all WAS staff are qualified social workers and members of the Australian Association of Social Workers;
 - 11.4. prosecutor induction training includes a module on working with victims of crime and WAS;
 - 11.5. all CDPP staff are subject to the APS Code of Conduct;
 - 11.6. the Child Safety and Wellbeing Policy outlines the CDPP's commitment to child safety and includes a list of Child Safe Professional Behaviours for CDPP staff to adhere to; and
 - 11.7. compliance with the CDPP's Child Safety and Wellbeing Policy is a standard condition for counsel briefed by the CDPP.
12. In order to mitigate the risk set out at 10.3, the CDPP has put the following controls in place:
 - 12.1. the CDPP Child Safety and Wellbeing Policy outlines responsibility for annual reporting processes;
 - 12.2. updated contact details have been provided to AGD to ensure the CDPP has representation in the Framework Community of Practice;
 - 12.3. internal and external audits review the CDPP's compliance with reporting obligations; and
 - 12.4. annual reporting requirements have been communicated to the CDPP Audit and Risk team and consideration will be given to adding the CCSF Risk Assessment to the Audit Committee's Annual Work Plan.

In 2023-24, the CDPP:

- 12.5. conducted a risk assessment and put appropriate controls in place; and
- 12.6. nominated new members from the Legal Capability and Performance Practice Group to take part in the Attorney-General's Department Framework Community of Practice.

13. In 2024-25, the CDPP will:

- 13.1. review the CDPP Child Safety and Wellbeing Policy (Policy) and the Child Safe Professional Behaviours included in the Policy to ensure they are fit for purpose;
- 13.2. review and update the CDPP's Feedback and Complaints Framework to ensure it aligns with best practice;
- 13.3. review and update the CDPP's Witness Assistance Service Referral Guidelines to provide clarity about when a child victim or witness should be referred to WAS;
- 13.4. consider whether further prosecutor training is required covering communication with child victims / witnesses, pre-trial conferences and steps that can be taken to reduce the risk of harm when giving evidence; and
- 13.5. update the position description for the Assistant Director (Stakeholder and Government Engagement) of the Legal Capability and Performance Branch to include responsibility for the Commonwealth Child Safe Framework.

Compliance with the Child Safe Framework

- 14. The CDPP has been compliant with the four requirements of the Commonwealth Child Safe Framework.
- 15. There have been no reported incidences of child abuse involving CDPP staff.