

REPUBLIC OF NAURU
CHILD PROTECTION AND WELFARE BILL 2016
SECOND READING SPEECH

Honorable Charmaine Scotty MP

9th June 2016

Mr. Speaker Sir,

I have the pleasure of introducing to the House today a Bill for the *Child Protection and Welfare Act 2016*.

At present, there is no specific Child Protection legislation in place, therefore there is no standard definition for abuse, violence, neglect and exploitation of children. The powers and duties of child protection staff and other support professionals are not enshrined in legislation, and there is no legal obligation on any key professional to report children at risk, or for Child Protection staff to intervene to protect children at risk.

The creation of the new Division of Child Protection is indicative of our Government's commitment for the care and protection of children, and a shared responsibility across key Government departments, and with civil society groups. In February 2015, our Government endorsed the Integrated Model for Family Violence and Child Protection, with the Minister of Home Affairs the responsible Minister for this function.

Two Integrated Case Coordination Committees (ICCC), one dealing with case management and systemic family violence issues and the other child protection issues have been established, each responsible to an overarching governance committee which reports to the Minister for Home Affairs. The principles underpinning the approach are:

- a. the safety of the victim is paramount;
- b. there is a shared responsibility across departments to work together to identify needs and effective solutions and responses;
- c. acknowledge that no single service can address all of the needs of an individual or family;
- d. confidentiality is respected and information is shared only within agreed protocols;
- e. assist families by providing early intervention aimed at preventing further violence and abuse;
- f. provide education to service providers and the broader community about child abuse and neglect and family violence and its impact on victims.

The ICCC has a role in serious cases of reported child abuse and neglect, which require a whole of Government response to manage risk and safety concerns. It is not convened to deal with each and every child protection matter, as that is the function of the newly created Division of Children's Services, but rather to ensure that information is shared across Government and external stakeholders in cases where ongoing risk issues need to be managed through the development of shared goals, interventions and coordinated strategies.

Also in 2015, Cabinet endorsed a mandatory reporting policy which requires several occupational groups employed by the Government of Nauru, including external service providers to the Government of Nauru, to report cases of family violence and child protection matters to Child Protection Services. The Cabinet also endorsed a 'No Drop' policy, which audits current legislative provisions which cause criminal matters to be dropped, and to draft and implement the necessary amendments that reported cases of family violence and sexual assault proceedings through the criminal justice system without being withdrawn by either the complainant, or the legal process.

This Bill when it becomes law, will be the first law in the Republic to make comprehensive provision for issues related to the rights, protection and welfare of children in accordance with the principles and provisions of the UN Convention on the Rights of the Child (CRC).

This law not only will promote the welfare of all children in Nauru, it will also empower the Government to take action to ensure that children, our most precious resource, are protected whenever necessary.

This Bill guarantees that the laws of Nauru will be applied in the best interests of children and ensures that Nauru maintains good international standing for the way it treats and protects its children. It takes into account our international human rights obligations and in particular noting the linkages between the *Convention on the Right of the Child* (CRC), *Convention on the Rights of Persons with Disabilities* (CRPD) and the *Convention on the Elimination of all forms of Discrimination against Woman* (CEDAW). Supporting the Bill not only places us at the forefront of child protection but also in line with our international commitments.

The explanatory memorandum accompanying the Bill explains this Bill in more detail.

Mr Speaker, I commend the Bill to the House.