



*families*  
australia

**SUBMISSION  
ON THE DISCUSSION PAPER,  
*AUSTRALIA'S CHILDREN:  
SAFE AND WELL. A NATIONAL  
FRAMEWORK FOR PROTECTING  
AUSTRALIA'S CHILDREN***

**FAMILIES AUSTRALIA**

June 2008

Families Australia is the national, independent, peak not-for-profit organisation dedicated to promoting the needs and interests of families.

**For further information, contact Families Australia**

**Telephone: 02 6273 4885**

**Email: [admin@familiesaustralia.org.au](mailto:admin@familiesaustralia.org.au)**

**Web: [www.familiesaustralia.org.au](http://www.familiesaustralia.org.au)**

**Address: 3/7 National Circuit, Barton ACT 2600**

## **Contents**

1. Introduction	4
2. Overarching considerations	5
3. Key elements for inclusion in the Framework	8
4. Process considerations	11

## **1. Introduction**

Families Australia makes the following submission to the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs in respect of the discussion paper *Australia's children: safe and well. A national framework for protecting Australia's children*, issued in May 2008 by the Hon. Jenny Macklin MP, Minister for Families, Housing, Community Services and Indigenous Affairs.

Families Australia is Australia's national peak, independent, not-for-profit organisation which promotes the interests of families. Families Australia undertakes research and consults families and family and community service organisations on current family-related issues. The outcomes are disseminated to a wide range of stakeholders.

Families Australia welcomes the Federal Government's commitment to devise and implement a National Child Protection Framework in the course of 2008. We are pleased to assist the Federal Government in its efforts in this direction.

Australia has an appalling child abuse and neglect record. For well over a decade, there have been mounting calls by concerned individuals, survivors of child abuse, NGOs, practitioners and academics for Australia to have a national plan to combat child abuse and neglect.

These calls come in response to many factors, in particular: official figures which tell us that, overall, child abuse and neglect notification and substantiation rates continue to increase; the unabated and harrowing media coverage of family violence and child abuse cases; the frustrations of professionals working in overloaded child protection systems; and, not least, many stories of first-hand personal experiences of abuse.

The reasons for the increases in the rates of notifications and substantiations, in particular, are complex and are partially explained by growing public awareness and the willingness of people to make reports. However, it is clear that co-occurring problems, such as family homelessness, parental mental illness, alcohol and drug dependence and family violence, are often very significant factors.

One major reason why these trends cannot easily be reversed is the lack of a coordinated and effective national system to combat child abuse and neglect. Broadly speaking, under current arrangements, State and Territory Governments have responsibility for the day-to-day handling of child abuse cases, and the Federal Government plays a role in early intervention and awareness raising programs. Federal and State efforts have not always been well coordinated, targeted and resourced, and most State child protection systems have become critically overloaded.

The result is that Australia does not, for example, have common standards on who is responsible for reporting suspected child abuse cases, and different jurisdictions collect different data. There is no national research agenda which could help to inform practice. Above all, the various tiers of government and the NGO sector have not been able to agree on an action plan to ensure that everyone's efforts - from early intervention programs to on-ground crisis responses - are 'joined up' to maximise investments and work from a common shared framework.

## **2. Overarching considerations on child protection and wellbeing**

Families Australia's response to the issues raised in the Minister's discussion paper are based on the following major considerations and principles:

- Children are Australia's most precious resource. The future of Australia depends on how we treat our children. All children have the right to be

protected from physical or psychological harm and to grow and develop in a safe and caring environment.

- Positive child development depends on healthy early experiences. Safety works in tandem with good education and health to promote self assurance/confidence and allow natural capacities to develop fully.
- Support for children must continue through transition to school, schooling and adolescence.
- Support for people who have been abused in care must continue throughout their lives, for example, in terms of priority access to health and education services.
- Child protection is a shared responsibility. All levels of government, communities, families and individuals bear some responsibility for ensuring that children are safe from physical or psychological harm.
- The over-representation of Indigenous children in the child protection system is of great concern, and the causes of this phenomenon need to be addressed. We uphold the rights of children and young people to be raised in contact with their own cultures through observation of the Aboriginal Child Placement Principle.
- Australia needs a consistent national data set to measure child protection indicators, prevalence and incidence. We are currently unable to measure the effectiveness of the investments made to solve and address the problem. Without this data set, it is unclear whether our understanding of child protection issues, the abuse and neglect of children in Australia, is improving or not.
- Poverty is not a determinant of child abuse and neglect, but it is a strong predictor. While there is no excuse for child abuse or neglect, policies that address poverty will assist in protecting children.
- Universal and targeted prevention measures would assist in heading off much of the violence or neglect that harms children. These might include:
  - health promotion campaigns;
  - early childhood and other family centred services;

- home visiting for vulnerable families;
  - addressing poverty and disadvantage;
  - dealing more effectively with mental illness issues; and
  - working productively with vulnerable families and communities to address alcohol and other substance abuse issues.
- This prevention work is vital to stem the increasing numbers of notifications. Statutory child protection services could then focus on those children who need statutory protection and those who are already in care.
  - With the continuing increases in the number of Australian children who have been the subject of a notification or report, child protection and placement services are severely stretched. The number of foster families is rapidly decreasing. Preventative measures would improve this, but there also needs to be adequate resourcing for family support workers and improved recognition and support for foster carers.
  - At the same time, the out-of-home care system needs to be able to provide adequate and timely responses to the trauma and harm experienced by children who have suffered abuse or neglect.
  - Greater diversification of care options, including extending family based options and shared care arrangements, need to be supported as well.
  - There is growing evidence and support for stronger attention to be given to building stronger policy and operational links between services for adults, particularly in areas like mental health and substance abuse rehabilitation and services for families and children.
  - Within the statutory child protection system, States and Territories operate under very different rules. Families Australia supports legislation, policies and standardised procedures that ensure that those seeking to work with children are appropriately screened and are excluded where unacceptable risks exist. We support uniform legislation across States and Territories, to reduce the risk of offenders slipping through the net. We recognise the importance of fair and transparent processes for exclusion, which will stand up to judicial challenge.

### **3. Key elements for inclusion in the National Child Protection Framework**

At the broadest level, the Framework should go beyond a focus on child abuse and neglect and work toward overall improvements in children's wellbeing. Moreover, the Framework should be a blueprint which joins-up and makes coherent the efforts of the Federal and State/Territory Governments and the NGO and research sectors across the spectrum of child protection and wellbeing activities, from early intervention programs to day-to-day crisis interventions.

Families Australia believes that the following measures need to be included in the National Child Protection Framework:

#### **To ensure a consistent national approach, the Framework should include:**

- The establishment of a Federal Minister for Children and Young People and an independent Federal Commissioner for Children.
- The establishment of a major National Children's Fund, based on the concept of the Future Fund, which will provide on an ongoing basis some of the resources for child protection and wellbeing programs, including research activities.

#### **To ensure that universal services are available and accessible to all children and families, the Framework should include:**

- Measures which promote child and family wellbeing and resilience at a population level.
- Equitable access to quality universal services for families and children.
- Community-based primary prevention of child abuse and promoting resilience, attachment and empowerment within families.

**To ensure that effective early intervention can prevent child abuse and neglect, the Framework should include:**

- A significant increase in Federal Government expenditure on early intervention and preventive services. Measures should include an evidence-based and well targeted “social marketing/health promotion” strategy specifically aimed at preventing child abuse and neglect and enhancing children’s wellbeing; this could be delivered, for example, through neo-natal, schools and parenting programs.
- Measures which build organisational capacity for prevention, through services targeting individuals and families who need additional support or are working to overcome significant problems.
- Criteria or indicators – national where possible – to identify children, families and communities at risk.
- Analysis of best practice and identifying ‘lighthouse’ examples of good practice, for example, nurse home visiting services.

**In order to respond effectively to children who have been harmed or are at risk of harm, the Framework should include:**

- Enhanced effective relationships between child protection services and broader legal systems, including by making clear their respective roles and responsibilities.
- Improved capacity of the workforce to meet the needs of children, young people and families involved in the child protection system.
- Development of a comprehensive and consistent approach for those who are in transition from out-of-home care.
- Strategies for ongoing support of any person who has suffered abuse while in care.

**In order to address the over-representation of Indigenous children in the child protection system, the Framework should include:**

- Policies to improve the circumstances of Indigenous families, for example, in the areas of housing, employment, water and access to fresh food.
- Adoption of principles to underpin actions to prevent and respond to child abuse and neglect in Indigenous children.
- Expansion of the scope and number of Indigenous child and family welfare agencies to ensure that there is an holistic continuum of service provision;
- Expansion of the scope and number of Indigenous early childhood services.
- Enhancement of the capacity and responsiveness of mainstream family and children's services to meet the needs of Aboriginal and Torres Strait Islander children and families.

**To develop consistent national operations, the Framework should include:**

- Minimum standards and targets for child wellbeing and protection.
- Development of standards - minimum standards and some inspirational targets or benchmarks - for implementing national approaches.
- Appropriate accreditation systems and/or benchmarks on outcomes.
- Workforce development standards.

**To ensure evidence-informed policies via appropriate research, evaluation, dissemination of information and collection of service data occur, the Framework should include:**

- A national research agenda.
- A national data set.
- National evaluation resources and tools.
- Dissemination and utilisation of research findings.
- Agreement on national outcome measures.
- A commitment to program-level research and evaluation to inform policy and program development.

#### **4. Process considerations**

Finally, Families Australia notes that non-government sector organisations in many areas, ranging from family and community services to health and education, deliver the overwhelming bulk of child-related services to individuals, families and communities, often on behalf of States/Territories and/or Federal Governments. These organisations are a major repository of knowledge and experience in the area of child wellbeing and protection. As a vital stakeholder group, Families Australia strongly recommends that the finalisation of the National Child Protection Framework occur with the full involvement of the NGO sector to help to ensure that the ultimate Framework is comprehensive, practical and, in the spirit of social inclusion, carries the highest degree of cross-sectoral support and commitment. It will be important that the NGO sector is closely involved as a partner with Governments in the implementation, evaluation and planning of future Framework activities.

30 June 2008