



**Australia's Children Safe and Well**  
**A national framework for protecting Australia's children**  
**Discussion Paper**

**CAFWAA response**

The Child and Family Welfare Association of Australia (CAFWAA) would like to take the opportunity to congratulate Families, Communities, Housing and Indigenous Affairs and the Minister Jenny Macklin for their leadership that looks to build an Australia where children can be safe from abuse and neglect. We are pleased to see the Federal government engaging with these issues and being prepared to invest in solutions designed to improve the safety and wellbeing of Australian Children.

As you are aware the Child and Family Welfare Association of Australia (CAFWAA) is the national peak body representing community service organisations working with vulnerable children, young people and families, including those experiencing neglect and abuse and those living in an Out of Home Care environment.

Since incorporation in 1995, CAFWAA has taken a leadership role in advocating for improved public policy at a national level. In particular, CAFWAA has sought policy responses that strengthen the capacity of families and communities to care, nurture and protect children and young people and to ensure assistance is afforded to children and young people when adequate care is not provided.

CAFWAA has been pleased to have board members involved in all the expert panels and offers this paper as a further response to the consultation on the discussion paper. The non-government sector are committed to working together with the States and Territories and the Federal Government in this endeavour. We believe that new investment is critical if we are to address the 35% increase across the country of children entering the child protection system. This is not sustainable and everything possible must now be done to rectify this in the interests and protection of fundamental rights of Australia children and young people. A failure to act decisively now will also impact on Australia's international standing as a just and decent society and on our future productivity and economy resulting from the development of so many children being impaired.

An effective National Framework will allow for the following:

- Joined up responses by States and Territories, the Federal Government and non-government agencies in supporting and strengthening families and in protecting and promoting the wellbeing of children.
- Setting of benchmarks and outcomes to monitor our performance nationally.
- A renewed focus on early intervention and prevention.

## Stronger Prevention Focus

It is now generally accepted that to reduce child abuse requires significant investment by, and joint effort from, the Commonwealth, State/Territory and local government, community sector agencies and the community.

Vulnerable families need a continuum of services from access to universal services to approaches that focus on targeted populations, as well as intensive services. Interventions and policy solutions which focus solely or predominantly on the intensive end of the continuum will be counter productive to addressing our spiralling child protection crisis in Australia. There is already emerging evidence in some jurisdictions that a more balanced and concerted approach to identifying and addressing issues for families and children at an early stage is paying dividends. This does not mean withdrawing resources from tertiary end interventions, including responsive investigation, monitoring and quality alternative care options for children at significant risk of harm. It does mean a co-ordinated, well constructed set of interventions, support and resources for families, particularly where there are known to be vulnerabilities and multiple risk factors.

CAFWAA has identified three broad approaches to prevention:

- Sustainable investment in the early childhood years.
- Prevention with targeted communities.
- Strengthening community resilience and social capital by identifying and building on what works in supporting families and children.

***The Commonwealth Government's Stronger Families and Communities Initiative must be configured in a manner that better fosters innovation and to enable communities to respond to the needs of their locality and build on service delivery gaps and strengths. CAFWAA urges the Federal Government to invest through the Stronger Families and Community Strategy in targeted prevention services to assist communities engage with families earlier to prevent child abuse and neglect and a subsequent statutory response. This should be a cornerstone of the Commonwealth Government's commitment to supporting families and protecting children and an important element of the Framework.***

CAFWAA supports an investment in early years especially through early education opportunities for all children and supports that these services are enabled to offer soft entry options to parents to receive additional support.

In addition, to ensure an effective response to reducing child abuse and neglect, the Commonwealth Government must:

- substantially increase it's investment in early intervention and prevention programs which support families;
- establish National per capita investment benchmarks in early intervention and prevention programs which compare favourably with other developed countries;
- expand the use of community based and family centres in disadvantaged areas; and
- increase investment in proactive government policies and programs which can respond early to high-risk families, and which can prevent serious long-term problems developing.

We believe that stronger links between health and welfare/education services are needed in disadvantaged areas. There is much that could be emulated in the UK's Sure Start Program, which also includes community health services operating alongside welfare services. Prime Minister Rudd's proposal for children's centres was worthy of support and a strategy that was raised by CAFWAA in our policy paper 'A Call to Action for Australia's Children' in 2007.

***CAFWAA does not support the use of quarantining of income as a measure to provide safety to children. Income management is seen as punitive by the community and does not seek to address endemic issues that are causal in why children are neglected.*** Many families that have difficulty in making their money stretch have complex backgrounds including addictions. In the experience of the non-government sector many of these parents come from traumatic backgrounds including having been in statutory care and having endured multiple abuse issues themselves. It would appear income management will increase the bureaucracy to police such measures, money that could be used to again assist with the casual factors that lead to families unable to provide safely for their children. Quarantining of income is compounding the poverty of families by forcing parents to find other ways to fund their addictive behaviours, including crime. Whilst these options may work for some families, CAFWAA's position is that forced quarantining will breed resentment, lead to other harmful behaviours and may indeed be counter productive. However, CAFWAA believes that money management is a significant issue for many families and measures aimed at enhancing the financial literacy of families which can include voluntary preservation of income has merit

Targeted income management for specific communities is also not supported by CAFWAA as a strategy. Income management as has been rolled out in the Northern Territory is discriminatory and suggests that living in a particular community therefore prescribes that you are not able to manage your funds at all responsibly. This is inherently untrue and replaces for families any ability of self-determination or responsibility.

***CAFWAA urges the Federal government to review this measure in line with the racial discrimination act and work with the Indigenous community to provide affective measures for families to manage their funds including appropriate access to banking that has long been denied many communities.***

There is an urgent need to invest in alcohol and drug rehabilitation services across the country. This is especially true of live in rehabilitation services where children and parents can be housed together. If we are to seek to build responsibility for parents we must offer them the possibility of change and currently throughout the country there is limited residential rehabilitation services (in some States none).

#### **Better Collaboration between services**

CAFWAA has long called for the development of a National Children's Commissioner to monitor the progress of children and young people especially those in out of home care. One of the fundamental difficulties that CAFWAA members have found with the State based Children's Commissioners is that they are funded by the state system and therefore have had a limited role in voicing concerns about how the state based child protection system is meeting its obligations. There is now an urgent need for a National Children's Commissioner that sits outside of state jurisdictions to enable children and young people across the country to have their rights upheld.

Further to this the Commonwealth Government invests in children and young people across multiple federal portfolio's including health, education, child care, housing, domestic and family violence and families and communities. All of these areas correlate to state portfolios. There is significant need to ensure connection between interdepartmental policy positions such that there are coordinated to ensure the best use of resources. This should incorporate breaking down competition between departments to provide a system that benefits children and their families. Without some body to oversight these strategies there is real concern in the sector that we will end up with another set of standards and aspirations that will not be enacted. The lives of children and young people and the health of our country is too important to miss this opportunity for real change.

***CAFWAA urges the Commonwealth Government to ensure that children and young people are a national priority by appointing an independent Commissioner for Children, who will provide leadership in:***

- *a co-ordinated approach to policy implementation in the best interests of children;*
- *developing a long-term national vision which puts children first;*
- *ensuring that children, young people and their families receive good quality services;*
- *facilitating cross-portfolio research and action; and*
- *addressing emerging issues.*

#### **Improving Responses to Children and Young People in Care**

Recent audits of contemporary research into out-of-home care in Australia have demonstrated that research efforts in this field have been limited (Bromfield, Higgins, Osborn, Panozzo & Richardson, 2005; Cashmore & Ainsworth, 2004). Where research has occurred, it has usually only been undertaken at an organisational or jurisdictional level and, to date, there has been minimal endeavour to co-ordinate investments or research agendas and priorities at a national level. As a result, Australia has largely failed to capitalise on the wisdom and potential contribution of policy makers, practitioners and researchers across Australia to improve responses to families, children and young people involved in out-of-home care.

CAFWAA believes that a solid evidence base is critical if we are to develop the policies and programs to reduce child abuse and neglect.

***CAFWAA urges Commonwealth and State and Territory Governments to establish a dedicated national research fund for out-of-home care to enable the national research agenda to be implemented. This should be a core commitment in a future national child protection framework.***

Kinship care is becoming a growing area of reliance for the States and Territories in their delivery of out of home care services for children and this is especially true for Aboriginal and Torres Strait Islander children. CAFWAA supports the development of kinship care as a significant option for children and young people in care however, we have had growing concern about the lack of support both financial and general (including training) that is being provided for kinship carers across the country. Many states are seeing this as a cheaper and more expedient option for children and young people without recognition of the trauma and issues children are presenting with and leaving kinship carers to manage this complex situation without due care and attention.

By 2001, the AIHW found that growth in the number of non-reimbursed kinship placements was outstripping reimbursed placements, (Johnstone, 2001), and that grandparent-carer stress and increased poverty as a result of caring costs, was likely to place the kinship care system under severe pressure (McHugh, 2003). These concerns have continued to escalate since 2001.

CAFWAA believes that kinship care is an important plank in a comprehensive response to child abuse and neglect. However, CAFWAA is concerned that it has developed in Australia without a consistent policy and programmatic framework, that many kinship carers are not receiving the support they need and that there are no consistent measures of the outcomes for children.

***CAFWAA calls for a future national framework to incorporate a the Commonwealth Government commitment to fund a national project on kinship care, with a focus on measuring the outcomes for children placed in kinship care; and the States and Territories to work together to develop a consistent policy and practice framework for kinship care, which articulates the principles, policies, practice standards and reimbursement to ensure quality care for children placed in kinship care.***

As of June 2006, there were 25,454 children in out-of-home care in Australia, 82 per cent more than in 1996 (AIHW 2007: 50). In 2005-06, 8294 children and young people left care in Australia (AIHW 2007: Table 4.2, 50). Of these, 1817 were adolescents aged 15-17 years who are likely to have moved into some form of independent living on leaving care. While the age of dependency in the community has lengthened, with the average age of young people leaving home now at twenty-five years, young people in care are not supported in families or in residential care by most States beyond 16-18 years. There are strong arguments for extending support for young people leaving care aged twenty-five.

Mendes (2002) comments that young people leaving state care are one of the most vulnerable groups in society. Many young people in care have limited supports in their life to assist them to future study and to financially support them in times of difficulty. Given how many young people in the general society are now reliant on their parents and guardians until well into their mid twenties this is a significant disadvantage for young people in care.

***CAFWAA urges the federal government to consider exempting all young people leaving care from HECS to enable more young people leaving care to enter into full time study and thus increasing their employment and life outcomes. This commitment should be incorporated in a future national child protection framework.***

### **Improving responses to Indigenous Children**

CAFWAA believes that any approach to protecting Aboriginal and Torres Strait Islander children must be built on the premise of self determination for Aboriginal people. The core of this strategy must be the rights of the children and the rights of Indigenous people. Research indicates strongly that where Aboriginal and Torres Strait Islander children have decisions made over their lives by Aboriginal and Torres Strait Islander agencies and people the outcomes are significantly better including reductions in youth suicide.

CAFWAA supports the development of Indigenous agencies and communities and believe that services for Aboriginal children, young people, families and communities should be delivered through Indigenous agencies.

In light of this CAFWAA believes that all Governments and Non-Government organisations should be working towards strengthening Indigenous agencies and ensuring they have access to the skills, training and resources to be enabled to deliver high quality programs within their community.

***CAFWAA urges the Federal Government to undertake a strategy that builds strong Aboriginal agencies builds on the strengths of Aboriginal communities and works to ensure that Aboriginal and Torres Strait Islander communities are empowered to make decisions for their children.*** It is our belief that previous policies across our country that have departed from these premises has led to the current situation where communities have become downtrodden , lacking voice and thus overwhelmed by their lack of influence and ability to control their own lives.

CAFWAA calls for a future national child protection framework to include commitments to:

- **Develop a National Child Care Strategy for Aboriginal children and young people:**  
We believe that more needs to be done particularly to ensure the safety and wellbeing of Aboriginal children and young people who are experiencing high levels of disadvantage. Such a strategy needs to be holistic in its scope to encompass children’s safety, health, education, and developmental issues. The strategy needs to adopt a community development approach that strengthens families and communities capacity to care for children. More needs to be done in the area of early intervention to support families before they reach crisis point.
- **Immediately address the shortage of Aboriginal and Torres Strait Islander children's services:**  
Adequate levels of funding and training are needed to address the shortage in child care services catering for ATSI children. There is also a need to resource and equip child care services to adequately respond to child protection matters. Building the capacity of the sector in general and of ATSI community agencies in particular is paramount to providing adequate care for ATSI children. Investing in providing adequate universal services to ATSI children and focusing on developmental and early intervention programs are likely to reduce the number of children who require removal from their families and increase the chances of restoration with family.
- **The Commonwealth Government taking a leadership role with States and Territories on the development of a National Aboriginal and Torres Strait Islander Workforce Development Plan,** building the capacity of Aboriginal and Torres Strait Islander community agencies and services and the creation of paid employment and support that allows communities to put training into action:
- **Increase the capacity of family support services and invest in family preservation and restoration models:** Research has indicated that by providing family support services, and by focusing on family preservation and restoration, we have a better chance of reducing the number of removals of Indigenous children from their family and community.
- **The setting of targets to reduce the numbers of ATSI children in the child protection system and an agreed reporting framework to track the progress towards achieving these targets.**

<b>Attracting and retaining the right workforce</b>
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It is in the interests of both government and the community more broadly to ensure the robustness of the community care sector. As a major and growing service delivery arm and as an expression of social capital, community service organisations must be supported by governments to undertake their third-sector role.

Critical workforce issues that need urgent attention are:

- ensuring a qualified workforce for the industry;
- addressing recruitment issues, especially in rural and remote areas;
- lack of parity in salary and conditions compared to government and health sectors;
- unequal access to staff development and training;
- ensuring that employers can meet their occupational health and safety responsibilities for staff; and
- strategies for the recruitment, training, support and retention of foster and kinship carers.

**CAFWAA urges:**

***The Commonwealth Government to provide leadership in developing a National Industry Development Plan for the child and family welfare sector.***

***That the productivity commissioner investigates issues of paid maternity leave within the context of the non-government sector and government funding.***

***That urgent attention is given to reducing the paucity of wages and conditions for non-government workers.***

### **Improving Child Protection Systems**

CAFWAA believes that there is a role for the Commonwealth in ensuring the quality of services provided to children, young people and their families. A key issue in achieving this is the development of sector standards to be implemented consistency at a State and Territory level. There has been considerable debate but minimal progress in advancing the cause of establishing national standards, and the Commonwealth could play a valuable role in coordinating a consistent approach across State and Territory jurisdictions as part of a National Child Protection Plan.

It is essential that *all* service providers in the sector, including government, for-profit providers and not-for-profit community service organisations operating family support and out-of-home care be required to implement nationally consistent practice standards, quality assurance procedures and processes to ensure quality services and outcomes for participants. Standards and compliance procedures are part of service delivery systems in most other areas of human service.

In June 2006 CAFWAA released a paper entitled *Comments on the National Standards for Transition Planning and Provision of Information* in which it called for the expansion of the National Plan to cover all forms of out-of-home care, not just foster care. The paper also called for the development and inclusion in the National Plan of standards relating to preventing entry to care, stating that “Out-of-home

care [should be treated] as an intervention, not a destination” (CAFWAA 2006: p.1). CAFWAA has developed recommended standards, presented in the document *Standards for Safe and Stable Care*.

CAFWAA believes that quality outcomes for children and young people in out-of-home care across Australia will only be assured when a nationally consistent system of standards setting and monitoring is implemented.

***CAFWAA urges the Commonwealth Government to provide resources and leadership towards the development of a National Quality Strategy which encompasses agreed practice standards in the provision of out-of-home care and the application of active case management systems.***