



POLICY PAPER

Closing the Gap

July 2010

Child & Family Welfare Association of Australia Inc.

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- Association of Childrens Welfare Agencies (NSW)
- Child & Family Welfare Association of South Australia
- Child & Family Welfare Association of Tasmania
- Child, Youth & Family Agencies of the ACT
- Centre for Excellence in Children & Family Welfare, Victoria
- Children's Youth & Family Agencies Association (WA)
- PeakCare (Qld)

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Foreword

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.

On the 30th of April 2009 The Council of Australian Governments endorsed the Governments "Protecting Children is Everyone's Business" A National Framework for Protecting Australia's Children 2009-2020.

This was a historic occasion for Australia. The first time that a National Framework for Child Protection has existed and been developed in a tri-partisan manner. The development of the Framework not only included the State and Territory Governments but for the first time the Non-Government Sector had a key role in the development of the Framework.

CAFWAA has continued to play a central role in the development of the National Framework for Protecting Australia's children with representation on the National Implementation Working Group. Many gains have been made in our nation working together, state, commonwealth and the non-government sector combining our efforts to design and develop more effective strategies to improve outcomes for children and young people.

However still is much to be achieved. In 2005, 23,695 children and young people were in out of home care in 2010 this figure has grown to 34,069. For Aboriginal and Torres Strait Islander children the rate of substantiation of abuse more than doubled over this period. Indigenous children are more than seven times as likely as non-Indigenous children to be the subject of a substantiation or abuse in 2010.

CAFWAA is committed to continuing to ensure that we lobby for the change that is needed to ensure that our children and families are afforded the best possible future.

We must remain committed to strengthening families and ensuring that children and young people's optimal well being continues to be central to our communities and our nations greatest achievement.

These 3 policy papers, Closing the Gap, Workforce Development – addressing crisis in the family support and child welfare sector and A National Family Support System provide evidence based recommendations for the next phases of meeting this goal.

Lisa Hillan
Chair

The National Apology provided to the Stolen Generations (2008) and COAG's commitment to 'Closing the Gap' (2007) is very significant. The Framework for Protecting Australia's Children, 2009-2020 must now include the development of a **National Aboriginal and Torres Strait Children and Families Network**, informed by SNAICC, to work towards closing the gap for Aboriginal and Torres Strait Islander families. This will require coordinated planning with the Office of Indigenous Policy Coordination in FaHCSIA and with all other relevant COAG National Agreements and National Partnerships, together with community based Indigenous and non Indigenous services and families.

The 'Closing the Gap' targets include:

- Closing the gap in life expectancy within a generation.
- Halving the gap in mortality rates for Indigenous children under five within a decade.
- Ensuring all Indigenous four year olds in remote communities have access to early childhood education within five years.
- Halving the gap in reading, writing and numeracy achievements for Indigenous children within a decade.
- Halving the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade.
- At least halving the gap for Indigenous students in year 12 attainment or equivalent attainment rates by 2020.

CAFWAA supports all the COAG strategic areas for action in early childhood development, education and training, healthy lives, economic participation, home environment, safe and supportive communities, governance and leadership, urging a participatory, preventative, strengths based, local approach to planning, investment, action and evaluation.

AUSTRALIA'S CRISIS IN CHILD PROTECTION AND FAMILY SUPPORT

KEY MESSAGES

The rate of substantiated notifications for child abuse or neglect increased for both Indigenous and non-Indigenous children from 1999-2000 to 2007-2008 with a slight downward fluctuation in 2008-09. However, the rate of Aboriginal and Torres Strait Islander children more than doubled over this period. Aboriginal and Torres Strait Islander children are more than seven times as likely as non-Indigenous children to be the subject of a substantiation or abuse in 2010. 44 out of every 1000 Aboriginal and Torres Strait Islander children were on care and protection orders, compared to 5 per 1000 non Indigenous children, (AIHW, 2010).

RECOMMENDATION

- Commonwealth Government should implement the COAG data priority to 'Develop data collections on the underlying extent of child protection issues', noting these are not necessarily apparent from administrative data on substantiations, notifications and orders.

	Non Indigenous Children 2005	Non Indigenous Children 2010	Aboriginal and Torres Strait Islander Children 2008-09	Aboriginal and Torres Strait Islander and Non Indigenous Comparison 2008-09
Substantiation per 1000 children	Nationally 33,871 children were substantiated in 2004-05. A rate of 7.5 per 10000 children 0-16 years.	Nationally, 32,478 children were substantiated in 2008-09. A rate of 6.9 per 1000 children 0-16 years.	Nationally, 8135 Indigenous and 24,343 non-Indigenous children were substantiated in 2008-09.	Nationally, a rate of 36.8 for Indigenous children and 5.4 for non-Indigenous children.
Child Protection Orders	Nationally, 24,075 children aged 0-17 years were on care and protection orders at 30 June 2005. A rate of 4.8 per 1000 children.	Nationally, 35,409 children aged 0-17 years were on care and protection orders at 30 June 2009. A rate of 7.0 per 1000 children.	Nationally, 10,271 Indigenous and 25,138 non-Indigenous children were on care and protection orders at 30 June 2009	Nationally, a rate of 43.8 for Indigenous children and 5.2 for non-Indigenous children.
Children in out of home care	Nationally, 23,695 children were in out-of-home care at 30 June 2005. A rate of 4.9 per 1000 children aged 0-17 years.	Nationally, 34,069 children were in out-of-home care at 30 June 2009. A rate of 6.7 per 1000 children aged 0-17 years.	Nationally, 10,512 Indigenous children and 23,557 non-Indigenous children were in out-of-home care at 30 June 2009.	Nationally, a rate of 44.8 per 1000 children for Indigenous children and 4.9 for non-Indigenous children.

Recognition of the ongoing impact on Aboriginal and Torres Strait Islander families of policy and practices in previous generations that separated children from their families and families from their lands and country.

Aboriginal and Torres Strait Islander communities and families are at the forefront in working to strengthen families and reduce abuse and neglect. They are ably supported in this work by SNAICC, AICCA's (Aboriginal Indigenous Child Care Agencies - providing child protection services), and other Aboriginal Community Controlled Services and must be well resourced, with a presence in every state and territory, able to deliver a coordinated set of family support and early intervention initiatives. The implementation of a National Aboriginal and Torres Strait Islander Children and Families Network must be built on and continually informed by local Aboriginal and Torres Strait Islander knowledge and expertise.

Continued investment in 'Closing the Gap' initiatives is essential and must include a sustained focus on expanding family support and welfare services in a culturally sensitive and connected manner that recognises the importance of extended family and kinship networks. Not all Aboriginal and Torres Strait families are homogenous and families have differing needs. Not all families may wish to access Aboriginal specific services, however, all families have the right to choose a safe service that suits them and would like to be respected, cared for and educated in a culturally sensitive and inclusive environment.

Government and community policy and program work needs to be informed by the use of an evidence base and the knowledge of Aboriginal and Torres Strait Islander researchers, organisations and families. Thorough evaluations of new initiatives such as income management, health initiatives, training courses, playgroups and local innovations should inform future decisions - drawing on evidence in reports from the Northern Territory Intervention, SNAICC, AICCs, the AIFS Closing the Gap clearing house, the Northern Territory Children's Commissioner reports and reports from local Aboriginal and Torres Strait Islander organisations.

RECOMMENDATIONS

- All governments must commit to listening, participation and collaboration with Aboriginal and Torres Strait Islander families and communities leading to self-determination by all organisations. All developments should be undertaken using a strengths based approach rather than the deficits based approach that is often used currently.
- Commonwealth Government to ensure that the new National Education Curriculum Framework must continue to be strengthened with a fair and accurate history of the colonisations of Aboriginal and Torres Strait Islander peoples, supplemented by local information.
- Commonwealth Government to invest significantly in early childhood development, health education and ongoing education programs in Aboriginal and Torres Strait Islander communities in literacy and numeracy and accessible, appropriate, articulated courses at TAFE, RTO, VET and tertiary levels.
- All governments to ensure that training in cultural competence and culturally sensitive family practice is funded and available in all training courses and on a recurrent basis, including specific training for workers selected from overseas recruitment.
- All governments, national, state, territory and local and community services organisations must take responsibility to promote awareness, education and media representation that acknowledges the place of Aboriginal and Torres Strait Islander families as the first families in Australia and identifies Aboriginal and Torres Strait Islander successes and strengths.
- Commonwealth Government must increase investment in service delivery by Aboriginal services, integrated with increased investment in the broader range of services families need for employment, housing, income, health, education, childcare and family support.
- All governments must acknowledge decades of neglect in Aboriginal and Torres Strait Islander communities and commit to long term planning and sustained new investment in services, building infrastructure, capacity and workforce development (CAFWAA, Workforce Development Strategy, 2010).
- All governments and community service organisations should support a comprehensive public health model for Aboriginal and Torres Strait Islander families that includes an excellent child protection response, family support and an urgent provision of services to isolated and/or communities suffering multiple disadvantage. (CAFWAA National Family Support System, 2010)
- All governments should invest in a full range of basic services for Aboriginal and Torres Strait Islander families and specific targeted services that are locally determined e.g. teenage sexual reproductive health, antenatal care, maternal and child health, substance misuse and addictions.
- All governments should ensure that research is undertaken for future policy and program planning with Aboriginal and Torres Strait Islander researchers and local community representation that includes funding for developing frameworks, collecting data and setting measurable outcomes.

Family decision making models have been piloted in Australia, New Zealand and Canada and results indicate that they contribute to improved outcomes for Aboriginal and Torres Strait Islander families. Some models promote a broad strengths based approach to self determination in the provision of a wide range of community services and evaluations indicate that where Aboriginal and Torres Strait Islander people have an increased voice and control in investment, planning and delivery of the services for their communities and families, ownership, participation and results for families are better.

RECOMMENDATIONS

- Commonwealth Government to provide access to counselling mediation, child access and Family Decision Making services for Aboriginal and Torres Strait Islander families and communities in all locations.
- All governments to promote and provide more opportunities at the local level for Aboriginal and Torres Strait Islander self determination and control in all planning, policies and program developments affecting communities.

Aboriginal and Torres Strait Islander Child Placement Principle.

The situation of large numbers of Aboriginal or Torres Strait Islander children in out of home care has arisen because of the damage that has been done to Aboriginal and Torres Strait Islander individuals, families and communities since colonisation. The systemic removal of Aboriginal children (the Stolen Generations) from their families, communities, land and heritage is of special relevance. No family was unaffected by these policies and many were totally destroyed. The grief, dislocation and despair experienced by the stolen children and the grief and loss of their families remain unhealed and has had terrible effects on children and families that have passed from one generation to the next.

Family is the cornerstone of Aboriginal and Torres Strait Islander culture and spirituality. The maintenance of connections to family and community forms the basis of the Aboriginal and Torres Strait Islander child's identity as an Aboriginal and Torres Strait Islander person, their cultural connectedness and the emergence of their spirituality. Aboriginal and Torres Strait Islander families are strong and powerful. Family provides valuable social capital for Aboriginal and Torres Strait Islander people (Achieving Stable and Strong Out of Home care for Aboriginal and Torres Strait Islander Children, SNAICC, 2005).

There has been poor financial support for the work that is required to 'unpack' the legislation within each state, with no resources provided to improve, develop and amend legislation and implement training, and resources to lead to changes in practice.

Clarity is needed in national, state and territory legislative requirements to guide the actions that services must comply with in enacting the Aboriginal and Torres Strait Islander Child Placement Principle, in meeting the needs of families for self determination and in providing culturally competent services. The 'Principle' has never been adequately resourced and in most states and territories a piecemeal approach is undertaken. There has been poor financial support for the work that is required to 'unpack' the legislation within each state, with no resources provided to improve, develop and amend legislation and implement training, and resources to lead to changes in practice.

The current dominant model across Australia where the core statutory functions of child protection are provided by departments and a range of complimentary family support and out of home care services is provided by community based non-Indigenous organisations must become fully inclusive of Aboriginal and Torres Strait Islander services. A broad spectrum of service components need resourcing if the 'Principle' is to be effectively implemented, including recruitment, training, assessment, support and retention of workers and foster cares and extending to the provision of a full range of the different forms of out of home care from kinship, foster care and family group homes, all within a fully funded and well resourced organisation.

Changes needs to occur in a planned, incremental manner and will only be possible where resources are allocated and time is allowed for the development of new systems and services. 'All or none' and 'fast tracked' approaches are unlikely to work. Decisions about where official responsibility should lie, what decisions should be made by Aboriginal and Torres Strait Islander specialist services and what by departments and non-Indigenous services will need to be made with careful consultation and planning. Aboriginal specialist services may decide to begin by making decisions about cultural care, placement and transition stages before taking on full guardianship responsibilities. In some cases, for example Victoria, there are guidelines for Aboriginal guardianship and eventual goals for Aboriginal self-determination, Children, Youth and Families Act, Victoria, 2005.

Good decisions on the future of children require joint work by departments, Aboriginal and Torres Strait Islander and non-Indigenous services practicing respectful joint investigations of child protection matters. Aboriginal families and communities will need to be well represented when there is a high level of risk, when children may need to be removed and when decisions need to be made about where children are to be placed.

RECOMMENDATIONS

- Commonwealth Government to review the application of the Aboriginal Child Placement Principle, in out of home care services across Australia.
- Commonwealth Government to fully resource the enactment of the Aboriginal and Torres Strait Islander Placement Principle in all Aboriginal and Torres Strait Islander and non-Indigenous community service organisations, recognising that the Aboriginal Child Placement Principle is fundamental to preserving Aboriginal and Torres Strait Islander family and community connections.
- Commonwealth Government to invest in good practice guidelines and training to ensure that all workers in intensive family support work and child protection cases are competent in working within the Principle and have a deep understanding of the families they are working with and what they need.
- Commonwealth Government to undertake comprehensive planning for a National Aboriginal and Torres Strait Children and Families Network that includes the resources for Aboriginal Services to provide specialist services and/ or to have effective partnerships with non-Indigenous organisations to deliver a full range of programs in prevention, early intervention, in home and outreach family support, foster and kinship care.
- Commonwealth Government to resource the recruitment, retention and support of Aboriginal and Torres Strait Islander workers and carers across Australia. (CAFWAA, Workforce Development, 2010)
- Commonwealth Government to resource Aboriginal and Torres Strait Islander families for access to independent court advocacy related to the enactment of the Aboriginal Child Placement Principle.

KEY RECOMMENDATION

The Commonwealth Government should commit to the development, funding and implementation of a National Indigenous Children and Families Network, within the National Framework for Protecting Australia's Children, 2009-2020, informed by SNAICC and reporting through the National Indigenous Reform Agenda.

RESOURCES

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SNAICC Service Development, Service Access and Cultural Respect policy document and related policy papers.

- SNAICC, Victoria, Establishing a Strong Out-Of-Home-Care System for Aboriginal and Torres Strait Islander Children, 2005.
- SNAIC, Victoria, Submission to Special Commission of Inquiry into NSW Child Protection Inquiry (Comment on Manitoba Model) 2007.
- SNAICC, Victoria, news, resources-happenings, Clearinghouse, Literature Review, Service Directory www.snaicc.asn.au

VACCA Victorian Aboriginal Child Care Agency.
www.vacca.org/resources-information/information-about-vacca

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