

**Towards a National Child Protection Strategy  
for Australia**

**August 2007**

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## Foreword

This document contains the major suggested elements for a National Child Protection Strategy for Australia.

The catalyst for this work was the National Child Protection Forum, held in Melbourne on 27-28 June 2006, which brought together Australian, State and Territory government as well as community and research sector representatives.

Children will be better protected and nurtured under the proposed strategy because it will focus and intensify national public and community sector activities, deliver better coordination between jurisdictions and lead to more efficient deployment of resources in areas such as the design and delivery of prevention programs, workforce development, research and evaluation. It will also be cost-efficient, as early investment will obviate the need for spending after problems occur.

## Context

It is recommended that the strategy be developed taking into account the following *national context*:

- Australia does not have one unified system, but rather eight different child protection systems.
- The number of Australian children who have been the subject of a notification or report has increased dramatically in the past decade.
- There is growing acknowledgement by all stakeholders that continual growth in statutory child protection and placement services is unsustainable.
- There is increased attention on the need for better prevention and intervention services to reduce demand for statutory child protection and placement services.

There is a wide range of governmental and non-governmental *activities underway*, including:

- States and Territories are developing broader responses to child protection, focussing on prevention strategies.
- Several Community Services Ministers' Advisory Council (CSMAC) working parties are focusing on child protection and child welfare issues, including: the National Approach for Child Protection Working Group; the Child Safe Organisations Working Group; the National Foster Care Plan Working Group; and the Aboriginal and Torres Strait Islander Services Working Group.
- The Australian Institute of Health and Welfare and the Productivity Commission have drawn attention to the need for more consistent information and performance measures for child protection and welfare issues.
- Two national forums were held in 2006, with representation from every State and Territory government, non-government agencies, professionals and academics: the Out-of-Home Care Research Forum - From Research to Action; and the National Child Protection Forum.
- In the research sector, there is a draft national agenda for out-of-home care research, and there have been audits of Australian research conducted in the child abuse prevention, child protection and out-of-home care fields.

A successfully implemented national strategy will *enhance current service responses for children and young people and their families* because it will:

- Avoid duplication in investment and effort;
- Facilitate the sharing of resources and innovation;
- Improve comparability across jurisdictions;
- Ensure that learnings are applied across all jurisdictions;
- Reduce inequity in the way children and families are supported/assisted (although there is a continued recognition that service responses will need to take into account local needs);
- Facilitate a more evidence-based approach to implementing policies, services and programs;
- Facilitate cross-sectoral collaboration - in particular, including non-government/community-based services in the child protection agenda;
- Take a short, medium and long-term approach to implementation; and
- Form a possible basis for future Commonwealth-State agreements.

The proposed strategy will complement State and Territory-based initiatives as well as provide a mechanism to bring all stakeholders (that is, the Australian, State and Territory government, non-government and research sectors) together to work towards shared goals.

### **Principles**

The principles contained within the United Nations Convention on the Rights of the Child should be adopted for the strategy (*Attachment 1* contains an extract of key principles).

In addition, it is suggested that the principles contained within the National Plan for Foster Children, Young People and their Carers (2004-2006) should be adopted. Those principles that specifically pertain to the service delivery context in Australia are that:

- Service delivery will be flexible, innovative and matched to the real needs of children and young people; and
- Differences between jurisdictions will be acknowledged and respected as are differences of perspective between stakeholder groups.

Given the over-representation of Aboriginal and Torres Strait Islander children in child protection and out-of-home care services, special emphasis is placed on this group in the strategy. Specifically, the rights of children and young people to be raised in contact with their own cultures will be upheld, including the Aboriginal Child Placement Principle (*Attachment 2*).

### **Vision**

That all children are safe, loved and cared for and fulfil their potential as fully participating citizens.

### **Mission**

Actions under the strategy should seek to:

- Promote child and family wellbeing to prevent child abuse and neglect;
- Enhance responses to those children who have experienced abuse and neglect; and

- Improve support for children in out-of-home care.

### **Scope**

The following six areas are recommended as core elements that would form the basis of the national strategy:

1. Primary Services: Universal services available to all children and families
2. Secondary Services: Intervening early to prevent child abuse and neglect
3. Tertiary Services: Responding to children who have been harmed or are at risk of harm
4. Indigenous Issues: Addressing the over-representation of Indigenous children in the child protection system
5. National Standards
6. Research, Evaluation, Dissemination and Service Data

These areas are elaborated below and contain suggested outputs designed to have real and lasting impact on child wellbeing and safety. Although they are discussed separately, the six areas should interleave in practice, offering a cooperative and holistic approach for maximum impact.

### **Definitional explanation**

The following is an excerpt from the Secretariat of National Aboriginal and Islander Childcare Inc.'s (2005) publication: *Footprints to Where We Are: Resource Manual for Aboriginal and Torres Strait Islander Children's Services*.

#### ***Primary services***

Primary Services are universal services. They are offered to everyone. Primary services include antenatal services, maternal and child health services, and preschool and child care. The goal of primary services is to provide support and education for children and families before problems arise. In many cases, primary services help to prevent abuse and neglect occurring.

#### ***Secondary services***

Secondary Services offer programs that identify and reduce the personal and social stresses on parents that lead to family breakdown and/or child abuse. Secondary services are targeted at individuals and families that need additional support or are working to overcome significant problems. Services include in home family support, financial or family counselling, respite care and various parenting and self help groups.

#### ***Tertiary services***

Tertiary Services include assessments and responses to child protection notifications, foster, relative and kinship care and other out of home care options for children who have been at risk of significant harm, where intervention is needed to ensure the ongoing safety of the child. These services include the statutory child protection services and placement services for children who are unable to live at home.

**Strategy management**

It is suggested that the strategy be adopted by Australian and State and Territory Government Ministers via the Community and Disability Services Ministers Conference and the Community and Disability Services Ministerial Advisory Council (CDSMC) at the earliest possible time. Further refinement and oversight of the implementation of the strategy should be undertaken by a new CDSMAC Working Group composed of representatives of government, professionals, academics, practitioners, and key NGOs.

## Key action areas

### 1. Primary Services: Universal services available and accessible to all children and families, complementing targeted child protection strategies

Primary Services are universal services. They are offered to everyone. Primary services include antenatal services, maternal and child health services, and preschool and child care. The goal of primary services is to provide support and education for children and families before problems arise. In many cases, primary services help to prevent abuse and neglect occurring.

Key areas for action	Rationale	Possible outputs (priority action areas)
<p><b>1.1: Promoting child and family well being and resilience at a population level</b></p> <p><i>Supporting the health and wellbeing of all children and families by: spreading knowledge about successful parenting strategies and other factors crucial to children's early development; raising awareness that everyone has a role in creating child friendly communities; building the ability of agencies and care givers to respond to children's developmental needs; and reducing stigma attached to help seeking.</i></p>	<ul style="list-style-type: none"> <li>To build on universal services that support families and influence parenting styles.</li> <li>To educate parents and the community before problems begin.</li> <li>To encourage the development of community support networks that enhance the development and resilience of all children.</li> <li>To use what we know works and replicate these approaches in culturally appropriate ways adaptable to local circumstances.</li> </ul>	<ul style="list-style-type: none"> <li>Develop and deliver public information campaigns to raise awareness about the need to value and nurture children and foster cultural inclusivity (television, radio, and the internet).</li> <li>Develop national principles, including a definition of when 'primary service provision' begins, to ensure a consistent national approach.</li> <li>Increase opportunities for parents to become more knowledgeable and competent in child nurturing, building secure relationships with their infants and children, child development and parenting skills. Examples include: playgroups; parent support groups; working with 10-17 year olds (parents of the future); and universal, initial, nurse home visiting, antenatal and child and maternal health services.</li> <li>Provide information for families on promoting their child's literacy and numeracy skills – for example, talking and reading to their child, to enhance childhood development and resilience.</li> <li>Establish linking mechanisms to assist in the planning, evaluation and coordination of prevention strategies across sectors nationally.</li> </ul>
<p><b>1.2: Providing equitable access to quality universal services for families and children</b></p> <p><i>Ensuring primary services provide support and</i></p>	<ul style="list-style-type: none"> <li>To improve parenting education, access to quality early childhood education and care services and linking opportunities between schools and families to mediate other adverse circumstances related to the risk of child abuse (for example, poverty).</li> </ul>	<ul style="list-style-type: none"> <li>Improve access to universal services for all Australians through subsidised Internet connections, outreach services and through supporting people with young children to secure adequate housing.</li> <li>Develop indicators or criteria to identify children, families and communities who are excluded from universal service provision.</li> <li>Enhance accessibility of services to transport and flexibility of services</li> </ul>

<p><i>education for children and families before problems arise will help to prevent abuse and neglect occurring. Availability and accessibility to quality primary services is a priority.</i></p>	<ul style="list-style-type: none"> <li>• To inform the development of flexible service delivery models adaptable to all sections of Australian society including non-geographic communities (for example, grandparents as carers).</li> </ul>	<p>to get to people.</p> <ul style="list-style-type: none"> <li>• Develop service guidelines governing the delivery of universal services to families with multiple problems (low income, rural/remote, Indigenous, disabled, mental illness, drug and alcohol addictions and clients from culturally and linguistically diverse backgrounds).</li> <li>• Plan and develop communication and access strategies that involve existing child and family service networks to maximise the integration of education, health and parent/family support.</li> <li>• Create mechanisms for disseminating best practice across sectors.</li> </ul>
<p><b>1.3: Supporting community-based primary prevention of child abuse and promoting resilience, attachment, caring and empowerment within families</b></p> <p><i>Enabling behavioral changes and attitude shifts, requires communities to have ownership of a project. That is, they must have a say in defining the problems and the solutions, be assisted to assess the feasibility of their proposed responses and to implement agreed responses.</i></p>	<ul style="list-style-type: none"> <li>• To build on the capacity, knowledge and resilience of individuals, families and communities.</li> <li>• To engage individuals, service providers, governments and other professionals in holistically addressing the multiple causes of child abuse at the community level.</li> <li>• To create sustainable, appropriate and localised primary service strategies.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop a national flexible funding pool for community based primary prevention strategies and projects.</li> <li>• Develop consultation guidelines to govern negotiations between communities, organisations and the three levels of government.</li> <li>• Share and promote examples of projects that are working in a national communiqué.</li> <li>• Involve, where possible, all relevant sectors (for example, police, justice, health and housing) in consultation and planning processes.</li> </ul>

## 2. Secondary Services: Intervening early to prevent child abuse and neglect

Early intervention services are targeted to children, families and communities where there are known risk factors. An example of this is home visiting services to assist with parenting support which is targeted to young families where it has been assessed that domestic violence, substance abuse and/or financial stress is a factor for the family.

Key areas for action	Rationale	Possible outputs (priority action areas)
<p><b>2.1: Building organisational capacity for secondary prevention</b></p> <p><i>Child abuse will be more effectively prevented through building capacity of organisations to respond to children, young people and families at risk.</i></p>	<ul style="list-style-type: none"> <li>• There is a mixed and underdeveloped capacity of government and non-government organisations to effectively undertake secondary prevention activities.</li> <li>• There is a need to ensure there is sufficient capacity in metropolitan and regional areas across Australia that need to assist at risk groups.</li> </ul>	<ul style="list-style-type: none"> <li>• Facilitate national consideration of what services should be expanded through funding to undertake nationally agreed secondary prevention activities.</li> <li>• Undertake an agreed program of specific training by secondary preventions service providers to ensure they are competently and consistently providing services to at risk groups.</li> </ul>
<p><b>2.2: Targeting priorities (national) for secondary prevention</b></p> <p><i>Knowing which services are demonstrating ‘best practice’ and ‘lighthouse projects’ of good practice will provide information on the most effective ways to assist children, young people and families at risk.</i></p>	<ul style="list-style-type: none"> <li>• To ensure that there is a common understanding of the key features of ‘best practice’ in the provision of services to children, young people and families.</li> <li>• To ensure there is an effective dissemination of knowledge gained from effective and innovative ‘lighthouse’ projects.</li> <li>• To ensure there is effective use of resources where funding decisions on new services and improving current services is based on ‘best practice’.</li> </ul>	<ul style="list-style-type: none"> <li>• Define which at risk groups have the greatest need and those groups that would benefit the most from early intervention programs.</li> <li>• Agree on a set of national priorities which are funded by both the Commonwealth and State and Territory governments for known at risk groups for contact with child protection systems, including (but not limited to): children and young people with disabilities; Indigenous children: CALD children; children from families where parents are involved in substance and/or alcohol abuse or domestic violence and other interlinked social problems.</li> <li>• Local areas could work towards identifying local responses that address the agreed set of national priorities for secondary prevention.</li> </ul>

<p><b>2.3: Developing criteria or indicators to identify children, families and communities ‘at risk’/ vulnerable.</b></p> <p><i>Knowing which children, families and communities are at risk across Australia will enable a more effective response from all levels of government.</i></p>	<ul style="list-style-type: none"> <li>To ensure coordination in identifying and responding to at risk groups across the different levels of government.</li> </ul>	<ul style="list-style-type: none"> <li>Collate research and coordination of findings to inform the development of a national set of indicators of at risk groups acceptable to both government (Commonwealth and State/Territory) and the non-government and research sectors.</li> <li>Define which at risk groups have the greatest need and those groups that would benefit the most from early intervention programs because of characteristics of the child e.g. child with a disability, or parents with alcohol and/or drug abuse or particular remote communities.</li> </ul>
<p><b>2.4: Analysing ‘best practice’ and identifying ‘lighthouse’ examples of good practice</b></p> <p><i>Services will be more effective if they are based on knowledge gained from ‘best practice’ and ‘lighthouse’ projects.</i></p>	<ul style="list-style-type: none"> <li>To ensure that there is a common understanding of the key features of ‘best practice’ in the provision of services to children, young people and families.</li> <li>To ensure there is an effective dissemination of knowledge gained from effective and innovative ‘lighthouse’ projects.</li> <li>To ensure there is effective use of resources where funding decisions on new services and improving current services is based on ‘best practice’.</li> </ul>	<ul style="list-style-type: none"> <li>Develop an agreed set of indicators that could be used to determine ‘best practice’ in the provision of services.</li> <li>Utilise an agreed set of audit data to determine what ‘lighthouse’ projects are examples of ‘good practice’.</li> <li>Develop a national resource list (or audit) of ‘best practice’ secondary prevention services.</li> <li>Develop effective strategies to disseminate information on the lessons learnt on what is ‘good practice’ and ‘best practice’ in secondary prevention.</li> </ul>
<p><b>2.5 Defining secondary prevention</b></p> <p><i>A clear understanding of what services are defined as secondary prevention will ensure there is the greatest potential for consistency in service development, planning, delivery and evaluation.</i></p>	<ul style="list-style-type: none"> <li>To provide a common and shared definition that could be used by all key stakeholders involved in the provision of support services to children, young people and their families.</li> <li>To facilitate greater understanding of secondary prevention service provision across government, non-government and researchers and enhancing the sharing of data and measurement of outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>Build on the CDSMAC work currently underway on the National Approach to Child Protection Project (NAFCPP) that aims to define a set of common terms and definitions for child protection and prevention and early intervention.</li> <li>Explore the option of extending the number of stages in the NAFCPP to include the non-government and academic sectors to create common terminology and definitions that would be understood and used across sectors.</li> </ul>

### 3. Tertiary Services: Responding to children who have been harmed or are at risk of harm

Tertiary Services include assessments and responses to child protection notifications, foster, relative and kinship care and other out of home care options for children who have been at risk of significant harm, where intervention is needed to ensure the ongoing safety of the child. These services include the statutory child protection services and placement services for children who are unable to live at home.

Key areas for action	Rationale	Possible outputs (priority action areas)
<p><b>3.1: Enhancing relationships between child protection services and broader legal systems</b></p> <p><i>Decisions being reached in the Family and Federal Magistrates Court concerning children are better informed by information and evidence about child protection matters being addressed at a State and Territory level.</i></p>	<ul style="list-style-type: none"> <li>• To facilitate the consideration of known child protection matters and information in the Family Law and Federal Magistrates Court.</li> <li>• To reduce the likelihood of children’s interests and safety being compromised by decisions made in different jurisdictions.</li> <li>• To ensure a consistent approach across Australia to the handling of child protection matters and information by the Family Law Court and Federal Magistrates Court.</li> </ul>	<ul style="list-style-type: none"> <li>• National agreement on the principles to be used in relation to child protection information held by states/territories in the Family Court and Federal Magistrates Court.</li> <li>• Make available professional development programs for the Family and Federal Magistrates Court personnel and practitioners to enhance understanding of child protection and impacts on children and young people.</li> </ul>
<p><b>3.2: Enhancing relationships between child protection services and broader legal systems at state and territory level</b></p> <p><i>Programs are developed to reduce the incidence of juvenile offending by children who have been subject to maltreatment.</i></p>	<ul style="list-style-type: none"> <li>• To reduce the incidence of children subject to maltreatment themselves appearing as offenders in the juvenile justice system and children’s courts.</li> </ul>	<ul style="list-style-type: none"> <li>• More closely monitor links between children subject to maltreatment and subsequent juvenile offending.</li> </ul>

<p><b>3.3: Improving the capacity of the (paid and unpaid) workforce to meet the needs of children, young people and families involved in the child protection system</b></p> <p><i>A workforce that is equipped to meet the particular needs of children, young people and families within the child protection system.</i></p>	<ul style="list-style-type: none"> <li>• To ensure that the needs of children at risk can be responded to in a professional and timely way wherever they live in Australia.</li> <li>• To ensure that Australia can meet its international obligations to keep children and young people free from harm and abuse.</li> <li>• To meet industry needs for a skilled and growing workforce to meet current and future requirements.</li> <li>• To leverage economies of scale in developing and implementing recruitment, training and development programs for child protection personnel at a national level.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop a national child protection workforce plan incorporating recruitment, training and retention strategies that meet current and future industry needs. (The workforce plan could build on the work currently underway with the CDSMAC Community Services workforce profile project. One of the sectors included in this project is the (paid and unpaid) child protection workforce. Outcomes of this project will produce the data requirements for the national child protection workforce plan).</li> <li>• Develop affordable graduate and post graduate specialist training programs in child protection.</li> </ul>
<p><b>3.4: Sustaining a national focus for the planning and development of foster, relative and kinship care services</b></p> <p><i>To improve the capacity of Australia's foster care system to respond to the changing profile and growing numbers of children and young people requiring out-of-home care. To improve the recruitment and retention rates of experienced foster carers currently within the out-of-home care system.</i></p>	<ul style="list-style-type: none"> <li>• The work undertaken on the first National Foster Care Plan under the auspice of CSMAC demonstrated benefits in developing a nationally consistent approach to issues like standards.</li> <li>• There are areas not covered within the first National Foster Care Plan such as development of alternative models of foster care and standards for the support of foster carers which will benefit from a national approach.</li> <li>• Issues concerning recruitment and retention of foster carers is a problem of national significance requiring the application of nationally developed strategies which are supported by all stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish an across sector, multi jurisdictional process to oversee the implementation of further reforms aimed at building the capacity and performance of foster care nationally.</li> </ul>

<p><b>3.5: Developing a comprehensive and consistent approach for young people who are in transition from out-of-home care</b></p> <p><i>To develop a nationally consistent approach that provides young people who have been in care with the best opportunity to transit to independence.</i></p>	<ul style="list-style-type: none"> <li>• To ensure that young people across Australia enjoy similar rights to assistance and support to manage transition from care, irrespective of where they reside.</li> <li>• To ensure all Australian young people who have been in out-of-home care are provided with the resources and opportunities to facilitate them becoming productive and contributing members of the broader community.</li> <li>• To enhance young people’s transition to independent living whilst retaining positive family (including foster family) connections where possible.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish a ‘Leaving Care’ case management/support/ mentoring service, targeting young people exiting care in each State/Territory.</li> <li>• Examine options that would enhance the financial independence of young people leaving care.</li> <li>• Develop a specialist youth training package, inclusive of priority access to traineeships/apprenticeships or participation in tertiary courses of study, for young people who have been in out-of-home care.</li> <li>• Introduce a national scheme to assist with the support of young people who have been in care who experience financial or housing crisis (for example, assistance with bonds, property establishment).</li> </ul>
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#### 4. Indigenous Issues: Addressing the over-representation of Indigenous children in the child protection system

Key areas for action	Rationale	Possible outputs (priority action areas)
<p><b>4.1 Adopt principles to underpin actions to prevent and respond to child abuse and neglect in Indigenous children</b>  <i>Respond holistically and with cultural sensitivity to the problem of child abuse and neglect</i></p>	<ul style="list-style-type: none"> <li>To provide a culturally appropriate model that meets the needs of Indigenous children.</li> <li>A nationally consistent approach is needed to maximise effectiveness of cross-jurisdictional service delivery for transient or dispersed communities.</li> </ul>	<ul style="list-style-type: none"> <li>Agree to a framework of principles that underpin a common approach to protecting Indigenous children, such as those outlined in SNAICC's "Development of a National Action Plan for Aboriginal and Torres Strait Islander communities to prevent and respond to child abuse and neglect" (May 2006), or the model proposed by the ATSI Services working group of CSMAC (June 2006), including principles such as: <i>respond holistically; focus on child wellbeing &amp; development; promote resilience; focus on underlying SES contributors; focus on children's right to culture; enhance the capacity of Indigenous children services and child and family welfare agencies; and sustain a planned and coordinated response across and between governments.</i></li> </ul>
<p><b>4.2 Expand the scope and number of Indigenous child and family welfare agencies</b>  <i>To have a holistic continuum of service provision, from childcare and preschool support; parenting, family strengthening and early intervention; through to crisis intervention, out-of-home care and leaving care services.</i></p>	<ul style="list-style-type: none"> <li>To build on the existing platform of <b>Indigenous child and family welfare services</b>, extending their service provision from a predominant focus on tertiary services, to encompass secondary and primary services, creating an accessible holistic continuum of service provision for Aboriginal and Torres Strait Islander families.</li> </ul>	<ul style="list-style-type: none"> <li>Assess and agree on an optimal service model</li> <li>Identify regions and communities where there is inadequate or no coverage, or where services require enhancement to provide the optimal continuum of services</li> <li>Establish new services where there are none</li> <li>Expand and enhance sub-optimal existing services</li> </ul>
<p><b>4.3 Expand the scope and number and of Indigenous early childhood services</b>  <i>To have a holistic continuum of service provision, from childcare and preschool support; parenting, family strengthening and early intervention; through to crisis intervention, out-of-home care and leaving care services.</i></p>	<ul style="list-style-type: none"> <li>To build on the existing platform of <b>Indigenous early childhood services</b>, extending their service provision from a predominant focus on primary services, to encompass secondary and tertiary services, creating an accessible holistic continuum of service provision for Aboriginal and Torres Strait Islander families.</li> </ul>	<ul style="list-style-type: none"> <li>Assess and agree on an optimal service model</li> <li>Identify regions and communities where there is inadequate or no coverage, or where services require enhancement to provide the optimal continuum of services</li> <li>Establish new services where there are none</li> <li>Expand and enhance sub-optimal existing services</li> <li>Build on early work by FaCSIA to develop the national Indigenous child care plan</li> </ul>
<p><b>4.4 Enhance the capacity and responsiveness of mainstream family and children's services to meet the needs of Aboriginal</b></p>	<ul style="list-style-type: none"> <li>To maximize the effectiveness of existing mainstream services in providing culturally appropriate programs and interventions across the primary, secondary and tertiary</li> </ul>	<ul style="list-style-type: none"> <li>Document and share good practice from the primary, secondary and tertiary service sectors in relation to the success of mainstream services in supporting Aboriginal and Torres Strait Islander children and families</li> </ul>

<p><b>and Torres Strait Islander children and families</b></p> <p><i>To have a service system that responds with equal effectiveness to the needs of families and children regardless of their cultural identity</i></p>	<p>services continuum for Aboriginal and Torres Strait Islander families.</p>	<ul style="list-style-type: none"> <li>• Build on the early work of the SNAICC Resource Service (SRS) to create an accessible body of knowledge on strategies for capacity building mainstream services to work more effectively with Aboriginal and Torres Strait Islander communities, families and children</li> <li>• Establish cultural competence as a key form of competence within the national child protection workforce plan</li> <li>• Integrate children’s cultural support needs into child protection case management systems and program, eg development and implementation of cultural support plans for all Aboriginal and Torres Strait Islander children in out-of-home care</li> <li>• Develop performance monitoring frameworks to assess the performance of government programs and non-government service providers in achieving outcomes for Aboriginal and Torres Strait Islander children</li> </ul>
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## 5. National Standards

Key areas for action	Rationale	Possible outputs (priority action areas)
<p><b>5.1: Devising standards for developing national approaches</b></p> <p><i>Frameworks within which minimum national standards can be developed with regard to child wellbeing, service delivery and workforce development.</i></p>	<ul style="list-style-type: none"> <li>To provide a coherent, evidence-informed policy framework that focuses upon outcomes for children.</li> <li>To produce greater cohesion and collective action in areas of commonality across jurisdictions, sectors and stakeholders (government and non-government organisations, business and communities, including from culturally and linguistically diverse backgrounds).</li> <li>To guide the implementation of coordinated approaches and provide methods for achieving this (for example, developing standards/schedules for progressive implementation).</li> <li>To achieve consistent and quality care for children and young people by workers, volunteers, carers, and others working with children.</li> </ul>	<ul style="list-style-type: none"> <li>Devise schedules outlining agreed parameters within which jurisdictions can progressively implement a national approach, taking into account their own jurisdictional needs (for example, where, within a reform-agenda cycle they current sit).</li> <li>Establish agreed principles for developing and implementing national approaches, such as: reflecting cross portfolio and cross sector collaboration; acknowledging and respecting differences between jurisdictions (legislative; policy; practice; demographic and resource base); responding flexibly to emerging needs and priorities; and incrementally and progressively developing and implementing the strategy.</li> </ul>
<p><b>5.2: Devising minimum standards for child wellbeing</b></p> <p><i>A method for measuring and ensuring equal opportunities for children's wellbeing.</i></p>	<ul style="list-style-type: none"> <li>To ensure that all children have equal opportunities to: be healthy, stay safe, participate in education, develop socially and emotionally, and become fully participating citizens.</li> </ul>	<ul style="list-style-type: none"> <li>Review existing 'child outcomes' frameworks (for example, UK's "Every Child Matters") and identify appropriate targets/indicators, and methods for assessment.</li> <li>Agree on a nationally consistent framework for Australia.</li> <li>Develop schedules for implementing actions to ensure the outcomes are achieved.</li> </ul>
<p><b>5.3: Devising standards for service delivery in child and family welfare</b></p> <p><i>Responsive, respectful services that meet the needs of families, children and young people.</i></p>	<ul style="list-style-type: none"> <li>To ensure timely delivery of services, so that children and families are kept safe.</li> <li>To ensure that services are responsive to the needs of children and families.</li> <li>To ensure that children, young people and families are treated with respect.</li> </ul>	<ul style="list-style-type: none"> <li>Review existing standards for service delivery</li> <li>Agree on a nationally consistent framework for service delivery standards.</li> <li>Develop schedules for implementing actions to ensure the standards are achieved (for example, implementing organisational change).</li> <li>Ensure equitable access to financial supports for workers, carers and volunteers</li> </ul>

<p><b>5.4: Devising workforce development standards</b></p> <p><i>Workers and organisations that are knowledgeable and equipped to deliver quality services to children, youth and families.</i></p>	<ul style="list-style-type: none"> <li>• To ensure individual workers (employees and volunteers) and organisations have the knowledge, skills, and organisational supports to deliver quality and effective services in a manner that respects children and young people.</li> </ul>	<ul style="list-style-type: none"> <li>• Review existing workforce development programs and competencies.</li> <li>• Agree on: competencies for workers; training frameworks and assessment processes; standards of conduct for workers; and, ongoing professional development frameworks.</li> <li>• Develop schedules for implementing agreed workforce development standards, developing ‘learning cultures’, and achieve organisational change where needed.</li> </ul>
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## 6. Research, Evaluation, Dissemination and Service Data

Key areas for action	Rationale	Possible outputs (priority action areas)
<p><b>6.1: Developing a national research agenda</b></p> <p><i>A national research agenda and improved coordination of research will mean that research will be more efficient, cost-effective, have a greater impact and be better able to inform policy and practice.</i></p>	<ul style="list-style-type: none"> <li>To identify gaps and prevent unnecessary duplication of research areas.</li> <li>To improve collaboration, identify opportunities for joint research and achieving economies of scale.</li> <li>To improve data on the nature and extent of the problem</li> <li>To provide data on “what works” in prevention and intervention programs and services.</li> <li>To provide a reference point for prioritising within- and cross-jurisdictional funding of research.</li> </ul>	<ul style="list-style-type: none"> <li>Develop an agreed national research agenda (priorities and action plan) for child protection, child abuse and neglect prevention and early intervention (conducted in the context of broader child and family welfare issues, including out-of-home care research).</li> <li>Provide appropriate and sustainable resourcing of research in line with priorities and needs identified in recent audits of child protection and out of home care research in Australia.</li> <li>Develop and maintain a live database of priorities and current research activities being undertaken by key stakeholders (academics, government departments, non-government organizations and peak bodies), particularly those who have responsibility for national research and already have research plans.</li> <li>Commission a discussion paper on the need for a national study of prevalence/incidence of child maltreatment, exploring options for how this could be conducted – as well as the need for a national study on offender data.</li> </ul>
<p><b>6.2: Developing national evaluation resources and tools</b></p> <p><i>Better evaluations will enable jurisdictions to have data to be able to examine what makes a ‘good service’ continuum for vulnerable children and families that addresses abuse, neglect, social disadvantage, multiple/interlinked problems, cumulative harm, and the diverse needs of disadvantaged families.</i></p>	<ul style="list-style-type: none"> <li>To help with testing the efficacy of new and existing programs (particularly smaller agencies, who struggle to implement professional evaluations because of issues of cost, time and specialist expertise).</li> <li>To improve understanding of type of evidence collected, appropriate methods, and the limitations of each method.</li> <li>To enable comparable evaluations of the day-to-day activities of the services and operation of child protection departments.</li> <li>To evaluate the impact of legislative, policy or practice changes.</li> <li>To enable high quality evaluations and improve comparability (across regions, and in different contexts).</li> </ul>	<ul style="list-style-type: none"> <li>Develop evaluation standards or ‘benchmarks’ (including common definitions, outcome indicators).</li> <li>Provide support for planning, implementing and reviewing results of program evaluations (methodological support, encourage consistency in use of evaluation tools).</li> <li>Improve targeted funding for program evaluation.</li> </ul>
<p><b>6.3: Disseminating and utilising research findings</b></p>	<ul style="list-style-type: none"> <li>To ensure that research has the best chance of having an impact by improving accessibility of</li> </ul>	<ul style="list-style-type: none"> <li>Develop a repository (for example, a ‘clearinghouse’) for existing program evaluations charged with collating and disseminating</li> </ul>

<p><i>Identifying factors that make research useful to policy makers and practitioners and increasing accessibility of research findings.</i></p>	<p>research findings.</p> <ul style="list-style-type: none"> <li>• To encourage ‘evidence-informed’ policy and practice.</li> </ul>	<p>information about planned and actual research underway, and research results.</p> <ul style="list-style-type: none"> <li>• Document how research findings are being utilised.</li> <li>• Encourage funding bodies to require applicants to identify strategies for research dissemination.</li> <li>• Encourage journal editors to focus researchers’ attention on identifying the implications of their research for policy and practice.</li> </ul>
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## **Glossary**

COAG	Council of Australian Governments
CDSMC	Community and Disability Services Ministers Conference
CSMAC	Community Services Ministers' Advisory Council
NAFCPP	National Approach to Child Protection Project
TILA	Transition to Independent Living Allowance

## **Attachments**

Attachment 1: Principles of the United Nations Convention on the Rights of the Child

Attachment 2: Aboriginal Child Placement Principle

**Attachment 1**

**Principles of the United Nations Convention on the Rights of the Child**

[An extract from the Convention on the Rights of the Child principles contained in articles: 1, 3, 5, 8, 9, 12, 13, 14, 15, 18, 19, 20, 23, 27, 28, 30, 34, 35, 36, and 39].

Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 entry into force 2 September 1990.

***Article 1***

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

***Article 3***

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

***Article 5***

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

***Article 8***

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

***Article 9***

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

***Article 12***

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

***Article 13***

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
  - (a) For respect of the rights or reputations of others; or
  - (b) For the protection of national security or of public order (ordre public), or of public health or morals.

***Article 14***

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

***Article 15***

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

***Article 18***

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

***Article 19***

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

***Article 20***

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

***Article 23***

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.
2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.
3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development
4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

***Article 27***

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

### ***Article 28***

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

### ***Article 30***

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

***Article 34***

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

***Article 35***

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

***Article 36***

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

***Article 39***

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

## Aboriginal Child Placement Principle\*

[extract from: Richardson, N., Bromfield, L., & Higgins, D. (2005). *The recruitment, retention, and support of Aboriginal and Torres Strait Islander foster carers: A literature review*. Melbourne: Australian Institute of Family Studies. Available at: <http://www.aifs.gov.au/nch/pubs/2005/reports/litreview/litreview.html>]

Adopted in legislation in some form in all state and territories, the Aboriginal Child Placement Principle (ACPP or the Principle) outlines the preferred order of placement for an Aboriginal and Torres Strait Islander child who has been removed from their birth family. This order of preference is that any Indigenous child removed from his or her family be placed with:

- 1) the child's extended family;
- 2) the child's Indigenous community;
- 3) other Indigenous people.

Only if an appropriate placement cannot be found from the three groups can an Aboriginal child be placed with a non-Indigenous carer. The Principle has a number of important consequences for Indigenous communities. The Principle provides an important acknowledgement that previous policies caused suffering to Indigenous people and reflects the right of Indigenous people to raise their children and retain them in their communities (Lock, 1997). The instrumental aspect of the Principle is that it operates in such a way that the best interests of the Indigenous child are linked to the best interests of the community (Lynch, 2001; Ralph, 1997). In ensuring Aboriginal and Torres Strait Islander children remain in their communities, the Principle recognises that Indigenous children in need of placement outside their families are better off being cared for by Indigenous people within their own communities. Placements that are consistent with the Principle help Indigenous children to maintain a sense of identity and provide a source of learning and support that can only come from their own families and communities (Walker, 1993). This equips Indigenous children to cope with racism and other difficulties for Indigenous children in integrating into non-Indigenous society (Lock, 1997).

The Principle also recognises the right of Indigenous communities to retain their social and cultural heritage and customs (Lynch, 2001; Ralph, 1997). Lock (1997) also highlighted that the forcible removal of children can extinguish the link between the child and their land. In such circumstances, it is less likely that Aboriginal and Torres Strait Islander people will be able to claim native title under common law.

### References

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- Walker, Y. (1993). Aboriginal concepts of the family. *Children Australia*, 26, 18-25.