



**SUBMISSION BY FAMILIES AUSTRALIA
TO THE SPECIAL COMMISSION
OF INQUIRY INTO CHILD PROTECTION
SERVICES IN NSW**

FAMILIES AUSTRALIA

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

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Overview

Families Australia is the national, independent, peak organisation promoting the interests of families. Families Australia's submission focuses on two aspects of child protection and the role of the NSW Government through the Department of Community Services (DoCS):

1. DoCS' role as part of a coherent national approach, meshing tertiary (crisis-response) services with prevention and early intervention approaches, informed by research. This section is informed by Families Australia's work with the Coalition of Organisations Committed to the Safety and Wellbeing of Australia's Children.
2. The needs of adult survivors of childhood institutionalisation – the Forgotten Australians – and the appropriate role for the NSW Government. This section is informed by Families Australia's work with the National Alliance for Forgotten Australians.

1. DoCS' role as part of a cohesive/coherent national approach, meshing tertiary (crisis-response) services with prevention and early intervention approaches, informed by research.

Responsibility for child protection is shared by all levels of government. Other important contributors include community organisations, researchers, communities and families themselves. For child protection to succeed, it is becoming ever more crucial for the various arms of government to work effectively with each other, and with the non-government and research arms, to ensure that the best possible strategies for preventing child abuse and neglect, and for addressing issues where they do arise, are agreed and in place.

The current context is cause for concern:

- 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.
- Aboriginal and Torres Strait Islander children are more than five times as likely as other children to be the subject of a substantiation, and over seven times as likely to be on a care and protection order.
- 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.

Families Australia is a founding member of the Coalition of Organisations Committed to the Safety and Wellbeing of Australia's Children, a group of over 50 organisations, academics and researchers involved, either directly or indirectly, in child protection.

The Australian Government has publicly committed to the development of a National Child Protection Plan, in consultation with key stakeholders including State and Territory Governments and the community sector.

Some work has already been done which is expected to be a key reference point for this important Plan. In June 2006, Australian and State and Territory Government representatives came together with community organisations and researchers at a National Child Protection Forum. Work at, and following, the Forum produced a National Child Protection Framework, which sets out a proposed national approach to better protecting and nurturing children through focusing on and intensifying national public and community sector activities.

The Framework calls for better coordination between jurisdictions and more efficient deployment of resources in areas such as the design and delivery of prevention programs, workforce development, research and evaluation. The Framework stresses the importance of meshing the key areas of: primary services (universal services offered to everyone, including antenatal services, maternal and child health services, and preschool and child care); secondary services (targeted services, offering programs that identify and reduce the personal and social stresses on parents that lead to family breakdown and/or child abuse); and tertiary services (including statutory services for children who have been at risk of significant harm, where intervention is needed to ensure the ongoing safety of the child). Overlapping responsibilities in the primary and secondary areas need improved coordination and cooperation to be most effective; while, at State and Territory level, the lack of consistent standards, legislation and even definitions makes monitoring and reporting very difficult. There is an urgent need for State and Territory Governments to address this issue and to try to find some common ground, aiming to reach agreement on common standards and to be able to share data productively.

The Framework also calls for urgent national cooperation to address the over-representation of Indigenous children in the child protection system. Strategies could include: the adoption of national principles to underpin actions to prevent and respond to child abuse and neglect in Indigenous children; developing holistic and culturally sensitive responses to the problem of child abuse and neglect; expanding the scope and number of Indigenous child and family welfare agencies; expanding the scope and number of Indigenous early childhood services; developing a holistic continuum of service provision, from child care and preschool support; parenting, family strengthening and early intervention, through to crisis intervention, out-of-home care and transition-from-care services; and enhancing the capacity and responsiveness of mainstream family and children's services to meet the needs of Aboriginal and Torres Strait Islander children and families.

Research, evaluation and dissemination of data can inform government strategies. A national research agenda and improved coordination of research would mean that research will be more efficient and more cost-effective, will have a greater impact and will be better able to inform policy and practice. Again, the NSW Government should be encouraged to be a leader in a cooperative approach.

In short, a more joined-up system that shares planning and cooperates to enhance approaches at all levels would be of great benefit to Australia, and NSW, as the largest state in population terms, has a key role to play. Redesign of the NSW system should be geared to mesh with Australian Government and community sector strategies, with a view to creating coherence and eliminating gaps.

2. The needs of adult survivors of childhood institutionalisation – the Forgotten Australians – and the appropriate role for the NSW Government.

Families Australia provides secretariat and project support for the Alliance for Forgotten Australians, a new national alliance representing the group of people who were in institutional or other out-of-home care as children in the last century. The Australian Senate produced a report, *Forgotten Australians: a report on Australians who experienced institutional or out-of-home care as children* (2004) ; it is available online at:

www.aph.gov.au/Senate/committee/clac_ctte/inst_care/report/index.htm).

The people who identify as Forgotten Australians are now adults, some of them in their thirties, some very elderly. They are survivors of the institutional care system, which was the standard form of out-of-home care in Australia until the 1970s. The 2004 Inquiry of the Senate Community Affairs References Committee estimated that more than 500,000 children have experienced life in an

orphanage, Home or other form of out-of-home care during the last century in Australia.

The reasons children were placed in institutional care varied:

- Some were removed from their parents and made State Wards and/or placed in State care, because the State considered their parents unfit or the children at risk.
- Some had parents who were dead, in prison, missing or otherwise unable to care for them.
- Others were placed by their parent/s because the parent/s could not provide for them. Sometimes these parents had to work and used the Home as a form of child care. If they could, they paid maintenance to those running the institution. Many children were in Homes simply by reason of poverty, in an era of almost no community or government support for families in crisis or need; many children had fathers and mothers who were returned traumatised from war service.
- Some children were placed in institutions simply because their parents had separated or divorced.
- The Forgotten Australians include Indigenous children, many of whom were removed because of their race, and child migrants.

The Senate Committee reported that they had

...received hundreds of graphic and disturbing accounts about the treatment and care experienced by children in out-of-home care.... Their stories outlined a litany of emotional, physical and sexual abuse, and often criminal physical and sexual assault....neglect, humiliation and deprivation of food, education and healthcare. (Forgotten Australians, xv)

There was a systemic failure by governments and providers to give children care and protection. Among the horrors these children experienced were:

- separation, abandonment and loss of family;

- deception - many children were told (untruthfully) that their parents were dead or did not care about them;
- neglect and exploitation;
- sustained brutality;
- sexual assault;
- poor health care, including denial of dental care;
- denial of educational opportunity;
- removal/loss of identity;
- loss of cultural identity;
- drug testing - in some institutions, new drugs were tested on children; and
- lack of post-care support.

The long term impacts for many include:

- a lack of trust and security;
- a lack of social skills;
- risk behaviours;
- inability to form and maintain loving relationships;
- inability to parent effectively;
- mental illness, including depression, anxiety, Post-traumatic stress disorder (PTSD), dissociation, psychosomatic illness and/or personality disorders.

Working with Forgotten Australians can be challenging, and there is a real need for targeted services, particularly in the health and education areas, in the criminal justice system and in counselling and welfare services. Better education of workers in these sectors is crucial. Support organisations report many cases of people who have not, after 20 or 30 years of marriage, ever revealed their childhood experiences to any family members. Forgotten Australians do not expect to be believed, and they have tried to put the past behind them. For these reasons, they find the revelations very painful. This limits the capacity of many health professionals to diagnose and treat Forgotten Australians' trauma – the deep-seated cause of their physical, emotional, sexual or mental health

problems. There is fear of authority; stemming from insecurity, and many react with anger or fear when they experience frustration or think they are being bullied. It is important for service providers to understand that the feeling of helplessness in the face of power is very long-standing and deep.

Involving Forgotten Australians and their families in the design of programs aimed at assisting them will show respect, reassure and not re-victimise them. This is a role for DoCS, as part of its ongoing responsibility is to ensure that transition from care is a positive and strengthening experience for care leavers. This group is still, as adults, making that transition, and the Forgotten Australians need and deserve better ongoing support.

The areas where this support would be most effective include:

- tailored programs in the health sector, recognising the complexity of needs and issues of this group;
- free health care, where issues relate to their experience in care, and subsidised health care for apparently unrelated health issues, recognising the level of disadvantage experienced by this group;
- tailored adult education programs, beginning with literacy and numeracy teaching aimed at them, not combined with classes for non-English speakers;
- access to unlimited counselling services for survivors, tailored to develop effective and appropriate responses;
- assistance with proving identity;
- supported access to records;
- support in dealing with bureaucracy, including assistance to complete forms;
- support in dealing with any institutions, including Aged Care institutions, into which Forgotten Australians need to go in order to obtain support;

- a small grants program, similar to the Forde provisions in Queensland, which enables individuals to apply for and receive one-off assistance to meet specific costs;
- assistance in producing an oral history of Forgotten Australians.

Further, the NSW Government should introduce a redress scheme, similar to those run in Tasmania, operating in Queensland and beginning in Western Australia. Currently, in NSW, redress is available only through the legal system, which is a hardship for many. An across the board redress scheme would be a tangible expression of the acknowledgement and regret expressed by the government. It would assist Forgotten Australians to move forward, individually and collectively, to undo some of the damage done to them and to improve their current lives and the future lives of their children.

The NSW Government should also renew its commitment never again to place children in institutions as a care policy/strategy. This is regarded by Forgotten Australians as crucial at a time when there is a significant shortage of foster parents. The Alliance for Forgotten Australians would like to see improved support for foster parents, so that their important role is recognised and they are not out of pocket in taking on the care of others' children; and improved training and support for all workers in this sector.