

## COMMENTARY ...

# Shifting the child protection juggernaut to earlier intervention

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*For every complex problem there is a solution that is simple, neat and wrong* (M.L. Mencken, US writer and social commentator).

Nowhere is this quote more apt than when applied to finding over-simplified solutions to the complex problem of looking after the safety and well-being of vulnerable children. The easiest formula is, of course, to 'rescue children from dysfunctional families', a line taken recently in the monograph by the right wing think tank, Centre for Independent Studies (Sammut & O'Brien 2009). It is reasoning with fatal flaws. This commentary provides a timely reminder of the strong arguments which lie behind the national and international shift to supporting children and families through universal and specialist community-based services, rather than weighting all resources into statutory child protection interventions. A brief outline of the value of developing the resources to support children in their families, and the problems with 'rescuing' children through the child protection system are discussed.

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## THE ROLE OF EARLY INTERVENTION

There is a long history of the effectiveness of universal, early intervention to support the most vulnerable children and families. In Victoria, in the first half of the twentieth century, Dr Vera Scantlebury Brown was horrified at the extent of both maternal death and infant mortality. Rather than taking the tack of 'rescuing' the most vulnerable infants and taking them into 'foster care' families, she established the Victorian Baby Health Centres to provide universal maternal and child health services. There was a remarkable drop in the mortality figures as a result of this and other universal public health care interventions.

The evidence of the effectiveness of a range of universal and early childhood services continues to grow. Many examples can be provided. The longitudinal studies by Olds and colleagues (2007) demonstrate the effectiveness of nurse home visiting and provide the basis for much of the program development in Australia, the UK and the US. This can be complemented by the meta study analysis by Gutterman (2001) which also explores enhanced, universal home visiting services for families with new babies, though not necessarily nurse specific services. The study shows that these early (perinatal and postnatal), universal services markedly improve the life chances of the most vulnerable children in the community.

The role of good quality day care facilities and early childhood programs is also demonstrated by a range of research studies. One of the most well known brought together 17 experts from a broad range of disciplines to publish *From neurons to neighbourhoods* (Shonkoff & Phillips 2000). The evidence demonstrates unequivocally that early intervention can improve the health and well-being of vulnerable children. Moreover, there are significant cost-benefits to this early intervention. The US Perry Preschool study found an economic return to society of more than US\$17 for every tax dollar invested in early care and education programs, and significant benefits in employment, earnings, home ownership and financial wealth (Schweinhart 2004). The weight of the evidence in Australia was brought together recently in the report commissioned by the Australian Research Alliance for Children and Youth

(ARACY) (2009), *Inverting the Pyramid*, making the case for re-balancing service provision to provide greater resourcing for universal and secondary targeted services for children and families.

### PROBLEMS WITH A 'CHILD RESCUE' MODEL

The case for a 'paradigm shift' which focuses more resources on earlier intervention needs to be set alongside the problems with the 'child rescue' model which embraces a 'one size fits all' approach and then pushes nearly all resources into the tertiary child protection and out-of-home care system.

#### a) Overloading the child protection system

An argument can now be made that an overloaded child protection system is a dangerous system (Lonne, Parton, Thomson & Harries 2009). The promise that mandatory reporting would bring to attention abused children who could then be supported by appropriate intervention has not been realised. While a strong case could be made for child sexual abuse, significant physical abuse and criminal neglect, the widespread reporting of any case of concern prior to an earlier community-based intervention is proving to be 'a wrong turn'. It is encapsulated in the words of those commissioned to undertake the Tasmanian inquiry into child protection.

While introduced in Tasmania and elsewhere to increase the referral net for child protection referrals and improve child safety, mandatory reporting has had the unintended negative consequences of overloading the statutory system without necessarily improving child safety (Jacob & Fanning 2006, p.59).

The results of the NSW Wood Commission of Inquiry (Special Commission of Inquiry into Child Protection Services in NSW 2008) are also salutary. NSW is a state which, like Tasmania, has mandated a wide range of professionals to report child abuse and neglect. Eighty-one children per thousand in NSW are now being reported to the Department of Community Services (DoCS) Helpline. However, in 2006/07, over half of all reports involved only 20 per cent of children and young people. In fact, if the statutory system had not been so overwhelmed, a more targeted response to a smaller group of vulnerable and abused children might have proved to be a more judicious and effective response.

There are other lessons to be learnt from history. When mandatory reporting was introduced in Victoria in 1993 following the tragic death of a child, there were some serious unintended consequences. The huge new demand on the child protection system led to the employment of a large number of new child protection workers. To fund this new surge in demand, the Kennett Government simultaneously made severe cuts to community-based child and family

services, funding the tertiary sector at the expense of earlier intervention (Mendes 1996).

#### b) No improvement in child deaths, no improvement in staff retention

Australia's foremost example of the bold experiment in 'child rescue' lies with Queensland. In 2004, the Queensland Government took the step of developing a stand-alone child safety authority focused primarily on tertiary child protection intervention with a remit to investigate and assess notified cases of child abuse and neglect. Responsibility for family support was passed to the Department of Communities. Considerable resources were invested in the child safety authority, including an increase of approximately \$125 million annually, taking annual funding in 2008/09 to \$630 million on tertiary child protection services. By contrast, in 2007/08 only \$60 million was provided for a very broad array of family support services delivered through the Department of Community Services, which is responsible for funding services for juvenile offenders, older people living independently, as well as vulnerable children and families.

Rather than a solution to child abuse and neglect, the stand-alone child safety authority was a failure by many measures of child protection service effectiveness. Between 2004 and 2009, there was more than a 40% increase in the number of children subject to child protection orders (4,837 in 2003/04 to 6,942 in 2007/08) (Department of Child Safety 2009a, p. 27). Despite the increased levels of tertiary intervention by government, deaths amongst children known to the Department increased substantially from 36 children in 2003/04 to 63 in 2007/08 (Department of Child Safety 2009a, p. 43). Notably, these figures increased in a linear progression, meaning that over the five years in which the stand-alone child protection authority operated, there was a substantial and continued increase in the number of children in care and the number of child deaths amongst children known to the agency.

Alongside these negative child protection outcomes, turnover amongst frontline child protection staff escalated in the Department of Child Safety. Just prior to the establishment of the child safety authority, the Minister at the time acknowledged that 28% of frontline staff left their positions within the first year of practice; by 2007, this figure had grown to 42% of frontline staff leaving their roles (Department of Child Safety 2007; Spence 2003). There are likely to be a range of reasons for the high turnover rates, including the dramatic expansion of the frontline workforce leading to the employment of a large number of novice workers and many workers without educational preparation for human services work (Healy & Olstedal, in press). Further, the Child Safety Officer role was narrowed to investigation and assessment functions excluding involvement in early intervention and family support roles.

The role narrowing is likely to be a significant factor in workforce turnover given that role variation and involvement in work that is perceived to make a positive difference to children's and families' lives is associated with workers' reported job satisfaction and intention to remain in child protection services (Glisson & Hemmelgarn 1998; Healy, Meagher & Cullin 2009).

### c) An over-extended out-of-home care system

The heavy emphasis on 'child rescue' through the tertiary and out-of-home care system also holds some pitfalls. There has been a rise of 115% in the number of children in out-of-home care in the past 10 years. The latest Australian data shows 31,166 children in out-of-home care (AIHW 2009). Rates across Australia vary considerably and Indigenous children are six times more likely to be in care than other children.

A case can also be made that the maintenance of statutory child protection intervention as a wholly legal enterprise limits the independence of child protection services to decide the best responses to vulnerable children. The Children's Court and the adversarial legal system continue to focus on discrete incidents of harm and therefore fail fundamentally to understand the complex problems of cumulative harm which create risk and harm for many children (Sheehan 2006).

Both nationally and internationally there is an acute shortage of foster carers. While it is difficult to find concrete numbers, government departments, welfare agencies and foster care associations in all Australian States and Territories report a shortfall in the numbers of foster carers to meet the demand in the city and in rural, regional and remote communities. At significant costs, statewide foster care recruitment campaigns are conducted on a regular basis in an attempt to meet the continued shortfall in supply (McHugh et al. 2004). In short, there are not the foster carers available to support an increase in 'child rescue'.

### d) The Stolen Generation and Forgotten Australians and current abuse in care

A significant problem arises when large numbers of children are 'rescued' from 'dysfunctional families'. Sadly, a sharp line does not divide the dysfunctional family from the functional family and a functional system's response. The trio of inquiries into the circumstances surrounding the institutionalisation of children in Australia – *The Forgotten Australians: A report on Australians who experienced institutional or out-of-home care as children* (Australian Senate Community Affairs References Committee 2004); *Bringing Them Home* (Human Rights and Equal Opportunity Commission [HREOC] 1997) which reports on Indigenous children removed from their families; and *Lost Innocents* (Australian Senate Community Affairs References Committee 2001) which documents the experiences of British child migrants – all provide harrowing stories of

abuse in 'care'. While it could be argued that these Reports refer to experiences from an earlier era, they also stand as a stark reminder that the wholesale removal of children from their families creates immediate as well as intergenerational trauma for many children. Contemporary inquiries into state care suggest that the problem of abuse in care continues (e.g. Queensland Crime & Misconduct Commission; Mulligan Inquiry in SA). The power of the state to remove children from their families needs to be judicious and considered only as a final intervention, not an early intervention.

Recent data from Queensland shows that little has been learned. In the period 30 June 2005 to 31 March 2009, the numbers of children under protective orders increased 30.9% and children in care living away from home escalated 32.7% (Department of Child Safety 2009b, pp. 32-34). However, during the same period there was an 89% rise in the numbers of Indigenous children under protective orders and a staggering 102.9% increase in those living in alternative care arrangements. Indigenous children accounted for 70.9% of these extra 1,850 children living away from home. This situation illustrates that forensically focussed child protection systems are largely incapable of addressing systemic disadvantage for Indigenous peoples despite their own 'child placement principle' policies and are, in all likelihood, compounding it with their 'child rescue' practices.

An under-funded, over-extended, out-of-home care system where the support, accountability and oversight of foster and kinship carers is constrained is of great concern. Well meaning people may need very significant support to look after traumatised children and young people. Without such support children may be further abused or cycled through multiple placements, significantly undermining their emotional well-being and leaving them increasingly vulnerable to emotional and physical harm (Barber & Delfabbro 2004). A system stretched to the limit with high numbers of children entering care may not be in a position to provide the necessary safeguarding for these vulnerable children.

### CONCLUDING REMARKS

There is no argument that there is a need for a well funded statutory child protection and out-of-home care system to provide tertiary interventions to children who have experienced abuse or neglect. The challenge is to resource the universal, early intervention systems and to provide significant, targeted support to the most vulnerable children and dangerous families, preventing abuse and neglect and reducing demand on the statutory child protection system to manageable levels. The latter should be a lean and efficient system, well connected to community-based services. While easy to outline, such a system requires shifting the current resourcing for children and families so that the early intervention system receives equal or greater funding than

tertiary services. It is no less than a paradigm shift (Lonne et al. 2009).

It is clear that an overwhelmed, resource-hungry, statutory system has done little to increase the safety and well-being of children. The newly launched National Framework for Protecting Australia's Children (Council of Australian Governments 2009) provides the platform for this shift. At this stage, it is just that – a framework and a platform. It will require political will at state and federal levels, as well as strong voices from within government, the not-for-profit sector and academia, to support a cultural change in our approach to children, young people and their families and community networks. Our children deserve no less. □

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