

**Book Reviews**

## Resetting the pendulum: Balanced, effective, accountable child protection systems and adoption reform In Australia

Sammut J. (2017). Research report 33. Sydney: The Centre for Independent Studies. November. pp. 21.

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**More of the Same**

Sammut's earlier 2015 book, *The madness of Australian child protection. Why adoption will rescue Australia's underclass of children*, was reviewed by both myself and Deirdre Cheers, CEO of Barnardos Australia in consecutive issues of *Children Australia* (number 2 and 3) in 2016.

Both reviewers took Sammut to task in regard to his hostility to family preservation services and his over optimistic and idealising position in regard to adoption. This research paper continues to try to sell both of these extraordinary viewpoints with unabated enthusiasm.

The report starts by characterising the Australian child protection system as "family preservation based" (p. 1). Sammut then points to the 'remorseless and unsustainable Australia-wide growth in the number of children in out-of-home care (OOHC)' (p. 1). He blames this on 'over-extended efforts made by state and territory child welfare authorities to remove children into care only as a last resort' (p. 1). But surely this is a false premise. If the authorities were pursuing preservation at all costs and only taking children into care as a last resort, logic says there would be a decline in the number of children being taken into care, not an increase.

There is undoubtedly a problem, as we see a continual rise in the number of children in care in Australia. A number that has risen from 39,621 in 2012 to 46,448 in 2016 (AIHW, 2017, Table 5.2). But to blame this on an over use of family preservation services is a farce. The farce then continues when Sammut seeks to extrapolate from the 2016 figures that at this rate, by the year 2020, 1 in every 100 Australian children will be in state care. This is a frightening thought; given it is only 3 years away.

If this trajectory does nothing else, it confirms the need for an expansion of family preservation services. Again, the logic is lost on Sammut, whose solution to this problem is adoption. But before we get there, Sammut presents a series of tables (p. 6–7) which purport to show the demand-and-cost-curve for OOHC services up to 2026. These figures

are drawn from the Productivity Commission Report on Government Services 2017 and then extrapolated to show an explosion in the direct costs of OOHC. As pointed out by Ainsworth and Hansen (2014), there are many more indirect costs that are incurred before a child is placed into the care of child protection authorities, all of which must be factored into any costing of OOHC. For example:

The Productivity Commission's costing are unlikely to include the cost of state and territory commissions of inquiry that were sitting during the above period, or the cost of Ombudsman services associated with the review of child deaths or the cost of the care jurisdiction of the Children's Courts, all of which are significant. Nor are training and other costs incurred by police, education or health services as they increase staff alertness to issues of child abuse and neglect included in the Productivity Commission's figures.

In NSW, in particular, there is also the part cost of the Commission for Children and Young People that accredits agency foster care programs and holds a record of deregistered foster carers. This is a child protection cost since foster care is the mainstay of the child protection out-of-home care services. In that regard the Productivity Commission's costing of \$3.0 billion is almost certain to be a gross under estimate of the cost of child protection services in Australia.

(Ainsworth & Hansen, 2014, p. 93)

Unfortunately, Sammut does not take into account these other cost factors. If he had, the figures would not be frightening they would be terrifying.

So, in the face of Sammut's extrapolated number of children in care and the cost of OOHC services we move to Sammut's solution - adoption for all, in order to reduce the in-care population. That there is a need for a reduction in the number of children in care appears to be universally agreed. Family preservation services have an important part to play in preventing children from coming into care. In that respect it is unfortunate that Sammut is so dismissive of these services.

Sammut quotes adoption figures from 2015–2016 that indicate that only 70 children were adopted from care in that year (AIHW, 2016), however, he does not cite the later figures from 2016–2017, which show that there were 143 adopted by carers, that is to say non-relative foster carers or kin, which is a 45% increase from 2015–2016 (AIHW, 2017). But this is not enough for Sammut and others who want much more (Standing Committee on Social Policy and Legal Affairs, 2017). His proposal is characterised by quick decisions about the removal of children from parental care and a speedy adoption process with a corresponding diminution of parent's legal ability to oppose such an action.

For comparison purposes, it is useful at this point to look at figures from both the US and England in relation to adoption from care. Preliminary estimates from the US for the financial year 2016 released on the 20 October 2017 (DHHS, AFCARS report, 2017, p. 1) shows 57,600 adoptions with public child welfare agency involvement. This is from a foster care population of 437,465 at 30 September 2016, which is an adoption rate of 13.1%. Children aged 4 years or under accounted for 48% of these adoptions. This report also shows that there were 117,794 children waiting for adoption. For those whose parental rights have been terminated, the mean time until adoption was 18.2 months (DHHS, AFCARS report, 2017, p. 5). This is a situation that presumably Australia would not want to replicate, but one which might arise if the NSW Supreme Court indulged in freeing children for adoption before adoptive parents had been identified, which Sammut seems to think is possible. This is not the case. For a child in care to be adopted by foster carers or kin, the prospective adoptive parents have to be assessed and approved by the NSW Department of Family and Community Service and have lived with the prospective adoptive parents for a reasonable period of time, usually 2 years. Only when these conditions have been satisfied can an application for adoption be filed with the Supreme Court.

For England, in the year ending 31 March 2017, there were 72,670 'looked after children' (the English term for children in care) (DoE, SFR 50/2017, p. 4). During the same period 4,350 children were adopted from care, which is an adoption rate of 5.9%. This was down from a peak of 5,360 in 2015 (DoE, SFR 50/2017, p. 9). Seventy-one percent of children adopted were 4 years of age or under.

At 30 June 2016 Australian children in care numbered 46,448, of whom 16,846 were Aboriginal (AIHW, 2017) and therefore exempt from adoption, leaving the number of children potentially available for adoption at 29, 602. Still a massive figure, given that only 143 children were adopted in Australia in 2016–2017, with 78% of these children being Australian borne. This is an amazingly low adoption rate of only 0.4%. Given this figure, Sammut is obviously right to strongly push the adoption from care issue.

In doing so however, Sammut ignores key factors that influence the adoption process. This is even though these factors, which include the fact that many children in care are over 4 years of age, the exemption of Aboriginal or

Torres Strait Islander children from adoption under Section 10A (3) (c) of the *Children and Young Person (Care and Protection) Act 1998*, the unsuitability of some children for adoption, the importance of family identity as a contributor to the health and well-being of a child, the inability in some instances to find suitable adopters and, finally, the rate of adoption disruptions both in the period leading up to final orders and also after final orders have been made (Ainsworth & Hansen, 2016; Cheers, 2016).

Importantly, in neither of these 2016 reviews was the use of adoption as a route out of care for children opposed as some might have expected. Cheers (2016), as the CEO of Barnardos, has a long standing and more articulate understanding of the importance of adoption than Sammut, but because of her more intimate knowledge of day to day adoption practice, she is more careful about proposing a vast extension of adoption to many more children.

The push for adoption from care began in the US and was rapidly taken up in the UK. The figures cited above of 13.1% and 5.9%, respectively, of children adopted from care, if replicated in Australia will, at the high end, only produce 3,877 adoptions and at the low end 1,746 adoptions. Neither figure takes account of the list of factors mentioned in the last paragraph, which in turn is likely to further reduce the number of children likely to be available for adoption. The number of adoptions, when contrasted with the 44, 448 children in care will, as a consequence, be a drop in the ocean, but worth the effort nonetheless. It would be, however, nothing like what Sammut would like to see. But, as is obvious, the Sammut proposal for mass adoption is his personal "pipe dream".

Regardless of what Sammut says, there is not an either or choice between family preservation services and adoption. Both are needed in the continuum of child welfare services. They do, of course, have to be used wisely. Family preservation services are not the be all of Australian child protection services, nor has there ever been a "taboo" on adoption, although these notions are a convenient way to promote a weak argument.

## References

- Ainsworth, F., & Hansen, P. (2014). When is enough enough? The burgeoning cost of child protection services? *Children Australia*, 39(2), 93–98.
- Ainsworth, F. (2016). Book review of 'The madness of Australian child protection. Why adoption will rescue Australia's underclass of children. Ballarat: Connor Court Publishing'. *Children Australia*, 41(2), 162–163.
- Ainsworth, F., & Hansen, P. (2016). Establishing adoption as a route out of care in NSW: A commentary. *Children Australia*, 41(3), 232–236.
- Australian Institute of Health and Welfare (2016). *Adoptions Australia 2015–16*. Canberra.
- Australian Institute of Health and Welfare (2017). *Adoptions Australia 2016–17*. Canberra.

- Australian Institute of Health and Welfare (2017). *Child protection Australia 2015–16*. Canberra.
- Cheers, D. (2016). Book Review of ‘Searching for truth in the debate about adoption from care.’ *Children Australia*, 41(3), 240–243.
- Commonwealth of Australia. House of Representatives. Standing Committee on Social Policy and Legal Affairs (2017). *Local adoptions*. May 22 and 29 hearings. Hansard proof. Available at <http://parlinfo.aph.gov.au>.
- Department of Education (2017). SFR 50/2017. *Children looked after in England (including adoptions), year ending 31 March*. 7 December.
- Sammut, J. (2015). *The madness of Australian child protection. Why adoption will rescue Australia’s underclass of children*. Ballarat: Connor Court Publishing.
- US Children’s Bureau (2017). *The AFCARS report FY 2017 data*. Washington, DC. Retrieved from <http://www.acf.hhs.gov/progtams/cb>.

## The other 23 hours

Trieschman A. E., Whittaker J. K. and Brendtro L. K. (1969). *The other 23 hours*. Chicago: Aldine Publishing. ISBN 202-26023-2 Hardcover, 240 pages. US \$19.89 plus \$3.99 shipping. Aust. \$31.43 as at 25/4/2018.

*The other 23 hours* Bath H. and Seita J. (2018). *The three pillars of transforming care. Trauma and resilience in the other 23 hours*. Winnipeg: University of Winnipeg Faculty of Education Publishing. ISBN 978-0-9738974-3-2 Hardcover, 136 pages. US \$30.00 plus \$3.99 shipping. Aust. \$44.99 as at 25/4/2018.

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I cannot think of another book about child and youth care practice that remains in print after 50 years. Yet, this is the case of the classic text *The other 23 hours*. It was written by Al Trieschman, the founder and Director of the Walker Home and School in Massachusetts, along with two young staff members, Jim Whittaker and Larry Brendtro. The book sets out in practical detail how the use of 24/7 daily living environment (or milieu) of a residential programme is the most effective way of treating children and young people with emotional and behavioural issues, rather than the therapeutic hour, as delivered by a clinician in a professional suite.

While Al is no longer with us, Jim and Larry continue to write and circle the globe with this message. If the present push to create a new generation of therapeutic residential care programmes is to succeed, this is a message which needs to be widely heard and endorsed.

This book has been read by many and continues to inspire generations of child and youth care workers, teachers, social workers, psychologists and others who find themselves in daily encounters, in a range of group care settings, with a population of children and young people who are seeking to change their dysfunctional behaviours.

In an era where residential programmes, at least in the western world, continue to be viewed by some as unnecessary and even harmful, it is good to know that the content of *The other 23 hours* continues to have high relevance.

As if to celebrate the anniversary of the publication of *The other 23 hours*, Bath and Seita have presented us with a gem of a book, *The three pillars of transforming care*, which is about trauma and resiliency in the other 23 hours. This is a book that sits comfortably alongside *The other 23 hours* while carefully drawing on knowledge from neuroscience to update the skills of child and youth care workers in group care programmes.

The first three chapters of this book cautiously lay out what we know about brain development and the impact of adversity and trauma. This is the highly technical part of the book that is not an easy read, but is the necessary theoretical base for what is to follow. The next three chapters are magic. The concentration in these chapters is on the importance of what the authors describe as the three pillars of effective practice with traumatised children and young people namely, safety, communication and coping skills. Importantly, unlike the first three chapters of this book, the authors have made an exceptional attempt to explain this content in as simple a way as possible without ignoring the underlying theoretical constructs. They have done this so as to make the content available to direct service staff in child and youth care programmes.

Taken together, these two books offer therapeutic residential care programmes an imaginative, practical and theoretical roadmap for programme design and staff training. If the content of these two books is embraced, the cry that residential programmes have no sound theoretical base is clearly no longer true.