

# THE CHILDREN'S COMMISSION IN RETROSPECT

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Meanwhile the Interim Committee is entering its 17th tentative month. Only three of its original 10 members remain and all there were already in the employ of the Federal Government at the time of the Committee was established in October, 1974. Two of them are permanent public servants. The protracted indecision of two successive governments concerning the establishment of a commission is highlighted by the fact that the necessary legislation has been in existence since June, 1975.

From a consideration of these factors alone it is clear that the experience of the Interim Committee and its program to date, has not been exactly straightforward. However, any appraisal needs to be made from several different perspectives. Perhaps the most significant is the policy itself.

**On February 16th, the minister assisting the Prime Minister in child care matters, Senator Margaret Guilfoyle, made it clear in a public statement that it would still be some months before a decision is made on the future existence of a children's commission.**

The Interim Committee, while being instructed to develop policy, encountered several inhibiting pressures. First there were its own terms of reference. These were

primarily embodied in the ministerial press releases of September and October, 1974, favouring the Interim Committee's establishment. These focussed on the pre-school education/child care issues which were the historical antecedents of the Interim Committee and also stressed its "action" orientation.

An "action" orientation in its baldest form means that there was bound to be a substantial emphasis on spending money. To be immediately engaged in money granting exercises while simultaneously developing policy is a dubious combination of activities. This is more pronounced when an "interim" body has to avoid pre-empting the policy directions that a permanent body might take. It was quite a while before the expectancy about an imminent appointment of a permanent body faded.

Certain other policy threads such as a greater emphasis on the needs of children in substitute care, an issue of concern to the Children's Welfare Association, would have taken time to develop. One significant factor here again was historical and relates to the links forged through the federal Department of Education which had pioneered the Children's Services Program with those state departments responsible for administering pre-school and day care services.

This occurred most notably as a result of the Interim Pre-school and Child Care Program of 1974 which pre-dated the Interim Committee's existence.

These links were principally with departments responsible for education or as in Victoria, for health. In some states, departments responsible for social or community welfare had some (usually limited) history of involvement with day care. However, in general the federal policy needed time to come to terms with the fact that, with few exceptions, the states themselves had not provided for family support

services in a context that related families whose children were part of the community with those whose children were in full-time care away from their homes. The implications of this dichotomy in several states' policies and in the minds of much of the non-government welfare sector is something which will be referred to again later. Apart from this consideration, there was also a desire not to reinforce the segregation model and accordingly a special grant was approved to fund selected programs which offered alternatives to residential care. This was clearly a short term response only.

The only way to identify the "real" policy in the operations of the Interim Committee is to analyse expenditure. This program was committed to the idea of community based and community involved enterprise. However, such enterprise takes time and nurturing.

Many groups worked solidly during 1975 developing program proposals appropriate to their local area or to their particular common need, setting up consultative machinery and in some instances, actual pioneering services. Now in 1976 they are being made aware that their chances of being funded are increasingly slim. This is partly due to the new Government's \$9 million cut-back. But it can also be partly attributed to the fact that the foundation budget of \$75 million in 1974-75 was too big for a first year operation of a community based program if the concept is going to be genuinely observed. While the new parent groups were assiduously doing their groundwork, very substantial allocations were approved for formal state government sponsored kindergarten building programs and also for their staffing.

These allocations were only marginally expended in 1974-75, a year when several million dollars reverted to consolidated revenue. However, in consequence they effectively pre-commit the best part of the now very tight 1975-76 budget.

A consideration of the types of

services to which the bulk of money is committed will reveal how forcefully a community demand for services to meet the so-called "normal" families' needs can carry weight. This can be contrasted to the much weaker mandate that exists for services for families whose children are separated from them and is a further comment on our traditional insistence on treating them as two unrelated categories of people.

In retrospect it appears that one of the really valuable features of the children's services program was that the deliberate absence of prescription and the active encouragement of flexibility brought about revolutionary adjustments, albeit preceded by lively debate between many of the previously unrelated groups of people involved — teachers, parents, social workers, local government authorities, training institutions, etc. Particularly in Victoria, however, much of this was achieved by the persistent work of self-help parent networks.

Perhaps most marked was the adjustment between the pre-school and other professionals and the combined forces of parent and feminist groups. The latter argue for less formalized, less structured and less institutionalized children's services. They also argued against segregating children into unrelated services on artificial social grounds, such as whether the mother worked or whether the child had had a particular birthday. They talked rather of children's centres as a new concept. Places where families were interlinked and co-operative bonds of caring and mutual support were strengthened, rather than as places where unrelated nuclear family units delivered their children over to increasingly sophisticated experts.

In some states feelings ran high as the various viewpoints sought a common ground. In the words of a New South Wales spokesman, "The role of the professional in child care should be as a resource to achieve

the objectives rather than the role currently assumed of setting the objectives." This debate was most intense in Victoria but the resolution here was also more complete than elsewhere and a mutual ground is developing.

In reflecting on the past experience of the federal children's services program, it is also necessary to refer to the structures for the implementation of the program. Sometimes it seems that commissions are advocated as panaceas for all sorts of policy shortcomings, bureaucratic handicaps and any of the other problems experienced with departmental administration. This is frequently far too glib.

In any case, given the increasingly dim prospect of having a children's commission, effort needs to be put into considering how best to protect and improve structures for involving non-government spokesmen in directly influencing decisions. This had some success, varying from state to state, via the state-level consultative committees that provided the initial vetting of the applications made to the Interim Committee for the Children's Commission.

However, the contribution of the community groups themselves is the one which needs most to be developed in any system that emerges in the coming months, whether the government decides for or against a commission. This type of participation is not necessarily contingent on the existence of a commission. In fact it has continued at the state level even as, over the past 12 months, the Interim Committee fell away into a form that at present is barely distinguishable from a straight public service departmental operation. In the children's services field participation is more than a voguish catch-cry. It is essential if a massive spending program is not to result in transferring responsibility away from parents to governments, professionals and nonresponsive managements.

Finally, to revert to the

dichotomy between community services for "community children" and substitute care and welfare services for the "special others".

Over the past half-century we have increasingly acknowledged that families need outside supports to raise children. We sometimes forget that infant welfare services, schools, child endowment, school medical programs, inoculation campaigns, etc., come into this category. It is generally accepted that the needs are intensifying as social change proceeds — families become more vulnerable.

If we accept the premise that most families today need community supports of some sort to raise their children, it becomes a question of variations in the intensity, quantity and kind. It also then becomes possible to draw a continuum between the "normal" family and the client family of welfare services. In Victorian administrative terms this certainly means a needed continuum between the family welfare responsibilities of the Social Welfare Department and the early childhood service responsibilities currently assumed by the Health Department.

The main lesson of the past few years for someone able to observe the burgeoning of the children's services field, is the potential for localized, friendly, non-stigmatized, non-"welfare" services to offer an alternative to welfare services for many families whose very fragility is a comment on the absence of community support.

Moreover, these services for "normal" children not only have potential as services but they have political clout. They have a popular mandate which might submerge temporarily as funding is jeopardized but which is unlikely to lie down and disappear. It seems essential to develop the capacity to see the interconnections and to link the political power of this mandate, this concern for "our children", to the welfare field where we talk in a lonely fashion about other people's children. It might incidentally be an important development in our search for more relevant, coherent family welfare policies. Maybe then a \$75 million budget might have a different impact.

## REPORT ON AN ALTERNATIVE TO WARDSHIP PROJECT —

Towards the end of 1973 a small committee was convened under the sponsorship of the Children's Welfare Association in the Barwon Region to study alternatives to the existing Wardship provisions within this State.

The committee based its research on the findings of Dr Patricia Leaper's report, "Children in Need of Care and Protection", which was the outcome of a study of children brought before the Victorian Children's Court in 1972.

An examination of the existing Wardship provisions within the framework of Victorian legislation resulted in the conclusion that they contained numerous disadvantages, such as:-

- (1) The effects of separation on children.
- (2) High monetary cost.
- (3) High incidence of delinquency resulting from Wardship.
- (4) The stigma attached to Wardship.
- (5) The demoralizing effect of the court action and police intervention on the parents.
- (6) The open ended nature of Wardship.

It also concluded that far too many children were made Wards, not because of the advantages attached to this process, but because of the lack of suitable alternatives available to the courts.

Some children are being made Wards not because they need protection from their parents, but rather because some parents have difficulties with their parental role. Wardship then is likely to be coun-

ter-productive as the whole court procedure could make the parents feel even more inadequate.

A submission was made to the Australian Government through the A.A.P. by the Children's Welfare Association (Barwon Region) for funds to carry out a small pilot project in the Geelong district to be conducted in conjunction with the Geelong Courts and the Barwon Regional Department of Social Welfare.

Because of the reasons outlined above, the aims of the project were to find an alternative to Wardship which could result in residential placement for children brought before the Children's Court as being in need of care and protection, with two specific aims:-

- (1) To enable the parents to meet their responsibilities to their children by strengthening and supporting the family unit, so that it could function effectively.
- (2) To provide a suitable alternative within a family environment for the child when the family unit is unable to be maintained.

Although the project was focused on Geelong, it was felt that its results could have far wider significance as it seemed a viable model that could be developed in other regions.

The disadvantages of Wardship, as have already been outlined, indicate an urgent need for some preventive action to be taken at the time a family is brought to the notice of the court by police intervention or even before it reaches court.

As an alternative to Wardship, parents have often been advised by the police to place their children voluntarily. This is not seen as a satisfactory alternative, because a voluntary placement has many of the disadvantages of Wardship such as:-

- (1) The effects of separation from the parents.
- (2) The high monetary cost of residential care.