



## **Response to the Commission of Inquiry Discussion Paper February 2013**

The Ethnic Communities Council of Queensland (ECCQ) congratulates the Commission and its staff on the comprehensive discussion paper and the coverage of complex issues in such a timely and thorough way. This would have been a very difficult and exacting task, which deserves recognition. ECCQ understands that the discussion paper notes that the Commission intends to consider the needs of children and families from a culturally and linguistically diverse (CALD) background and this is highly commended.

ECCQ has made a previous submission to the Commission and the material contained in that document will not be repeated here. This response to the discussion paper will concentrate on the particular issues and questions raised in the paper which impact on the well-being of CALD communities in Queensland.

### **Reducing the demand on the tertiary system.**

ECCQ is mindful of the aim to reduce rather than increase expenditure at a government level and that there are stringent guidelines on the Commission not to make unrealistic recommendations nor recommendations which will significantly increase expenditure. However, if government wants to achieve a reduction in the numbers of children who enter the tertiary system there will need to be some 'hump' funding initially in order to develop better universal and secondary service systems and maintain the services in the tertiary system at their present level until demand has been reduced.

However, once the numbers entering the tertiary system are in decline, the expenditure in that system can be reduced. The demand on the tertiary system is driven by parental conditions such as addiction to alcohol and drugs, gambling, unemployment, domestic violence, mental illness, homelessness as well as lack of parenting skills and a breakdown in extended family and community support for the parenting task. Agencies that deliver services to adults who are affected by these issues and where there are children present in the family, need to be more 'child aware' in their service design and implementation.

At a government level, KPIs could be developed which reflect each agency's capacity and contribution to improvement in the downward trend of children needing to enter the tertiary system and this might help to focus service delivery on programs which are effective in responding to the parental responsibilities of adult clients. This could mean that funded services are collectively more intensely focussed on building 'capacity to parent' in their clients and their communities.

Consideration could also be given to exploring programs and sentencing options for courts, that mandate attendance at drug and alcohol and other treatment programs rather than more general sentencing options. At one level this will increase the need for expenditure in these intervention

areas to ensure that quality treatment programs are readily available in all areas in Queensland but over time there should be a commensurate reduction in the reliance on the tertiary system.<sup>1</sup>

In the discussion paper, the Commission recognises the need to better coordinate and plan services at a local level. There has been some government investment in this area in the Helping Out Families (HOF) locations and to a lesser extent in the Referral for Active Intervention locations. The early results in the HOF areas indicate that such a localised approach, together with the option for greater intensity and flexibility of work with vulnerable families will impact on reduction in the demand for tertiary services. Although the administration of social services is vastly different in the United Kingdom, there are signs that better integration and local planning significantly lowers the incidence of issues which drive families into the tertiary services. One example is the set of proposals put forward in the paper 'Early Intervention: Good Parents, Great Kids, Better Citizens'<sup>2</sup> in which the authors propose an early intervention package based on a 'virtuous cycle' concept which has been trialled in Nottingham, UK.

If government wants to increase capacity of service delivery organisations to better plan and work together at a local level, there needs to be consideration given to developing the capacity within agencies to achieve this. There needs to be some emphasis on networking and local planning, together with the provision of commensurate resources to develop the infrastructure to achieve this.

Current systemic barriers include: competitive funding which essentially pitches agencies against each other in the grants process; lack of recognition of the networking function and the time that it takes to build sustainable working relationships across agencies at all levels; and the maintenance of funding and service delivery silos, which fragment the capacity for holistic integrated responses. In the HOF program some resources were quarantined to develop local service planning groups and these have begun to produce the desired outcomes of better service coordination at a local level. However, deeper changes are needed to progress service system integration at local levels. These include outcome-based measures for desired goals at a local level, more flexible staffing and training arrangements between organisations, including government, the use and adoption of common assessment and reporting frameworks and the capacity to share information in a timely manner.

ECCQ recommends that the needs of CALD background families and children would be met more successfully if local services could be facilitated to plan for local conditions and be made accountable for the reduction of demand on the tertiary system. Early identification of vulnerability and comprehensive referral to support services could increase the involvement of families at an earlier stage in their journey through vulnerability.

The expansion of a 'SupportLink' type service across the State would be an important element in tracking service uptake and client demand via first-response agencies. Home visiting programs are also important in developing trusting relationships with clients to ensure follow through in interventions. CALD background families benefit from relationship-based interventions that are flexible and able to work with a range of people within the community so it is important to measure outcomes rather than inputs within the performance strategy.<sup>3</sup>

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<sup>1</sup> See <http://www.policyforresults.org/framework> which is a website which looks at the development of policy for results in the USA ( Accessed February 20<sup>th</sup> 2013.) and

<http://www.cssp.org/publications/public-policy/PROMOTING-CHILD-SAFETY-PERMANENCE-AND-WELL-BEING.pdf> which is a website and report which outlines policy and implementation issues for achieving family welfare in the USA. (Accessed March 13<sup>th</sup> 2013)

<sup>2</sup> Allen, G; Duncan- Smith, I (2008) 'Early Intervention: Good Parents, Great kids, Better Citizens.' The centre for Social justice and The Smith Institute. UK.

<sup>3</sup> ECCQ (2012) 'What's Working?' see <http://www.eccq.com.au/publications/whats-working-in-the-practice-of-service-provision-to-people-from-culturally-and-linguistically-diverse-backgrounds> ( Accessed February 20<sup>th</sup> 2013.)

ECCQ believes that the threshold for statutory intervention should be the same for all children but there should be a differential response that takes into account the cultural needs of each child and their family.

A recognition of the special needs of CALD background families within the relevant legislation and service system would benefit children from CALD background families. It is fundamental to have a mandatory requirement to collect information about the cultural background of children and their families and to base planning and intervention on this information. At a systemic level, this information can be used to target programs and services more effectively. Thorough assessment of the needs of families and children should include cultural heritage, language(s) spoken at home, religion, length of stay in Australia and other relevant issues that build up knowledge to assess the capacity of families to support their parenting role within their communities. This type of assessment regime requires sufficient time and access to families and services. Thus, a model which places the tasks of intake and assessment as closely as possible to the local communities which they serve, would produce more accurate and timely results that can take into account local resources as well as local threats to the well being of children. In successful family wellbeing systems, prevention services are locally monitored to ensure that they are meeting the needs of their constituents.<sup>4</sup>

### **Investigating and assessing child protection reports.**

The Commission has identified the issues which arise because in Queensland there is only one response to allegations of abuse and neglect within families – that of investigation by the statutory authority. Other jurisdictions have eased this burden by better clarification of threshold issues and the development of more accessible secondary services to support families.

Earlier in this response, we have mentioned the need to gather in-depth data concerning the ethnic and cultural identity and connections of the child and family at investigation so that decisions about referral pathways can be made in a timely fashion. The investigative and assessment tasks need to be undertaken by experienced and well supported staff.

The evidence before the Commission has investigated the current use of the Structured Decision Making tools and the impact on the capacity of staff to make a professional judgement about the situation of the child under investigation. The needs and strengths of children and families with a CALD background are not able to be sufficiently interrogated if the tools are strictly observed.

The culture of the Department of Communities, Disability and Child Safety encourages the strict use of the tools and gives little room for professional judgement. It is important that there is a balance between the structure of a formalised tool and the professional judgement of the worker and their supervisor, both of whom should have the expertise to seek subtlety within an assessment process. The collection and use of cultural information about families needs to be mandated so that this vital component of the child's background can be acknowledged, as is the case with Aboriginal and Torres Strait Islander families. When assessing and investigating families of a CALD background the system needs to have accredited community support workers who can be approached to offer support and cultural knowledge to workers in the field. This strategy would help with the planning and placement of children and reinforce cultural connectedness of vulnerable children.

The Commission has posed a question about how to intervene with frequently encountered families and the use of compulsion. If all agencies were to concentrate their intervention efforts on improving

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<sup>4</sup> See Isaac Prilleltenski re SPEC prevention measurement at <http://www.melissainstitute.org/documents/FamilyWellBeingNov2009.pdf> (Accessed March 11th 2013)

the adults' capacity to parent safely as suggested earlier in the paper, families may be offered sufficient support to make the necessary changes in their life style. The paucity of resources in the universal and secondary area means that families drift into the tertiary sector and intervention is rationed due to heavy demand. Once behaviour has become entrenched, or families acquire multiple difficulties the interventions need to be increasingly complex and intensive. The quality of the interventions is the over riding factor in success rather than the mere presence of them. Compulsion is a dangerous tool because it can be misused. Offering families choices about having their children remain with them or having their children live elsewhere can motivate their engagement in interventions but those interventions need to be of a high quality and in sufficient quantity to meet the families' needs.

### **Working with children in care.**

The premise of the question framed as either parental rehabilitation or placement is not realistic because even if children remain in a long-term placement, they always need to have contact with their extended family. Thus, ideally, parental rehabilitation will be ongoing even where children are removed to another family. Research indicates that links with family are important to children and their long- term wellbeing and having contact with successful parents will be advantageous to them even if they are unable to be reunited. Case planning must usually take a dual approach of family rehabilitation and child placement stability where reunification is not warranted or feasible. The issue with the current system is that insufficient resources and attention are given to the rehabilitation of family members because the legislation has been interpreted to favour child removal.

Children and families of a CALD background are especially vulnerable where the system does not or cannot recognise their culture and connection to their community. Young children placed in Out of Home care outside of their culture can quickly lose their language and this exacerbates the barriers to reunification. CALD background children need to be guaranteed contact with their community to ensure that their cultural identity remains intact. Parental engagement in case planning is important, together with clear and close links to culture.

There appears to be little value in prescribing activities for the department to provide to parents. A better remedy would be to ensure the availability of accessible secondary services for parents that are available throughout the support lifespan. Currently, preventative services are in such short supply, with long waiting lists or restricted eligibility, that parents are unable to engage with them. Better and early case planning which involves as many family members as possible will improve the capacity of the department to reach an informed decision about the need for longer term placements and security for the child. The current Family Group Meeting system has not provided the intended capacity to gain a full assessment and discussion of the needs of the children and the family. There needs to be a review of the processes to ensure that Family Group Meetings are better planned to include extended family members and other persons of interest so that realistic plans can be made and agreed to by all involved. The New Zealand model appears to be founded on practices which are inclusive and successful.<sup>5</sup> Where cultural practices normally involve collective child raising, the Family Group Meetings need to be as inclusive as possible of all significant people in the child's life.

Adoption as a long- term solution to stability of placement is a blunt instrument, which has particular implications within the historical context of Australia. It is important to balance the need for permanency and the need for families who care for the child to be supported when they need that intervention. Long- term orders and adoption should not be used as cost cutting remedies for the state. It is important that children in long-term care remain in contact with their extended family especially siblings, so that their lifelong family relationships are intact wherever possible. Any orders

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<sup>5</sup> See Harris, N. 2008 at <http://www.aifs.gov.au/nch/pubs/issues/issues27/issues27.pdf> (Accessed March 11<sup>th</sup> 2013)

which disrupt these ties should be avoided. Adoption, which is not absolutely voluntary and open, can cause more problems throughout the life span than it solves. In Australia, we are counting the cost on individuals and families of past adoption practices and we should not be repeating those mistakes. Adoption practices have many cultural implications and it is better avoided as a practice.

There is a danger in the separation of the investigation and intervention tasks within the tertiary services because assessment of progress and/ or risk is an essential tool for intervention services. ECCQ favours the cooperative and integrative approach of multidisciplinary teams but not the separation of the assessment function. ECCQ submits that cultural expertise needs to be available for workers who have CALD background families as well as for Aboriginal and Torres Strait Islander families.

The current Out of Home placement system is overloaded and the placement options available are limited for all children. If better assessment and intake processes are to be implemented it may lead to improved options within extended family and community links being sought for children. More flexible models of alternative care will need to be incorporated to facilitate relative (kin) care and other arrangements. The present system of assessment, education, screening and monitoring tends to work against many extended family members. Yet if the system were to be more focussed on locating family care and could offer incentives, supports and security, family members could be more forthcoming. Examples of this type of more flexible arrangements are support for enhancement of the development of young children, financial support, parenting classes, home visiting etc.<sup>6</sup>

### **Young people leaving care.**

There are many reports, which indicate that young people who have entered the Out of Home care system are disadvantaged throughout the life span. This is unacceptable and a great indictment of the state as guardian. There needs to be better preparation within the care system for lifelong learning and well being. Children and young people who are in Out of Home care should have priority access to universal services such as health, education, housing etc. This 'priority card' should be available to them until they reach the age of 25. Relevant agencies such as health and education services need to be held accountable for the services which they offer to young people who have been in care. Just as the KPIs of universal providers should include their activities and outcomes around prevention, so they should also include measures for the successful delivery of remedial services to children who have entered the care system. In this way we may be able to arrest the generational impact of living in care.

Under the National Child Protection Strategy each state jurisdiction should agree on some standardised policies for the delivery of meaningful services to young people as they transition to adulthood. Young people who are aged between 18 and 25 need better linkages with adult services for work, training, health and housing.

There is an urgent need to improve the support and planning for transitions from care in Queensland. The CREATE report cards indicate the seriousness of the issues to be faced. Whilst the non-government sector probably has better relationships with young people, it is important to plan a service system which can sustain relationships and which are place-based because young people will better engage where there are strong relationships. Currently the resources available for this type of work are inadequate. The issues for CALD background young people are exacerbated because they

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<sup>6</sup> See an overview paper from USA. Many of the services reviewed have been trialled in Queensland but there is a need for better consistency and availability of support for kinship and other carers. See <http://www.clasp.org/admin/site/publications/files/homevisitingkinshipffn.pdf> ( Accessed March 11<sup>th</sup> 2013 )



have the cross cultural negotiations to navigate in addition to the other transition issues. Specialised youth workers who are based in their communities can help with these tasks.

### **Addressing the over-representation of Aboriginal and Torres Strait Islander children.**

ECCQ acknowledges the special factors that face the Aboriginal and Torres Strait Islander people and children and urges the Commission to support specialised and focussed early intervention and prevention services which are community based. ECCQ understands that there are a number of submissions from Aboriginal and Torres Strait Islander agencies and we support their approach to the reduction of over representation.

### **Workforce development**

The work involved with the assessment of and intervention with vulnerable families is one of the most crucial and complex set of tasks in human services. The work needs to be done by experienced and well-qualified staff who work in a supported environment. Relevant tertiary qualifications can offer a level of expertise and confidence, a breadth of knowledge and credibility which can enhance the functions and relationships within a multi-disciplinary environment. However, it is important that there be focussed ongoing development of staff in both the government and non-government sectors to ensure that skills and experience are deepened to match the complexity of the task. In order to achieve an experienced workforce we need to establish longevity in the job, supportive supervision, enhanced morale and community recognition. In other jurisdictions the child protection workforce is amongst the most highly experienced and remunerated. In Queensland, however, we have seen the collective workforce experience diminish over time.

The management of the workforce gaps within the relevant government department needs to ensure that there are always sufficient staff to undertake the assessment and intake process as well as maintain a focus on working with families. This environment is typically difficult to plan for but with improved preventative services there might be an opportunity to have better warning of the need to take children into care.

The staff mix within all types of services needs to closely reflect the community they serve so that services are better aligned to the needs of their clients. Improving the cultural diversity of the workforce within child and family welfare services would ensure better cultural sensitivity and improved outcomes for children.

All staff need supportive supervision which can both ensure work quality and professional development. In order to achieve this supervisors must have experience and the ability to transfer knowledge and skills plus the time and opportunity to do that with the people that they supervise. It seems that the staff turnover and stress of work loads within the child and family welfare area often impacts negatively on the quality and frequency of the supervision task. Supervision is often seen as a luxury and an item which can be withdrawn if other work demands become excessive. In fact the opposite is true. Supervision will help sustain workers and will also aid in improving outcomes.<sup>7</sup> There are other important supports for staff which are important in sustaining development and change. Coaching and training are excellent to achieve greater understanding of issues and to ensure that practices are followed<sup>8</sup>. ECCQ submits that increased attention to the development of staff within the

<sup>7</sup> See Rennie, S 2002 at [www.acwa.asn.au/Conf2002/.../06%20Susan%20Rennie.doc](http://www.acwa.asn.au/Conf2002/.../06%20Susan%20Rennie.doc) (Accessed March 11th 2013)

<sup>8</sup> See [www.mhcc.org.au/.../Staff%20Development%20Guide/Ch%20...](http://www.mhcc.org.au/.../Staff%20Development%20Guide/Ch%20...) (Accessed March 11th 2013)

child and family workforce would greatly enhance capacity and quality of work. The development of specific cultural sensitivity and self knowledge is imperative for work with CALD clients.

### **Oversight and complaints mechanisms.**

The Department is not measured by the same standards as are the agencies which deliver services within the NGO sector and this causes many anomalies and disadvantages to NGO providers. The current licensing arrangements are onerous and, in addition, many complications are encountered because the Department does not follow through on its own obligations in a timely manner. ECCQ understands that there is a need to ensure that all agencies that deliver services to vulnerable people need to have some external oversight and adhere to agreed standards. However, the system of reporting must be streamlined and the same standards and assessment procedures must apply to all points in the system, including the Department.

The role of the Commission for Children and Young People and Child Guardian (CCYPCG) has been significant in developing a system-wide overview of the strengths and weaknesses of the current service system. As we move into more reform we need to maintain the capacity for independent review and reporting. ECCQ recommends that the CCYPCG be more independent and continue to report openly about the progress and impact of any reform process.

The confidence of the general public in the welfare system is a matter of concern because there has grown an expectation that 'government will protect all children'. In reality, this is impossible and the wellbeing of children in our communities is the job and responsibility of parents and their communities. If we are to be successful in refashioning the child safety system into a child and family well-being system there will need to be some effort to educate the community and their services about the general underlying responsibilities of everyone to support and care for children and their families. This approach is axiomatic to the philosophy of prevention and early intervention.

### **Courts and tribunals**

There is only one specialised children's court in Queensland. The complexity and serious nature of the decision to remove a child from his/her family necessitates some form of specialist understanding of child development and family dynamics as well as the legal framework and obligations of service providers and families. If it is not possible to develop a state-wide network of specialist children's court magistrates, ECCQ recommends that training and professional development be mandated for magistrates who hear children's matters.

It is important that each child have a voice within hearings which will affect their life. Wherever possible a separate lawyer for the child should be appointed to represent their views and needs to the court.

### **Funding for the child protection system**

Earlier in the submission ECCQ raised the issue of developing KPIs for agencies involved in child and family services to measure service impact on the reduction for tertiary responses. This is key to improving focus on parenting capacity of adult clients for all services and for obliging services to be working collaboratively to improve local service integration.

The reduction of red tape and reporting requirements on non- government service providers would enable more resources to be focussed on client service delivery. The same measurements for

government and non-government organisations will help to streamline efforts to focus on outcomes for children and families.

There will need to be extra investment in the primary and secondary services before the resultant downward impact on tertiary services are achieved.

### **Summary and conclusion.**

The ten year road map is a challenge and will need concerted effort by all participants. ECCQ urges the Commission to recommend that the State Government focus on developing a comprehensive system which follows the objectives of the National Child Protection Framework. This will entail a major refocus of the policy and service systems to concentrate on the prevention of child abuse and neglect within the community and institutions. The implementation of such a system which gives 'the right service at the right time to the right clients' will necessitate an increase in funding in the short to medium term but this can demonstrate significant savings for government and the community throughout the life span. There are numerous reports which demonstrate the sound economics of early intervention as well as the moral imperative.<sup>9</sup>

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<sup>9</sup> See [http://www.sprc.unsw.edu.au/media/File/Report\\_QCOSS\\_ReviewPaper.pdf](http://www.sprc.unsw.edu.au/media/File/Report_QCOSS_ReviewPaper.pdf) and [http://cms-  
uat.itc.griffith.edu.au/\\_data/assets/pdf\\_file/0017/82601/economic.pdf](http://cms-uat.itc.griffith.edu.au/_data/assets/pdf_file/0017/82601/economic.pdf) (Accessed March 13<sup>th</sup> 2013)