



Demanding  
better outcomes  
for Aboriginal  
and Torres Strait  
Islander Children

## **Submission to the Queensland Child Protection Commission of Inquiry**

**March 2013**

Queensland's current approach to ensuring the safety and well being of Aboriginal and Torres Strait Islander children and their families is not working. Too many Aboriginal and Torres Strait Islander children are experiencing poor outcomes in terms of their safety, education and health. As a result they are unable to achieve their potential and the cycle of disadvantage continues.

In response to these issues, Indigenous and non-Indigenous peak bodies, representative groups and individuals have combined to voice their concerns and strive to ensure that all children are safe, well and able to achieve their potential in Queensland.

Founding voices in this campaign include:

- Queensland Coalition of Aboriginal and Torres Strait Islander Human Services Coalition
- Queensland Council of Social Services (QCOSS)
- Queensland Aboriginal and Torres Strait Islander Child Protection Peak Ltd (QATSICPP)
- PeakCare Queensland
- CREATE Foundation
- Child and family welfare professionals.

The campaign is supported by sixty-six organisations and four hundred and eighty-seven individuals.

*'Stating the Case for Change'* was updated in 2013. It details the increasing over representation of Aboriginal and Torres Strait Islander children in the child protection system and the poor outcomes experienced across a range of health, education and social indicators. A copy is attached to this submission.

Combined Voices has identified the following strategies as fundamental to a new approach to child and family welfare that acknowledges and builds capacity within Aboriginal and Torres Strait Islander families and communities toward sustainable solutions.

1. Increase community control and responsibility for the safety and wellbeing of Aboriginal and Torres Strait Islander children, young people and families
2. Establish regionally based Child and Family Wellbeing Programs to provide holistic, culturally affirming services for children, young people and families

3. Amend legislation to strengthen the role and responsibilities of Recognised Entities and Aboriginal and Torres Strait Islander Foster and Kinship Care agencies, and enhance connections between children and young people, families, communities and cultures.
4. Build upon existing capacity of the Aboriginal and Torres Strait Islander community controlled child protection sector to provide a broader scope and increased quality of services for children, young people and families
5. Acknowledge and address the links between the impact of colonisation and forced separation of children from their families, social and economic disadvantage, and the safety and well being of children.

Collectively, adoption of these strategies to underpin policy, legislation and practice reform would lead to a significant improvement in outcomes for Aboriginal and Torres Strait Islander children and reduction in their over representation in the child protection system.

# combined voices

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Update:  
2013

# stating the case for change

## INTRODUCTION

Queensland's current approach to ensuring the safety and well being of Aboriginal and Torres Strait Islander children and their families is not working. Too many Aboriginal and Torres Strait Islander children are experiencing poor outcomes in terms of their safety, education and health. As a result they are unable to achieve their potential and the cycle of disadvantage continues.

In response to these issues, Indigenous and non-Indigenous peak bodies, representative groups and individuals have combined to voice their concerns and strive to ensure that all children are safe, well and able to achieve their potential in Queensland.

Founding voices in this campaign include:

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- PeakCare Queensland
- CREATE Foundation
- Child and family welfare professionals.

The campaign is supported by 66 organisations and 487 individuals.

It is time for a new approach to child and family welfare that acknowledges and builds capacity within Aboriginal and Torres Strait Islander families and communities toward sustainable solutions.

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## PURPOSE

To mobilise combined action by communities, non-government services, government departments, governments and businesses to achieve the safety and wellbeing of Aboriginal and Torres Strait Islander children and families, their equitable access to culturally appropriate support and the same life opportunities as those enjoyed by other Australians.

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## THE ISSUE – What is the problem?

Aboriginal and Torres Strait Islander children do not have the same life chances as other Australian children. They experience poorer outcomes in relation to their safety, education and health than do non-Indigenous children. They are over-represented in tertiary child protection, juvenile justice and homelessness systems.

## THE FACTS

Aboriginal and Torres Strait Islander children comprise only 6.4% of children aged 0-17 in Queensland.

### CHILD PROTECTION

Child protection data shows that when compared with non-Indigenous children, Aboriginal and Torres Strait Islander children are significantly over-represented at all stages of the child protection intervention process. In addition, the levels of over-representation increase the further children proceed within the intervention process.

In Queensland, 1 in 7 children and 1 in 4.5 Aboriginal and Torres Strait Islander children have had some form of contact with the child protection system.

In 2010-11 over-representation increased again at each point in the child protection process (except in substantiations for abuse or neglect). In 2010-11, Aboriginal and Torres Strait Islander children were:

- 5.0 times more likely to be notified for alleged harm or risk of harm
- 6.2 times more likely to be substantiated for abuse or neglect
- 8.7 times more likely to be subject to a care and protection order
- 8.7 times more likely to be living away from home.

Since 2007-08, the level of over-representation at each stage of the child protection process has continued to increase.

	2007-08	2008-09	2009-10	2010-11
NOTIFICATIONS	3.3	4.0	4.7	5.0
SUBSTANTIATIONS	4.0	6.5	6.1	6.2
CHILD PROTECTION ORDERS	6.4	7.6	8.4	8.7
LIVING AWAY FROM HOME	6.6	7.9	8.4	8.7

Further, once removed from their family's care, many Aboriginal and Torres Strait Islander children are not supported to maintain their connections with family, community and culture.

As of 30 June 2011, only 52.5% of Aboriginal and Torres Strait Islander children were placed with a kinship or Indigenous carer. This is a decrease from 30 June 2010 when 53.8% of Aboriginal and Torres Strait Islander children were placed with a kinship or Indigenous carer.

### JUVENILE JUSTICE

In 2009-10, Aboriginal and Torres Strait Islander children and young people aged 10-17 (based on average daily numbers)

- were 14.3 times more likely to be on youth justice supervision orders (up from 14.2 the previous year).
- were 24.5 times more likely to be in youth detention centres (down from 26.9 the previous year)

### HOMELESSNESS

- In 2010-11, 34.2% of children accompanying an adult using SAAP services were Aboriginal or Torres Strait Islander (up from 33.3% the previous year).

## HEALTH

- Aboriginal and Torres Strait Islander women are more likely to have a low birth weight baby than non-Indigenous women.
- Aboriginal and Torres Strait Islander children are almost twice as likely to die between the ages of 0-4 as non-Indigenous children.
- Strong anecdotal evidence suggests an increase in notifications in relation to unborn babies of Aboriginal and Torres Strait Islander mothers. Data on this critical issue must be made available urgently.

## EDUCATION

- Aboriginal and Torres Strait Islander children are less likely to access government-approved child care than non-Indigenous children.
- Aboriginal and Torres Strait Islander young people are less likely to complete year 12 than non-Indigenous young people.
- Aboriginal and Torres Strait Islander young people are less likely to attend tertiary education.

[Note – All statistics from the previous section are updated annually using the best data available at the time]

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## WHY ARE THE PROSPECTS FOR ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN SO BAD?

### DUE TO:

- Denial of cultural processes and structures for ensuring the safety and well being of children in the context of their families and communities.
- Continued impact of past policies and practices of forced separations on Aboriginal and Torres Strait Islander carers and their children.
- Lack of child and family services to support vulnerable Aboriginal and Torres Strait Islander children and families and to prevent abuse and neglect.
- Severe social and economic disadvantage – poverty, poor nutrition, poor housing, low education levels and high unemployment – along with social marginalisation, discrimination and racism.
- Long term failure of governments to
  - o provide culturally appropriate services and infrastructure for Aboriginal and Torres Strait Islander communities, and
  - o address the socio-economic disadvantage experienced by people in urban, regional, rural and remote communities.

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## WHAT IS THE OBJECTIVE OF THIS CAMPAIGN?

To improve outcomes and stop the over-representation of Aboriginal and Torres Strait Islander children and families by 2020, by ensuring their safety, well being and providing equitable access to appropriate supports and life opportunities.

## THE CRISIS CAN BE SOLVED

A partnership between government, government departments and non-government organisations that enables Aboriginal and Torres Strait Islander people and communities to take responsibility for solutions can solve the crisis.

This is possible. Aboriginal and Torres Strait Islander children make up only 6.4% of the population aged 0-17 in Queensland (approximately 70,000). Of these children, approximately 15,540 (22.2%) have had some form of contact with the child protection system. Queensland has the resources to address this problem.

We can also draw on the experience of New Zealand and Canada and the strategies they have used in their attempts to address disadvantage and the over-representation of First Nations peoples in child and family welfare.

## WHAT ARE WE ASKING GOVERNMENTS TO DO?

Combined Voices seeks to work with government to develop new and more effective responses to ensure the safety and well being of Aboriginal and Torres Strait Islander children and families including:

1. Increasing the proportion of total child and family support service funds allocated to Aboriginal and Torres Islander organisations to 25% <sup>1</sup>
2. Developing a child and family service strategy and implementing an action plan that acknowledges and addresses the vulnerability of Aboriginal and Torres Strait Islander children and families
3. Linking the child and family service strategy to COAG's commitment to 'close the gap' by addressing Aboriginal and Torres Strait Islander disadvantage.

## INDICATORS OF SUCCESS

We will know Aboriginal and Torres Strait Islander children are safe and well when their representation across key indicators is proportionate to their representation in the population and when compliance requirements have been achieved. The following targets<sup>2</sup> have been set for the key indicators over time.

The Combined Voices campaign launched in August 2009. As such, progress against the campaign targets can begin to be measured from 2011.

Indicator	2009 %	2010 %	2011 %	2012 %	2015 %	2020 %
	Actual (2007-08 data published in 2009)	Actual (2008-09 data published in 2010)	Actual (2009-10 data published in 2011)	Actual (2010-11 data published in 2012)	Campaign Target	Campaign Target
Children notified for alleged harm or risk of harm	19.2	23.4	24.6	25.6	10.0	6.4
Children substantiated for abuse or neglect	22.1	26.4	28.6	29.1	12.0	6.4
Children subject to a care and protection order	31.5	34.2	36.7	37.6	15.0	6.4
Children placed with kin or Indigenous carers	56.7	58.2	53.8	52.5	90.0	100

<sup>1</sup> This figure is the percentage of children notified for alleged harm or risk of harm in 2010-11 who are Aboriginal or Torres Strait Islander. It is used as a proxy indicator of the proportion of total child and family support funding that should be allocated to Aboriginal and Torres Strait Islander organisations.

<sup>2</sup> These targets will need to be adjusted in line with population growth and any changes in representation.

Children living away from home	31.9	35.0	36.5	37.5	15.0	6.4
Children and young people on youth justice supervision orders	47.5	46.6	46.9	DNA*	15.0	5.9
Children and young people in youth detention	57.4	59.6	60.7	DNA*	25.0	5.9
Children and families using SAAP services	31.5	31.6	33.3	34.2	15.0	6.4

\*Data Not Available

However, significant reductions in these key indicators of safety and well being will not be possible until other areas of disadvantage in health and education for Aboriginal and Torres Strait Islander children and are addressed. Indicators include:

- A reduction in the number and proportion of low birth weight babies
- A reduction in the number and proportion of children who die between the ages of 0-4
- An increase in the number and proportion of children accessing pre-school
- An increase in the number and proportion of young people who complete year 12
- An increase in the number and proportion of young people who enter tertiary education

Concurrent government action will therefore be required in these areas.

## MYTHS

Myth No.1 Aboriginal and Torres Strait Islander parents cannot look after their children properly

- Most parents experience some difficulties in looking after their children at some point in their lives and need support from their families, friends and others in their community. Some parents need assistance from services.
- A survey of 2,400 Aboriginal parents (primary carers) in Western Australia found that the majority of Aboriginal families function very well. This is consistent with studies of the total population, which have highlighted that Australian families generally function very well.
- Families that do not experience alcohol problems in the house, and where children have healthy diets, and carers have reasonable parenting skills or hold strong spiritual/religious beliefs are more likely to have very good family functioning.
- Aboriginal and Torres Strait Islander peoples are more likely to be poorer, less educated and have less access to child and family support, health and education services than other Australians. Families facing these issues are likely to have some difficulty in caring for their children and need assistance.

Myth No.2 Disadvantage and difficulties caring for children are only experienced by Aboriginal and Torres Strait Islander people living in remote communities

- Whilst a lot of media and government attention is given to issues facing Aboriginal and Torres Strait Islander peoples living in remote communities, the population is spread throughout Queensland and disadvantage and difficulties caring for children are also experienced by people living in urban and regional areas.
- Aboriginal and Torres Strait Islander people live throughout Queensland – 26% live in ‘major cities’,



20% live in 'inner regional' areas, 32% live in 'outer regional' areas and 22% live in 'remote' or 'very remote' areas.

- Strategies to address disadvantage and support families in the care of their children will therefore need to acknowledge and address the different contexts in which Aboriginal and Torres Strait Islander people live.

Myth No.3 Patterns of abuse and neglect are the same for Aboriginal and Torres Strait Islander children and non-Indigenous children

- Abuse and neglect is categorised and reported by statutory departments in terms of four types of harm – physical abuse, sexual abuse, emotional abuse and neglect.
- Notifications of Aboriginal and Torres Strait Islander children are more likely to be substantiated for emotional abuse (37.1%) than neglect (36.5%), physical abuse (21.4%) or sexual abuse (5.0%). Notifications of non-Indigenous children are more likely to be substantiated for emotional abuse (41.3%) than neglect (30.5%), physical abuse (21.5%) or sexual abuse (6.6%)<sup>3</sup>.
- These patterns and differences are significant as there is increasing evidence that our responses need to be tailored to the type of harm and address the associated factors. In relation to neglect, poverty is a significant factor that must be addressed. Whilst in emotional abuse, family violence is a significant factor that must be addressed.

Myth No.4 State government funds Aboriginal and Torres Strait Islander organisations to provide child and family support services

- Since the Combined Voices campaign started in 2009, \$8.0M was re-allocated (from an existing \$16M allocation) for the introduction of 11 regional Family Support Centres, and \$8.0M for Recognised Entities.
- While the introduction of Family Support Services should be seen as a partial success, there are still issues. Firstly, with demand as it stands, there are simply not enough funded services. Secondly, true preventative work is restricted: services have not been able to get on the front foot and prevent families coming into the child protection system because of restrictions regarding referral pathways.

Myth No.5 Aboriginal and Torres Strait Islander children and families should use the same services as everybody else

- Being Australian doesn't mean that we are all the same, or have the same needs. Australians come from all over the world and live in cities, suburbs, country towns and remote communities... and we bring with us our cultural differences and differing needs.
  - Aboriginal and Torres Strait Islander Australians may choose to use the same services available to other Australians, but they often face a lack of understanding of their culture and the continuing impact of the forced separation of children from their families and communities, and, in some instances, discrimination when they do use these services. For these reasons, some will not seek assistance.
- In some parts of Queensland, Aboriginal and Torres Strait Islander peoples make up the majority of the population or a significant proportion of the population in need. In these instances, it makes sense that Aboriginal and Torres Strait Islander groups and organisations should be funded to provide child and family support services. In other areas, where the number and proportion of Aboriginal and Torres Strait Islander people is smaller, direct input and control is still important but the way in which services are organised and delivered may need to be different.

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<sup>3</sup> These percentages relate to the number of notifications substantiated not the total number of children

- When Aboriginal and Torres Strait Islander communities have input and control over the delivery of services, their outcomes are usually better.

Myth No.6 There is no capacity in the Aboriginal and Torres Strait Islander communities to manage the services required

- The younger age, higher proportion of children experiencing difficulties, small number of funded organisations, and small size of funded organisations are often used to argue that Aboriginal and Torres Strait Islander communities do not have the capacity to manage and provide the services required.
- Whilst the factors referred to are true, the inference drawn is not. The capacity of Aboriginal and Torres Strait Islander people, groups and organisations must be acknowledged and built upon.
- Many Aboriginal and Torres Strait Islander groups and organisations struggle with government funding processes and must compete with non-Indigenous groups and organisations for limited funds.
- There are a range of Aboriginal and Torres Strait Islander organisations and groups in Queensland (including Aboriginal and Islander Child Care Agencies, organisations funded to provide Recognised Entity functions, family intervention services and Aboriginal and Torres Strait Islander health services) that provide a foundation for building capacity.

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## WHO IS RESPONSIBLE

- Responsibility lies primarily with the State and Commonwealth Governments that have control over policy implementation, funding provision and Aboriginal and Torres Strait Islander participation to enable Aboriginal and Torres Strait Islander families and communities to identify and put in place sustainable solutions that ensure the safety and well being of children.
- Responsibility also lies with Aboriginal and Torres Strait Islander and non-Indigenous people and organisations to :
  - o let our political leaders know that the crisis facing Aboriginal and Torres Strait Islander children and families requires urgent action and commitment
  - o work in partnership with governments to address the issues and solve this crisis.

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## WHAT ARE WE ASKING QUEENSLAND INDIVIDUALS AND ORGANISATIONS TO DO?

- The Combined Voices campaign is all about building a commitment to achieving the safety, wellbeing and equality of opportunity for Aboriginal and Torres Strait Islander children in Queensland.
- We believe that this crisis can be turned around with appropriate resources and political support of Aboriginal and Torres Strait Islander peoples and communities.
- We seek your support for the campaign and ask you to
  - o spread the word about the issues and actions
  - o inform your local State and Commonwealth members of Parliament of the issues and actions sought.

For more information visit;  
 Combined Voices at [www.combinedvoices.org.au](http://www.combinedvoices.org.au)  
 QCOS at [www.qcos.org.au](http://www.qcos.org.au)  
 PeakCare at [www.peakcare.com.au](http://www.peakcare.com.au)  
 QATSICPP at [www.qatsicpp.org.au](http://www.qatsicpp.org.au)  
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