## Appendix D

# Performance of the Queensland child protection system

In accordance with Section 40 of the *Queensland Family and Child Commission Act 2014*[1] (the Act) the Queensland Family and Child Commission (QFCC) includes the following information in its annual report:

- Queensland's performance in relation to achieving state and national goals relating to the child protection system [(s. 40)(1)(a)(i)]
- Queensland's performance over time in comparison to other jurisdictions [(s. 40)(1)(a)(ii)]
- Queensland's progress in reducing the number of, and improving the outcomes for, Aboriginal and Torres Strait Islander children and young people in the child protection system [(s. 40)(1)(a)(iii)].

The Act defines the child protection system as:

> ... the system of services provided by relevant agencies to children and young people in need of protection or at risk of harm ... [including] preventative and support services to strengthen and support families and prevent harm to children and young people.

Using this broad definition, this report discusses system performance from the point of prevention and early intervention through to protective intervention with children who are at risk or have been subjected to significant harm.

In previous years, we have reported against **state goals** aligned to the seven strategic directions of *Supporting Families Changing Futures*[2] (Queensland's child protection reform program), with a focus on the status of the implementation of the 121 recommendations of the Queensland Child Protection Commission of Inquiry (the Inquiry)[3] and on describing key reform activities.

All recommendations from the Inquiry have been implemented and Queensland is now in the consolidation phase of the reform program. As a result, this year's reporting differs from previous years. Reporting against state goals aligns with the three areas of focus of the reform program. (Section D.1)

In terms of **national goals**, we have previously reported against the priority areas of the action plans of the *National Framework for Protecting Australia's Children 2009–2020* (the National Framework).[4]

The successor plan for the National Framework is currently being developed, and the implementation period for the fourth action plan was extended to 30 June 2021. We have therefore reported against selected indicators of the fourth action plan's priority areas. (Section D.2)

To **compare Queensland's progress against that of other jurisdictions**, we have reported against the supporting outcomes of the National Framework, as we have in previous years. (Section D.3)

We have continued to report on **strategies to reduce the number of, and improve the outcomes for, Aboriginal and Torres Strait Islander children and young people** in the child protection system. (Section D.4)

For this report, we identified performance measures by scanning agencies' reports and datasets and by consulting with agencies to determine the suitability, availability and limitations of the data. The most current data available to the QFCC has been used.

While there is no shortage of data collected about the Queensland child protection system, it does not tell us how the system has affected children and young people—for example, if they were kept safe, if their basic needs were met, if their health, wellbeing and education were affected or if they were reunited with their families. It also does not tell us what children, young people and their families think about their experience in the system and the effect they think it had on them.

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1   *Queensland Family and Child Commission Act 2014*, **www.legislation.qld.gov.au/view/pdf/inforce/2014-07-01/act-2014-027**

2   Queensland Government 2019, *Supporting Families Changing Futures 2019–2023*, **www.cyjma.qld.gov.au/campaign/supporting-families/background/supporting-families-changing-futures-2019-2023**

3   Queensland Child Protection Commission of Inquiry 2013, *Taking responsibility: A roadmap for Queensland child protection*, **www.childprotectioninquiry.qld.gov.au/__data/assets/pdf_file/0017/202625/qcpci-final-report-web-version.pdf**

4   Department of Social Services 2009, *Protecting Children is Everyone's Business: National Framework for Protecting Australia's children 2009–2020*, **www.dss.gov.au/sites/default/files/documents/child_protection_framework.pdf**

This has limited our ability to report on the outcomes (rather than just outputs) of the system. More performance data is needed, including:

- measures of system performance from the perspective of children, young people and families

- measures of outcomes resulting from children, young people and families' engagement with the child protection system

- data to regularly monitor the pathways of children, young people and families through the family support (or secondary) and statutory (or tertiary)[5] systems.

## D.1  Measuring Queensland's progress towards state goals

Queensland's child protection reform program began in 2014, in response to the Inquiry's recommendations for strengthening the child protection system.

In 2019, the QFCC published an Implementation Evaluation, which assessed the first three years of implementation of the reform program at a system level. Later in 2021, we will publish the findings of our Outcomes Evaluation, which has assessed progress towards outcomes over the first five years.

Queensland is in the consolidation period of the 10-year reforms, so our reporting against state goals has shifted towards the three areas of focus of the reform program:

- reducing the number of children and young people in the child protection system (Section D.1-1)

- revitalising child protection frontline services and family support (Section D.1-2)

- refocusing oversight on learning, improving and taking responsibility (Section D.1-3).

### D.1-1  Reducing the number of children and young people in the child protection system

The Inquiry found that the child protection system was experiencing unsustainable demand. In this report, we have chosen to focus on two indicators of demand:

- the number of reports to the Department of Children, Youth Justice and Multicultural Affairs (the department) that did not reach the threshold for a statutory response (which are recorded as child concern reports)

- the number of children entering out-of-home care.

#### Child concern reports

A child concern report is recorded when the information received does not meet the threshold for a notification.[6] Instead, a child safety officer may respond by:

- providing information and advice to the person reporting the concern

- making a referral to another agency

- providing any relevant information to the police if there is a possible criminal offence.[7]

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5   The statutory system refers to all services provided by the Department of Children, Youth Justice and Multicultural Affairs for children and young people who are suspected of being abused, neglected or harmed and whose parents are unable to provide adequate care or protection. The term statutory is also used to refer to actions or decisions involving the department.

6   A notification is recorded when child protection receives information that suggests a child may be in need of protection. Children and young people in need of protection are those who have suffered significant harm, are suffering significant harm, or are at unacceptable risk of suffering significant harm and do not have a parent able and willing to protect them from the harm. When a notification is recorded, the department must investigate and assess the concerns. **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/intake-phase/notifications**

7   Department of Children, Youth Justice and Multicultural Affairs 2021, *Child concern reports*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/intake-phase/child-concern-reports**

Figure D1 shows the number of child concern reports received by the department each year between 2012–13 and 2019–20. There was an initial sharp decrease between 2013–14 and 2015–16, largely driven by a reduction in reports by police (from 41,081 reports in 2012–13 to 5,905 reports in 2015–16).[8] Since then, the number of child concern reports has been steadily increasing.

**Figure D1:** *Number of child concern reports received by the department between 2012–13 and 2019–20*
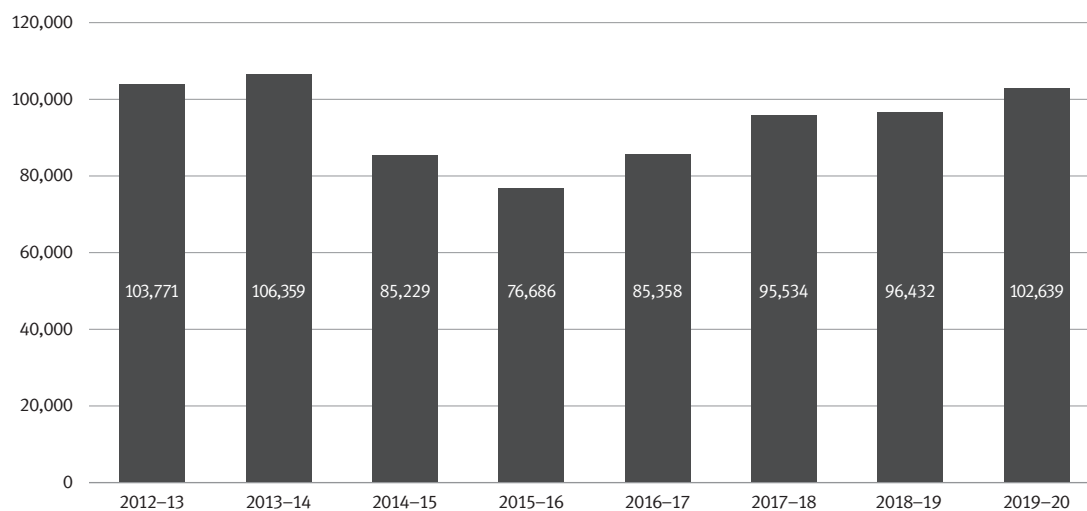


*Source:* Department of Children, Youth Justice and Multicultural Affairs, 2021[9]

Family and Child Connect services are community-based. They help families to care for their children at home by connecting them to the right services at the right time.[10] They are available in 17 locations across the state.

It was expected that establishing these services would provide an alternate pathway for people to report concerns about children, reducing the number of reports made to the department—particularly those assessed as being child concern reports.

The number of enquiries received by Family and Child Connect has increased each year as services have been progressively rolled out.

In 2020, Family and Child Connect received 33,775 enquiries, with about 1 in 6 of these (16 per cent) being self-referrals by parents. However, more than one third (34.1 per cent) were from the department, suggesting it continues to receive reports that do not meet the threshold for notification.

## Entries to out-of-home care

The Inquiry identified that families experiencing vulnerability were not getting the assistance they needed to stop children entering the statutory system. It recommended significant investment to increase families' access to preventative and early intervention services while decreasing pressure on the statutory child protection system.

In response, Intensive Family Support and Family Wellbeing Services were established across the state. Intensive Family Support services provide support to parents and carers of children who are experiencing vulnerability and are at risk of entering or re-entering the child protection system. Family Wellbeing Services are designed to provide culturally responsive services to Aboriginal and Torres Strait Islander families. These are delivered by local Aboriginal and Torres Strait Islander community-controlled organisations.

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8   In January 2015, the Queensland Police Service revoked its administrative policy that required police to make a report to the department when a child resided in a home where a domestic violence incident had occurred.

9   *Child concern reports—Table CCR.1*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/intake-phase/child-concern-reports**

10  Queensland Government 2021, *Family and Child Connect*, **www.qld.gov.au/community/caring-child/family-child-connect**

Expected benefits of these services were:

• highly vulnerable families receiving culturally safe and responsive support early and being able to safely care for and protect their children and young people at home

• fewer reports to the department

• a reduction in the number of children and young people entering out-of-home care.

A child or young person is placed in out-of-home care when it is assessed that they are unable to remain safely in the care of their family.[11]

Figure D2 shows the number of children entering out-of-home care in Queensland each year. The number of children entering care has remained fairly steady between 2012–13 and 2017–18, with an average of 2,368 children entering per year over this period. However, the 2018–19 and 2019–20 financial years have higher numbers of children entering than in the other years, which may suggest an increasing trend.

**Figure D2:** *Number of children entering out-of-home care between 2012–13 and 2019–20*
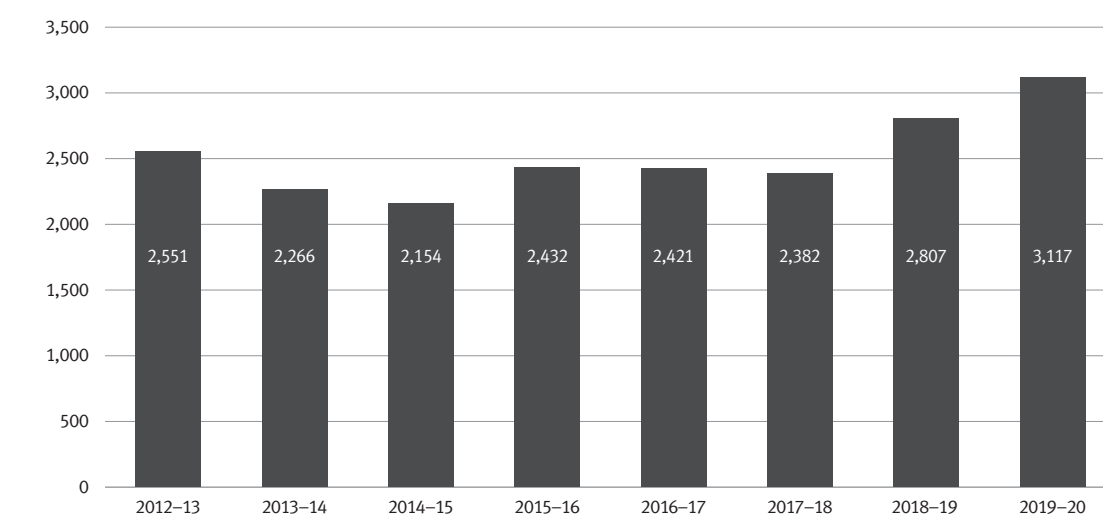


*Source:* Department of Children, Youth Justice and Multicultural Affairs, 2021[12]

Overall, the data suggests demand for the statutory system remains high and the anticipated reduction in children and young people in the system has not yet been achieved.

However, it is possible that a greater increase in child concern reports and entries to out-of-home care could have occurred if support services had not been established at the beginning of the reform period.

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11  Queensland Government 2021, *Child safety practice manual*, **https://cspm.csyw.qld.gov.au/procedures/support-a-child-in-care**

12  *Child concern reports—Table CCR.1*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/intake-phase/child-concern-reports**

## D.1-2  Revitalising child protection frontline services and family support

The Inquiry argued that the successful implementation of its recommendations would be contingent on the capacity of the frontline child protection workforce to deliver services to children, young people and their families.

This is consistent with current literature, that recognises the outcomes of children, young people and their families engaged with the child protection system are influenced by the frontline child protection workforce—the people who deal with them.[13]

To report on progress against this goal, we have examined Queensland's:

- investment in the frontline child protection and family support workforce

- actions to strengthen practice

- future workforce challenges.

### Investment in the frontline workforce

The Queensland Government reports that since 2015, it has funded 450 additional frontline child protection staff for the provision of child protection statutory services.[14]

Despite this investment, stakeholders have told us that the workloads of frontline staff in the department have increased due to:

- increased demand on the system

- interaction with other systems, such as the National Disability Insurance Scheme

- other reform changes, such as to court processes

- the increasing complexity of the challenges faced by the families they work with

- recruitment and retention challenges, particularly in regional and remote areas. This includes the loss of experienced frontline staff to other areas of the department or sector, meaning these roles are filled by graduates and new staff with less experience.

As of 31 December 2020, the average caseload for child safety officers was 18.2 cases.[15] Although this is a reduction from the average caseload of 21 prior to the reforms, it has not yet decreased to the caseload of 15 recommended by the Inquiry.

The department funds secondary services across Queensland to deliver services to those children, young people and their families who experience vulnerability. These services include the Family and Child Connect, Intensive Family Support services and Family Wellbeing Services previously discussed. The Queensland Government has funded approximately 5,400 positions within the non-government organisations that provide these secondary services.[16]

Kinship carers and foster carers are also important parts of the frontline child protection workforce in Queensland, providing care to children and young people who are removed from the care of their parents. Further details about carer families in Queensland are included in Section D.2-3.

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13  DePanfilis, D & Zlotnik, J 2008, 'Retention of front-line staff in child welfare: A systematic review of research', Children and Youth Services Review, 30(9), pp. 995–1008; Strolin-Goltzman, J, Kollar, S & Trinkle, J 2010, 'Listening to the Voices of Children in Foster Care: Youths Speak Out about Child Welfare Workforce Turnover and Selection', Social Work, 55(1), pp. 47–53; Strolin-Goltzman, J, Auerbach, C, McGowan, B & McCarthy, M 2007, 'The relationship between organizational characteristics and workforce turnover among rural, urban and suburban public child welfare systems', *Administration in Social Work*, 31(1), pp. 77–91; Harris, T 2018, *Developing Leadership Excellence: A Practice Guide for the New Professional Supervisor*, Routledge, Taylor & Francis Group.

14  Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence, Di Farmer 2019, Extra child safety staff announced in State Budget—Media Statement, **statements.qld.gov.au/statements/87596**

15  Department of Children, Youth Justice and Multicultural Affairs 2020, *Media handout: 31 December 2020 Child and Family performance statistics*, **www.cyjma.qld.gov.au/resources/dcsyw/child-family/performance/our-perf-media-handout.pdf**

16  Minister for Child Safety, Youth and Women and Minister for the Prevention of Domestic and Family Violence, Di Farmer 2019, *Extra child safety staff announced in State Budget—Media Statement*, **statements.qld.gov.au/statements/87596**

## Strengthening practice

An objective of the Inquiry was to improve child protection practice and develop a skilled professional workforce. In response to this, Queensland developed the *Strengthening families protecting children framework for practice* (the framework).[17]

The framework was implemented between 2015 and 2019. During this time, a total of 3,400 government and non-government staff from across Queensland were trained. This built a shared understanding of the framework's foundational elements across the child protection sector and assisted staff to use new practice tools in their work.

## Future workforce challenges

In 2020–21, the QFCC published the *Child and family support sector workforce environmental scan*.[18] The scan detailed the current state of the child and family workforce and identified the challenges and opportunities in building a strong and sustainable workforce into the future. The report stresses that the size and capability of the workforce is required to grow to meet increasing demand.

The environmental scan describes workforce demand projections to 2030. Demand for services will continue to increase, but at differing rates for different service types along the continuum of care.[19]

Demand for community services and early intervention services are estimated to grow around one per cent, child protection services two per cent, out-of-home care services three per cent, youth justice services between three and five per cent, and services for children and families with multiple and complex needs between three and six per cent.

## D.1-3 Refocusing oversight on learning, improving and taking responsibility

The Inquiry identified that aspects of the culture of the child protection and family support sector were inadequate and that oversight and evaluation tended to focus on fault and punishment rather than on opportunities for learning.

The Inquiry identified that to achieve success, there must be shared leadership across both the government and non-government sector and collaboration and a positive culture must be promoted. A principle of the Inquiry was that each department providing human services must take responsibility for outcomes for children and young people.

To examine the extent to which there is shared responsibility, we have focused on reform governance arrangements, drawing on:
- findings from a Queensland Audit Office audit of how effectively Queensland public sector entities work together for the safety and wellbeing of children
- frontline workforce perceptions of reform governance arrangements.

### Reform governance arrangements

Following recommendations from the Inquiry, reform governance arrangements were established in Queensland to support information sharing and sharing of responsibility. They included:
- an Interdepartmental Committee providing central governance. Initially, this committee was designed to strategically lead government policy direction on child protection reforms. Later, responsibility for youth justice and domestic and family violence reforms were added. Its core membership included chief executive-level representatives from 14 Queensland Government departments and statutory bodies with child protection responsibilities

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17  Department of Communities, Child Safety and Disability Services 2015, *Strengthening families Protecting children—Framework for practice foundational elements*, **www.communities.qld.gov.au/resources/childsafety/practice-manual/framework-pr-elements.pdf;** Department of Communities, Child Safety and Disability Services 2015, *Strengthening families Protecting children—Framework for practice: Practice tools and processes*, **www.communities.qld.gov.au/resources/childsafety/practice-manual/framework-pr-tools.pdf**

18  Queensland Family and Child Commission 2020, *Understanding our sector*, **www.qfcc.qld.gov.au/supporting-our-sector/understanding-our-workforce/understanding-our-sector**

19  Continuum of care refers to the continuum of services that act to uphold the rights of children, young people and their families who experience vulnerability in Queensland. This includes a range of services delivered across several systems including the education, health, disability, domestic and family violence, youth justice, housing and community service systems. Children, young people and their families move between different parts of the continuum based on the support they require, and people may access services from different parts of the continuum at the same time.

- regional governance, which is led by 13 Regional Child, Youth and Family Committees, including representatives from government and non-government organisations. These regional governance arrangements facilitate strong collaboration and coordination of regional priorities for implementing Queensland's child protection and family support reform program, in line with state-wide directions from the Interdepartmental Committee
- Local Level Alliances, that are responsible for coordinating local support services to effectively respond to local needs and issues. Each alliance includes representatives from government and non-government organisations who work with vulnerable families and children.

In addition, the department is midway through a four-year program of work—*Unify*—which involves updating existing client management systems.[20] It is intended that *Unify* will improve information sharing and collaboration across government, social services and justice sectors, while engaging with young people, families, carers and services.

## Queensland Audit Office findings[21]

The Queensland Audit Office found the Interdepartmental Committee could take a greater role in providing leadership to, and governance of, the child protection and family support system.

It also found that while Regional Child, Youth and Family Committees have enabled collaboration and information sharing, their meetings lacked direction, were no longer action-oriented and had a high level of attendance by proxies who lacked the authority to support decision-making.

The report concluded that the Interdepartmental Committee needed to provide greater direction to regional committees to ensure risk was collectively managed.

The Interdepartmental Committee was discontinued following a final meeting in June 2021, as all Inquiry recommendations were considered closed. It is unclear at this time how the Queensland Audit Office's recommendation will be progressed, given the ongoing need for strategic leadership.

## Frontline workforce perceptions

The QFCC's annual survey of frontline child protection and family support workers found there is a system-wide commitment to working together.

Consistent with the 2020 survey results, and as shown in Table D1, the majority of our survey respondents in 2021 agreed that their workplace supports collaboration with other organisations and that where appropriate, information sharing occurs regularly between their organisation and others.

Table D1: *Frontline workers' perceptions of collaboration and information sharing—2021 (n=757)*

| Statement | Agree | Neutral | Disagree |
|---|---|---|---|
| Information sharing between my organisation and other organisations supports better responses for children, young people and families | 84% | 11% | 5% |
| My workplace has a culture that supports collaboration with other organisations to achieve client outcomes | 85% | 9% | 6% |
| Where appropriate, information sharing occurs regularly between my organisation and other organisations | 70% | 16% | 15% |

n=number of respondents
*Source:* Queensland Family and Child Commission, 2021[22]

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20  Department of Children, Youth Justice and Multicultural Affairs 2021, *Unify*, **www.cyjma.qld.gov.au/resources/campaign/supporting-families/ unify-fact-sheet.pdf**

21  Queensland Audit Office 2021, *Family support and child protection system (Report 1 2020–21)*, **www.qao.qld.gov.au/reports-resources/ reports-parliament/family-support-child-protection-system**

22  *Workforce survey 2021: Research report*. Not yet published.

The survey also sought perspectives on system performance. Table D2 shows that, after significant increases in agreement with system performance statements in the 2020 survey, agreement with these statements in 2021 significantly decreased to below 2019 levels.

Across all survey years, we have found that respondents' perceptions of system performance are more negative than the perceptions of the performance of their organisations.

**Table D2:** *Frontline workers' perceptions of system performance—2019–2021*

| Statement | 2019 (n=268) | 2020 (n=755) | 2021 (n=760) |
|---|---|---|---|
| The system is built on shared connections and commitment | 33% | 42% ↑ | 29% ↓ |
| The system efficiently and effectively uses its resources to achieve outcomes | 23% | 30% ↑ | 14% ↓ |
| The system meets the needs of children, young people and families | 19% | 26% ↑ | 12% ↓ |
| The system achieves return on investment | 13% | 21% ↑ | 4% ↓ |

↑ ↓ indicates a significant increase or decrease from the previous year
*Source:* Queensland Family and Child Commission, 2021[23]

## D.1-4 Measuring what matters

Assessment of the performance of the Queensland child protection system must be informed by the perspectives and experiences of children and young people.

Through our *Strategic Plan 2021–25 Bringing children's rights to life*,[24] the QFCC will lead the development of a comprehensive children's rights agenda to give practical effect to the United Nations *Convention on the Rights of the Child*[25] for all children and young people growing up in Queensland.

Article 12 of the United Nations *Convention on the Rights of the Child* establishes the rights of children to be involved in decisions that affect them.[26]

Our position is that the right of a child to participate in decisions that affect them is not limited to decisions about their individual circumstances. It includes empowering them to influence decisions at the system level and outcomes for other children and young people, so they can shape the system that has been built to promote their safety and wellbeing.

In 2021, the QFCC started working with young people with experience and/or understanding of the Queensland child protection system on the *Rights, Voices, Stories* project. The aim of the project is that children and young people are listened to, particularly in terms of their rights not being upheld and the stories that are important to them. We intend to use these insights to advocate for system change.

Young people will collect data from children and young people about their perspectives and experiences of the Queensland child protection system. In future, we will report on these perspectives to provide a better understanding of the performance of the system.

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23  *Workforce survey 2021: Research report*. Not yet published.

24  Queensland Family and Child Commission 2021, *Bringing children's rights to life—strategic plan 2021–25*, **www.qfcc.qld.gov.au/sites/default/files/2021-06/QFCC%20Strategic%20Plan%202021-25.pdf**

25  UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3, **www.ohchr.org/en/professionalinterest/pages/crc.aspx**

26  United Nations 1990, *Convention on the rights of the child*, **www.ohchr.org/en/professionalinterest/pages/crc.aspx**

## D.2  Queensland's performance towards achieving national goals

The *National Framework for Protecting Australia's Children 2009–2020* (National Framework) outlines goals for Australia's child protection systems. The overarching goal is that Australia's children and young people are safe and well.

The National Framework has had four action plans outlining goals for Australia's child protection systems and a set of child protection indicators,[27] which have been reported on annually.[28] The fourth action plan (2018–2020)[29] was endorsed by federal, state and territory ministers in December 2018.

A successor plan to the National Framework is currently in development and due to be released later in 2021, subject to approval by community services ministers around Australia. As an interim arrangement, the period for implementing the fourth action plan was extended to 30 June 2021.

To report on Queensland's performance towards achieving national goals, we have selected indicators relevant to assessing progress in the fourth action plan's priority areas. We have selected indicators of progress towards action plan objectives rather than individual actions, as outlined in Table D3.

It is acknowledged that some of these indicators have limitations—for example, none report on outcomes from the perspective of the child or young person. They do, however, represent the most relevant and recent data available.

**Table D3:** *Indicators of progress towards fourth action plan priority areas selected for this report*

| Priority area | Indicator/s |
|---|---|
| 1. Improving outcomes for Aboriginal and Torres Strait Islander children at risk of entering, or in contact with, child protection systems | • Over-representation rates for child concern reports<br>• Over-representation rates for entries to care |
| 2. Improving prevention and early intervention through joint service planning and investment | • Investment in services<br>• Number of referrals to family support services<br>• Frontline workforce perceptions of the impact of services |
| 3. Improving outcomes for children in out-of-home care by enhancing placement stability through reunification and other permanent care options | • Number of children and young people subject to a child protection order[30] granting long-term guardianship to a relative or other suitable person<br>• Number of carer families commencing and ceasing<br>• Learning and development for carer families |
| 4. Improving organisations' and governments' ability to keep children and young people safe from abuse | • Frontline workforce perceptions of child safe organisations<br>• Examples of child safe organisation principles in practice |

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27  Australian Institute of Health and Welfare 2020, *National framework for protecting Australia's children indicators*, **www.aihw.gov.au/reports/child-protection/nfpac/contents/national-framework-indicators**

28  Section D.3 examines Queensland's performance over time compared with other jurisdictions on some of these indicators.

29  Department of Social Services 2018, *National Framework for Protecting Australia's Children—Fourth Action Plan 2018–2020*. **www.dss.gov.au/sites/default/files/documents/01_2019/dss-fourth-action-plan-v6-web-final.pdf**

30  A child protection order is an order made by the Childrens Court under the *Child Protection Act 1999*, when a child is assessed to be in need of protection.

## D.2-1  Priority area 1: Improving outcomes for Aboriginal and Torres Strait Islander children at risk of entering, or in contact with, child protection systems

The majority of Queensland Aboriginal and Torres Strait Islander children are safe and well and cared for by their parents and family. However, Aboriginal and Torres Strait Islander children continue to be over-represented in the Queensland child protection system.

This action plan priority area has two objectives:

- Uphold the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle (prevention, partnership, placement, participation and connection) to recognise the rights of Aboriginal and Torres Strait Islander children to be raised in their own culture and the importance and value of their family, extended family, kinship networks, culture and community.

- Acknowledge and support the important role Aboriginal community-controlled organisations and Aboriginal and Torres Strait Islander managed services have in supporting Aboriginal and Torres Strait Islander children and families at risk of entering, or in, child protection systems.

Queensland's *Our Way* generational strategy (2017–2037) was launched in 2017 to respond to the over-representation of Aboriginal and Torres Strait Islander children, young people and families within the child protection and family support systems.[31] Its vision is that all Aboriginal and Torres Strait Islander children and young people in Queensland grow up safe and cared for in family, community and culture.

The strategy aims to improve life opportunities for Queensland's Aboriginal and Torres Strait Islander children and families by addressing factors of inequity and access that contribute to over-representation. These include individual and collective experiences of trauma, racism, socioeconomic disadvantage, family violence, drugs and alcohol, mental health issues and lack of access to housing.[32]

In this section, we present data on the level of over-representation of Aboriginal and Torres Strait Islander children in child concern reports and entries to out-of-home care over time. Data examining other important outcomes will be presented in later sections of this report, including:

- placement with Aboriginal or Torres Strait Islander relatives or extended family members, and consideration of other elements of the Aboriginal and Torres Strait Islander Child Placement Principle (Section D.3-5)

- over-representation in out-of-home care (Section D.4-1)

- entries to and exits from out-of-home care (Section D.4-2).

There is evidence of continued over-representation of Aboriginal and Torres Strait Islander peoples throughout the Queensland child protection and family support system. The data shows that over-representation increases the further children and young people travel through the system.[33]

This means that it is lowest at the level of child concern reports (Table D4) and highest at the point of entry to out-of-home care (Table D5).

### Child concern reports

Table D4 *(see page 90)* compares the rate of child concern reports per 1,000 Aboriginal and Torres Strait Islander children to the rate for non-Aboriginal and Torres Strait Islander children. It shows that Aboriginal and Torres Strait Islander children are about three times more likely than non-Aboriginal and Torres Strait Islander children to be the subject of a child concern report. This level of over-representation has remained steady over time.

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31  Queensland Government 2017, *Our Way: A generational strategy for Aboriginal and Torres Strait Islander children and families 2017–2037*, **www.dsdsatsip.qld.gov.au/resources/campaign/supporting-families/our-way.pdf**

32  Family Matters 2020, *The Family Matters report 2020*, **www.familymatters.org.au/the-family-matters-report-2020/**

33  Over-representation ratios have been calculated by first calculating the rate of child concern reports (and entry to out-of-home care) per the number of children in the population (the estimated resident population as of 30 June the previous year). These were multiplied by 1,000 to report the rate of the event per thousand children. The rates for Aboriginal and Torres Strait Islander children were divided by the rates for non-Aboriginal and Torres Strait Islander children to calculate over-representation ratios.

Table D4: *The rate of child concern reports per 1,000 children and over-representation ratios between 2012–13 and 2019–20*

| Year | Child concern report rate per 1,000 children | | Over-representation ratio |
| | Aboriginal and Torres Strait Islander | Non-Aboriginal and Torres Strait Islander | |
| --- | --- | --- | --- |
| 2012–13 | 158.0 | 51.7 | 3.1 |
| 2013–14 | 161.2 | 52.5 | 3.1 |
| 2014–15 | 138.0 | 42.9 | 3.2 |
| 2015–16 | 116.8 | 38.9 | 3.0 |
| 2016–17 | 133.0 | 41.2 | 3.2 |
| 2017–18 | 145.2 | 44.3 | 3.3 |
| 2018–19 | 137.7 | 45.1 | 3.1 |
| 2019–20 | 152.0 | 46.1 | 3.3 |

*Source:* Department of Children, Youth Justice and Multicultural Affairs, 2021[34]

## Entries to out-of-home care

Table D5 compares the rate of children entering out-of-home care per 1,000 Aboriginal and Torres Strait Islander children to the rate for non-Aboriginal and Torres Strait Islander children. It shows that the level of over-representation is increasing over time.

In 2019–20, Aboriginal and Torres Strait Islander children were 9.1 times more likely to enter out-of-home care than non-Aboriginal and Torres Strait Islander children.

Table D5: *The rate of children entering out-of-home care per 1,000 children and over-representation ratios between 2012–13 and 2019–20*

| Year | Entry to out-of-home care as a rate per 1,000 children | | Over-representation ratio |
| | Aboriginal and Torres Strait Islander | Non-Aboriginal and Torres Strait Islander | |
| --- | --- | --- | --- |
| 2012–13 | 11.5 | 1.5 | 7.7 |
| 2013–14 | 10.1 | 1.3 | 7.8 |
| 2014–15 | 9.5 | 1.2 | 7.9 |
| 2015–16 | 10.6 | 1.4 | 7.6 |
| 2016–17 | 10.9 | 1.3 | 8.4 |
| 2017–18 | 10.0 | 1.4 | 7.1 |
| 2018–19 | 12.7 | 1.5 | 8.5 |
| 2019–20 | 14.6 | 1.6 | 9.1 |

*Source:* Department of Children, Youth Justice and Multicultural Affairs, 2021[35]

The data suggests that Queensland is yet to see the desired reduction in over-representation. It is important to note, however, that many contributing factors to over-representation need to be addressed by long-term, generational strategies, such as *Our Way*, and that long-term strategies need time to effect meaningful change.

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34  *Child concern reports*. Unpublished data.

35  *Entries to out-of-home care*. Unpublished data.

## D.2-2 Priority area 2: Improving prevention and early intervention through joint service planning and investment

Reducing the number of children and young people in the child protection system through increased investment in the early intervention (secondary) service system is a priority area of the fourth action plan, and it has also been a key reform priority for Queensland.

This action plan priority area has three objectives:

• Children grow up in thriving families and communities and develop into healthy, connected, nurturing and productive adults and parents.

• Young people are supported in making the transition from out-of-home care into adulthood.

• Best practice knowledge is developed on addressing the drivers of entry into child protection systems.

Significant investment has been made in Queensland in recent years to provide families with access to a range of services when they need support.

Given this focus, our reporting addresses progress against the first objective of this priority area: Children grow up in thriving families and communities. Starting in January 2015, a suite of 94 support services were established, including:

• 17 Family and Child Connect services

• 44 Intensive Family Support services

• 33 Family Wellbeing services.

Only limited data is available and reported on to demonstrate Queensland's performance in relation to this priority area. For the purposes of our reporting, our measures are:

• investment in services

• number of referrals to family support services

• frontline workforce perceptions of the impact of services.

### Investment in child protection and family support services

The Australian Government Productivity Commission reports annually on government expenditure and provides a comparison of state spending on care services[36] and intensive family support services.[37] In Queensland (and in other Australian jurisdictions) most of the expenditure has consistently been on protective intervention[38] and care services, as opposed to preventive, early intervention services.

As shown in Table D6 *(see page 92)*, in 2019–20, Queensland spent over $751 million on care services and $118 million on intensive family support services.[39]

However, since the secondary services have been rolled out, the amount of funding for intensive family support services has increased at a greater rate than the amount of funding for care services. Between 2015–16 and 2019–20, there was a 69.5 per cent increase in funding for intensive family support services versus a 42.4 per cent increase for care services.

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36  Care services include activities associated with providing out-of-home care and other supported placements—such as finding a suitable placement, assessing suitability of kinship carers and helping a child to maintain contact with their family.

37  Intensive family support services provide a range of services to families to improve family functioning and a range of skills to help parents care for their children rather than have them be brought into the child protection system. For Productivity Commission reporting on 'intensive family support' funding, Queensland includes expenditure on its intensive family support services, Assessment and Service Connect (a short-term support service for families involved in a child safety investigation and assessment process), Aboriginal and Torres Strait Islander Family Wellbeing Services and Tertiary Family Support services (statutory ongoing interventions for children who are assessed as needing protection).

38  Services provided by protective intervention services include receiving and assessing allegations of abuse, neglect and harm and intervening to protect children.

39  Productivity Commission 2021, *Report on Government Services 2021: Child protection services—Table 16A.33 and Table 16A.36*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

Table D6: *Expenditure on care services and intensive family support services in Queensland between 2015–16 and 2019–20*

| Year | Expenditure on care services ($'000) | Expenditure on intensive family support services ($'000) |
|---|---|---|
| 2015–16 | 527,474 | 69,640 |
| 2016–17 | 553,771 | 78,481 |
| 2017–18 | 631,872 | 101,316 |
| 2018–19 | 692,419 | 110,882 |
| 2019–20 | 751,125 | 118,007 |

*Source:* Productivity Commission, 2021[40]

## Number of enquiries/referrals to family support services

The number of enquiries/referrals to Family and Child Connect services continues to steadily increase. Since 2017–18 (when all the Family and Child Connect services were fully rolled out), there has been an increase from 30,303 enquiries to 33,745 enquiries in 2019–20 (an increase of 11.4 per cent).

As shown in Figure D3, Intensive Family Support services and Family Wellbeing Services also experienced increasing levels of demand between 2017–18 and 2019–20 as they were fully rolled out. There was a 19.2 per cent increase in referrals to Intensive Family Support services and a 29.4 per cent increase in referrals to Family Wellbeing Services.

It is good to see that early intervention service capacity is expanding. However, it will be important to ensure that service capacity is sufficient in future to meet the needs of all families seeking support.

Figure D3: *Number of families referred to Intensive Family Support services and Family Wellbeing Services between 2017–18 and 2019–20*
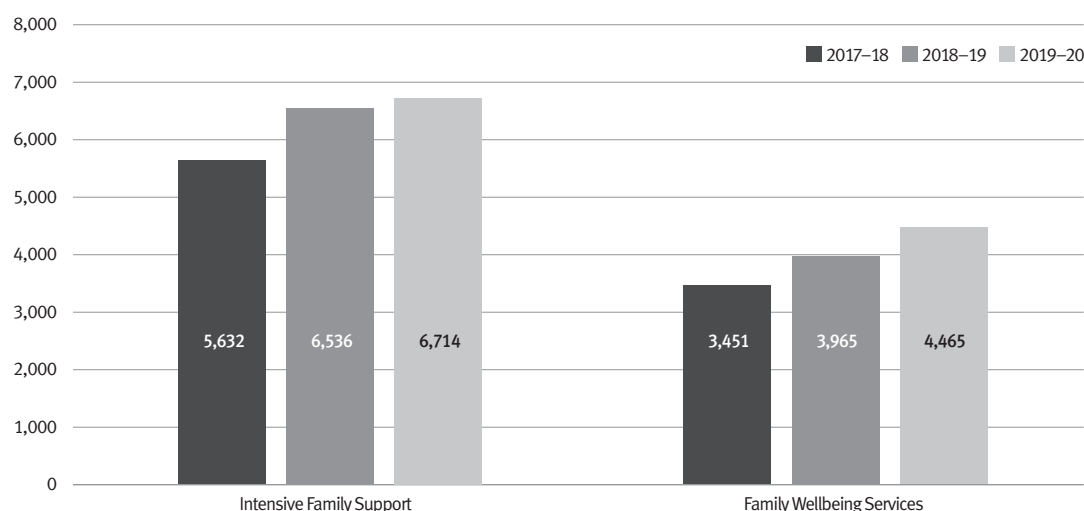


*Source:* Department of Children, Youth Justice and Multicultural Affairs, 2020[41]

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40 *Report on Government Services 2021: Child protection services—Table 16A.33 and Table 16A.36*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

41 *Families referred to an Intensive Family Support Service and families referred to a Family Wellbeing Service.* Unpublished data.

## Frontline workforce assessment of the impact of services

In 2020, the QFCC's annual survey of frontline child protection and family support workers measured perceptions of the impact of secondary support services.

Almost two-thirds of respondents (63 per cent) agreed that the introduction of Intensive Family Support services and Family Wellbeing Services had improved access to early intervention services. Around half agreed that these services had improved outcomes for children, young people and families (51 per cent) and improved families' ability to care for their children (49 per cent).

However, only about one-quarter of respondents (27 per cent) agreed that the introduction of these services had led to a reduction in demand on the statutory system.[42]

## Data challenges

The child protection and family support system is good at measuring inputs and outputs, but it finds it much harder to measure outcomes. As a result, limited data is available, which makes assessment of Queensland's performance challenging for this priority area.

This is particularly so when seeking to determine whether the introduction of family support services has improved outcomes for vulnerable families and reduced the demand on the statutory system, which were two of the main reasons for the government's investment in them.

There would be value in Queensland developing additional performance measures that:

- examine service performance from the perspective of children, young people and families
- include more data to monitor the pathways of children, young people and families through the family support service and child protection systems.

## D.2-3 Priority area 3: Improving outcomes for children in out-of-home care by enhancing placement stability through reunification and other permanent care options

This priority acknowledges that when children and young people have stable, safe and secure placements, there is a higher likelihood of improved outcomes after they leave care.

This action plan priority area has three objectives:

- Permanency outcomes are publicly reported on with reliable data to support improved policy and decision-making.
- Children and young people in out-of-home care achieve safe and stable care, in a timely manner, that supports lifelong relationships, belonging, identity and connection that takes into account the views of the child.
- Enough skilled and supported carers are available to provide safe and stable placements for children and young people in out-of-home care.

Only limited data is available and reported on to demonstrate Queensland's performance in relation to this priority area. For the purposes of our reporting, we have selected measures relating to the second and third objectives, including:

- percentage of children and young people subject to a child protection order granting long-term guardianship to a relative or other suitable person
- number of carer families commencing and ceasing
- learning and development for carer families.

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42  Queensland Family and Child Commission 2020, *Workforce Survey 2020*, **www.qfcc.qld.gov.au/sites/default/files/2020-08/2020%20 Workforce%20Survey%20report.PDF**

## Percentage of children and young people subject to a child protection order granting long-term guardianship to a relative or other suitable person

Long-term child protection orders continue until children turn 18. During this time, they may be under the guardianship of a relative or other suitable person, or the chief executive in an approved placement.[43]

The number of children and young people subject to long-term child protection orders has increased by 40.3 per cent from 5,065 in 2012–13 to 7,104 in the 2020 calendar year. Over the same time period, the number of children and young people under the guardianship of a relative or other suitable person has similarly increased by 40.9 per cent from 1,184 in 2012–13 to 1,668 in the 2020 calendar year.

In the 2020 calendar year, 23.5 per cent of children and young people subject to long-term child protection orders were under the guardianship of a relative or other suitable person.[44]

It is important that children and young people are supported in maintaining connections and relationships with family and other significant people in their lives. Stability of placement through guardianship by a relative or other suitable person can provide this.[45]

Table D7 notes the number of children and young people subject to a child protection order granting long-term guardianship to a relative or other suitable person. It also shows this as a percentage of children and young people subject to long-term child protection orders in the same period.

It shows an increase in the percentage of children under the guardianship of a relative or other suitable person until 2016–17, then a steadily decreasing trend. It also shows that Aboriginal and Torres Strait Islander children are less likely to have this type of guardianship arrangement.

Table D7: *Number (and percentage) of children and young people subject to a child protection order granting long-term guardianship to a relative or other suitable person by Aboriginal and Torres Strait Islander status—2012–20*

| Year | Aboriginal and Torres Strait Islander | | Non-Aboriginal and Torres Strait Islander | |
|---|---|---|---|---|
| 2012–13 | 376 | (19.9%) | 808 | (25.5%) |
| 2013–14 | 466 | (22.3%) | 914 | (27.8%) |
| 2014–15 | 529 | (23.3%) | 997 | (29.4%) |
| 2015–16 | 574 | (23.5%) | 1,059 | (30.4%) |
| 2016–17 | 587 | (23.2%) | 1,047 | (29.8%) |
| 2017–18 | 578 | (22.0%) | 1,042 | (29.6%) |
| 2018–19 | 583 | (20.9%) | 1,013 | (28.0%) |
| 2019–20 | 617 | (20.7%) | 1,040 | (27.2%) |
| 12 months to 31 Dec 2020 | 612 | (19.3%) | 1,056 | (26.8%) |

*Source:* Department of Children, Youth Justice and Multicultural Affairs, 2021[46]

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43 Department of Children, Youth Justice and Multicultural Affairs 2021, *Legal permanency—long-term child protection orders*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/ongoing-intervention-phase-permanency-planning/legal-permanency-long-term-child-protection-orders**

44 Department of Children, Youth Justice and Multicultural Affairs 2021, *Legal permanency—long-term child protection orders—Table LT.1 and Table LT.3*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/ongoing-intervention-phase-permanency-planning/legal-permanency-long-term-child-protection-orders**

45 Australian Institute of Health and Welfare 2016, *Permanency planning in child protection: A review of current concepts and available data 2016*, *Child welfare series* no. 64. Cat. no. CWS 58, **https://www.aihw.gov.au/reports/child-protection/permanency-planning-in-child-protection-a-review-of-current-concepts-and-available-data-2016/contents/table-of-contents**; Australian Institute of Health and Welfare 2021, *Child protection Australia 2019–20*, Child welfare series no. 74. Cat. no. CWS 78, DOI **https://doi.org/10.25816/g208-rp81**

46 *Legal permanency—long-term child protection orders—Table LT.1 and Table LT.3*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/ongoing-intervention-phase-permanency-planning/legal-permanency-long-term-child-protection-orders**

## Number of carer families commencing and ceasing

Children, young people and families are known to have better outcomes when their placements in out-of-home care remain stable—that is, when they have a consistent case manager and fewer placements across the period they are in the child protection system.[47]

Having an ample pool of foster carer families and conducting early family mapping to source kinship carer families is important, as it ensures children and young people are matched with the most suitable carer families—which increases the likelihood of stable and safe placements.

The total number of carer families in the child protection system has slowly increased since 2012–13, as can be seen in Table D8. However, the percentage of Aboriginal and Torres Strait Islander carer families (between 15 and 17.5 per cent) is much lower than the percentage of Aboriginal and Torres Strait Islander children in out-of-home care (43.3 per cent of all children in out-of-home care as of 31 December 2020).[48]

Table D8: *Number of carer families—2012–2020*

| Year | Aboriginal and Torres Strait Islander carer families | | Total number of carer families |
|---|---|---|---|
| 2012–13 | 731 | (15.5%) | 4,728 |
| 2013–14 | 727 | (15.0%) | 4,833 |
| 2014–15 | 779 | (15.5%) | 5,012 |
| 2015–16 | 802 | (15.5%) | 5,186 |
| 2016–17 | 822 | (15.8%) | 5,192 |
| 2017–18 | 862 | (16.4%) | 5,241 |
| 2018–19 | 930 | (17.4%) | 5,345 |
| 2019–20 | 984 | (17.5%) | 5,611 |
| 12 months to 31 Dec 2020 | 1,014 | (17.5%) | 5,792 |

*Source:* Department of Children, Youth Justice and Multicultural Affairs, 2021[49]

Table D9 shows the number of carer families commencing for the first time and the number of carer family exits each year. As the number of children living in out-of-home care increases each year, it is important that the number of new carer families exceeds the number exiting.

Table D9: *Number of carer families commencing for the first time, and the number of carer family exits—2016–2020*

| Year | Number of carer families commencing for the first time | Number of carer family exits |
|---|---|---|
| 2015–16 | 1,427 | 1,300 |
| 2016–17 | 1,363 | 1,509 |
| 2017–18 | 1,241 | 1,353 |
| 2018–19 | 1,373 | 1,394 |
| 2019–20 | 1,645 | 1,567 |
| 12 months to 31 Dec 2020 | 1,655 | 1,615 |

*Source:* Department of Children, Youth Justice and Multicultural Affairs, 2021[50]

47  DePanfilis, D, & Zlotnik, J 2008, 'Retention of front-line staff in child welfare: A systematic review of research', *Children and Youth Services Review*, 30(9), pp. 995–1008; Strolin-Goltzman, J, Kollar, S & Trinkle, J 2010, 'Listening to the Voices of Children in Foster Care: Youths Speak Out about Child Welfare Workforce Turnover and Selection', *Social Work*, 55(1), pp. 47–53.

48  Department of Children, Youth Justice and Multicultural Affairs 2021, *Living away from home—Table OHC.1*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/ongoing-intervention-phase/living-away-home**

49  *Carer families—Table CF.1*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/ongoing-intervention-phase/carer-families**

50  *Carer families—Table CF.3 and Table CF.4*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/ongoing-intervention-phase/carer-families**

While this was the case in 2015–16, 2019–20 and the 2020 calendar year, it is an ongoing challenge. To address it, the department regularly partners with non-government organisations to promote the opportunity to make a positive difference in a child's life by becoming a foster carer family.

Stakeholders have told us that kinship carers typically do not stay in the system as carer families once they are no longer caring for their relative/s.

The QFCC has discussed these challenges with stakeholders.

Some stakeholders have expressed concern about the detrimental effects of unstable placements on children and young people, including on their success at school. They also noted that these effects become more pronounced for children and young people living in residential care[51] settings.

There is consensus that more needs to be done to stabilise placements for children and young people who enter out-of-home care. Our stakeholders have also emphasised the importance of listening to and acting on the perspectives and views of children and young people when making placement decisions.

## Learning and development for carer families

Queensland Foster and Kinship Care conducts a survey of kinship carers and foster carers in Queensland every two years, seeking their perspectives on their experience as carers. Table D10 shows their satisfaction with the relevance and amount of training provided to carers.

It shows that the percentage of survey respondents who are satisfied with the relevance of training and amount of training provided has decreased since 2016.[52]

Table D10: *Percentage of respondents satisfied with each aspect in relation to their experience of training, 2016–20*

| Statement | 2016 | 2018 | 2020 |
|---|---|---|---|
| Relevance of training | 63% | 61% | 59% |
| Amount of training offered | 72% | 66% | 62% |

*Source:* Queensland Foster and Kinship Care, 2016, 2018 and 2020[53]

Our stakeholders have told us that the professional development of kinship carers and foster carers should include awareness of the effects of trauma, as this would offer more opportunity to maintain placements. They recommend psychological supports for children and young people in out-of-home care and for carer families. Many felt that these supports would also be useful for children and young people and workers in residential care settings.

## Data challenges

As noted earlier, the child protection and family support system provides many measures regarding inputs and outputs, but finds it challenging to measure outcomes. As a result, there is limited available data regarding this priority area.

There would be value in Queensland developing additional measures of:

- permanency outcomes for children and young people in out-of-home care

- timeliness and consistency of permanency decision-making

- the rate of reunification of children and young people with their families

- the perspectives of children and young people regarding their experience of out-of-home care, including having their views heard and acted on

- the impact of training and development on practice and on outcomes for children and young people.

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51  Residential care is non-family-based accommodation and support services funded by the department to provide placement and support for children. These residential services provide daily care and support for children from a house parent or rostered residential care workers model.

52  We also examined survey responses from 2012 and 2014, but the questions were different in these earlier surveys. In 2012, 60 per cent of respondents were satisfied with the amount and type of ongoing training offered, compared with 2014, when 74 per cent of respondents were satisfied with the amount and type of ongoing training offered.

53  *2016 Carer Survey Report; 2018 Carer Survey Report*, **www.qfkc.com.au/images/Reports/Foster__Kinship_Carers_Survey_2018_Executive_Summary.pdf**; *2020 Carer Survey Report*, **www.qfkc.com.au/images/Reports/2021-01-12_Carer_Survey_2020_Report_Executive_Summary_FINAL_web.pdf**

## D.2-4 Priority area 4: Improving organisations' and governments' ability to keep children and young people safe from abuse

National Principles for Child Safe Organisations were developed under the third action plan of the National Framework. The fourth action plan considered promotion of these principles to be a priority, as well as being '... an integral component of the response to the *Royal Commission into Institutional Responses to Child Sexual Abuse*.'[54]

This action plan priority area has two objectives:

- Organisational cultures that foster child safety and wellbeing are embedded across organisations that engage with children and young people.
- Child protection agencies have adequate information to identify potential risks to children and better support children.

In this report, we have chosen to focus on the first objective by presenting the perspectives of frontline child protection and family support workers on child safe organisations.

The QFCC's annual survey of frontline child protection and family support workers asked a series of questions about child safe organisations in the 2021 survey. We found:

- about 8 in 10 survey respondents agreed (41 per cent agreed, 39 per cent strongly agreed) that their organisation is a child safe organisation (that is, it creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people).
- respondents from non-government organisations (87 per cent) were more likely to agree than those working for government agencies (73 per cent).[55]

The most common responses to an open question about examples of how their organisation demonstrates child safe principles were:

- having formal policies, strategies or models in place that reflect the principles (14 per cent), for example:
  - 'Child safety and wellbeing is part of our organisational policies and procedures, as well as part of our everyday culture.'
  - 'In policies and procedures, reflected in our values, we put children first.'
  - 'The company has a specific child safe organisation policy.'
- participating in child safety training (12 per cent), for example:
  - 'All staff have completed child safe training, and this is regularly spoken about in meetings.'
  - 'Staff have received training in child safe organisation principles and adhere to the guidelines.'
  - 'All staff receive annual training in relation to our Child Safe Child Friendly practice framework to ensure that all staff have a clear understanding of the workplace expectations and mandatory reporting mechanisms.'
- focusing on or caring about child safety (9 per cent), for example:
  - 'Embracing the notion that we all hold a responsibility to keep children safe from harm and abuse.'
  - 'There is a general culture where workers genuinely care about children and young people—all decisions are made with their best interest in mind.'
  - 'By ensuring that the safety and wellbeing of a child is paramount to everything we do'.

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54  Department of Social Services 2018, *National Framework for Protecting Australia's Children—Fourth Action Plan 2018–2020*, p. 24, **www.dss.gov.au/sites/default/files/documents/01_2019/dss-fourth-action-plan-v6-web-final.pdf**

55  Queensland Family and Child Commission 2021, *Workforce survey 2021: Research report*. Not yet published.

## D.3 Queensland's performance over time compared with other jurisdictions

The overarching goal of the National Framework is that Australia's children and young people are safe and well. A set of indicators was developed to show progress towards achieving the supporting outcomes (referred to in this section as 'outcomes').[56]

In this report, the QFCC has selected the most relevant of these indicators to assess progress against each outcome, comparing Queensland's performance with that of other Australian jurisdictions. Where recent data comparing Australian jurisdictions was not available for the established indicators, we have reported on alternative, comparable measures.

The outcomes and indicators against which we have reported are shown in Table D11. Some of these indicators have limitations, for example, none report on outcomes from the perspective of the child or young person. They do, however, represent the most relevant and recent data available across Australian jurisdictions.

Table D11: *Indicators of progress towards National Framework outcomes selected for this report*

| Outcome | Indicator/s |
|---|---|
| 1. Children live in safe and supportive families and communities. | • Proportion of people reporting they are able to get support in a time of crisis from people living outside the household |
| 2. Children and families access adequate support to promote safety and intervene early. | • State and territory government spending per child allocated to intensive family support services<br>• Children aged 0–17 years commencing with intensive family support services |
| 3. Risk factors for child abuse and neglect are addressed. | • Children and young people subject to a care and protection order accessing specialist homelessness services |
| 4. Children who have been abused or neglected receive the support and care they need for their safety and wellbeing. | • Substantiation rate[57] within 12 months of a prior substantiation |
| 5. Indigenous children are supported and safe in their families and communities. | • Proportion of Aboriginal and Torres Strait Islander children placed with Aboriginal or Torres Strait Islander relatives or extended family members, or other relatives or extended family members |
| 6. Child sexual abuse and exploitation is prevented and survivors receive adequate support. | • Rate of children who were subjects of a sexual abuse notification that was substantiated<br>• Children in care who were the subject of a substantiation of sexual abuse, physical abuse, emotional abuse or neglect |

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56 Australian Institute of Health and Welfare 2020, *National framework for protecting Australia's children indicators*, **www.aihw.gov.au/reports/child-protection/nfpac/contents/national-framework-indicators-data-visualisations**

57 'Substantiation' refers to when an investigation concludes that a child or young person has been, was being, or is likely to be abused, neglected or harmed.

The assessment ratings used to compare Queensland's performance with other Australian jurisdictions are as follows:

• **strong** means Queensland data indicated performance was better than the national totals or the majority of states and territories

• **satisfactory** means Queensland data indicated performance was on par with national totals or the majority of states and territories

• **needs improvement** means Queensland data indicated performance was below par compared to national totals or the majority of states and territories.

## D.3-1 National framework outcome 1: Children live in safe and supportive families and communities

The National Framework states that 'Informing communities about parenting and about children's development can … promote understanding about the ways in which community members can better support families.'[58] If communities are child-friendly, families will be supported in their caring role.

How supportive a community is can be measured by assessing whether people feel they are able to access support in times of crisis from people living outside of their household.[59] Data on this measure is collected by the Australian Bureau of Statistics' General Social Survey, which provides data on the social characteristics, wellbeing and social experiences of people in Australia.[60]

The survey has been conducted six times since 2002. Results from the three most recent surveys (2014, 2019 and 2020) are presented here.

**Indicator:** *Proportion of people reporting they are able to get support in a time of crisis from people living outside the household*

QFCC Assessment: ***Satisfactory***

As Figure D4 *(see page 100)* shows, in both 2014 and 2019 almost 95 per cent of Queensland respondents reported they were able to access support outside their household. Overall, respondents from all states and territories reported high levels of agreement with this statement (more than 92 per cent of respondents in all jurisdictions at both time points). However, at both time points, Queensland's results on this measure were comparable with those of South Australia and the Australian Capital Territory but were lower than Victoria and Tasmania.

A slightly different pattern was observed with the 2020 data, which was collected over a four-month period (June to September 2020) during the COVID-19 pandemic.[61] The percentage of Queensland respondents reporting they could access support dropped, in line with the Australian average.

Queensland rates for 2020 were comparable with the majority of other states, with the exception of Victoria (which was markedly lower) and the Australian Capital Territory (which was markedly higher).

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58  Department of Social Services 2009, *Protecting Children is Everyone's Business: National Framework for Protecting Australia's children 2009–2020*, p. 15, **www.dss.gov.au/sites/default/files/documents/child_protection_framework.pdf**

59  Butel, J & Braun, KL 2019, *The role of collective efficacy in reducing health disparities: A systemic review*, **www.ncbi.nlm.nih.gov/pmc/articles/PMC7012267/**

60  Australian Bureau of Statistics 2021, *General Social Survey: Summary results, Australian methodology*, **www.abs.gov.au/methodologies/general-social-survey-summary-results-australia-methodology/2020#overview**

61  Coronavirus disease (COVID-19) is an infectious disease caused by a virus (SARS-CoV-2) discovered in 2019. On 11 March 2020, the World Health Organisation declared COVID-19 a pandemic; Australian borders were closed to all non-residents on 20 March 2020, and a month-long nation-wide lockdown started on 23 March 2020. **www.who.int/emergencies/diseases/novel-coronavirus-2019**

**Figure D4:** *Percentage of people aged 15 years and over reporting they are able to get support in times of crisis from people living outside the household in 2014, 2019 and 2020, by Australian jurisdiction*
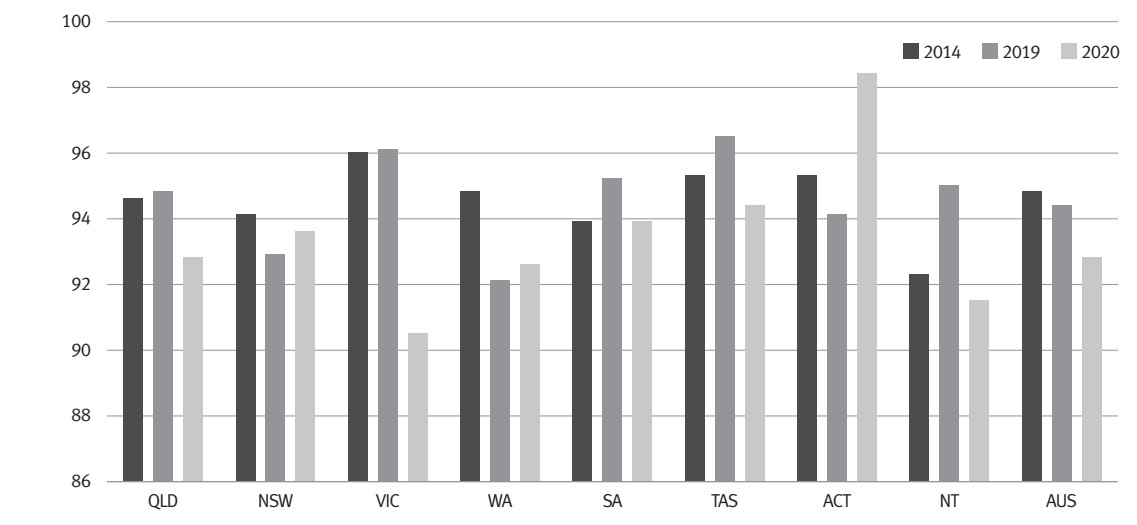


*Source:* Australian Bureau of Statistics, 2021[62]

## D.3-2  National framework outcome 2: Children and families access adequate support to promote safety and intervene early

The basic assumption of a public health approach to protecting children is that by providing the right services at the right time, vulnerable families can be supported, child abuse and neglect can be prevented, and the effects of trauma and harm can be reduced. As stated in the National Framework:

> Providing the right supports at the right time will also ultimately reduce demand on State and Territory child protection systems, allowing them to improve their capacity to perform specific statutory functions and better support children at-risk.[63]

We have selected two indicators for this outcome:

1. state and territory government expenditure per child aged 0–17 years in the population on intensive family support services
2. number of children commencing with intensive family support services.

**Indicator 1:** *State and territory government spending per child allocated to intensive family support services*

QFCC Assessment: *Satisfactory*

The Productivity Commission reports annually on government expenditure and provides a comparison of state spending on intensive family support services per child aged 0–17 years in the population. Increased expenditure on intensive family support services increases service availability and, subsequently, families' ability to access the services they need when they are struggling to cope.

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62  *General Social Survey: Summary results 2020, 2019 and 2014*, **www.abs.gov.au/methodologies/general-social-survey-summary-results-australia-methodology**

63  Department of Social Services 2009, *Protecting Children is Everyone's Business: National Framework for Protecting Australia's children 2009–2020*, p. 17, **www.dss.gov.au/sites/default/files/documents/child_protection_framework.pdf**

Figure D5 provides a comparison of each jurisdiction's spending on intensive family support services per child. In 2019–20, Western Australia had the lowest amount of spending—around $26 per child—while the Northern Territory had the highest amount of spending—around $227 per child.

In 2019–20, Queensland's spending was in line with the Australian average—around $100 per child—and it has been steadily increasing since the beginning of the state's reform period. This data suggests that Queensland is expanding the intensive family support system, which is one of the central aims of its child protection reform program.

**Figure D5:** *Expenditure (in 2019–2020 dollars) per child aged 0–17 years in the population on intensive family support services—2013–14 to 2019–20*
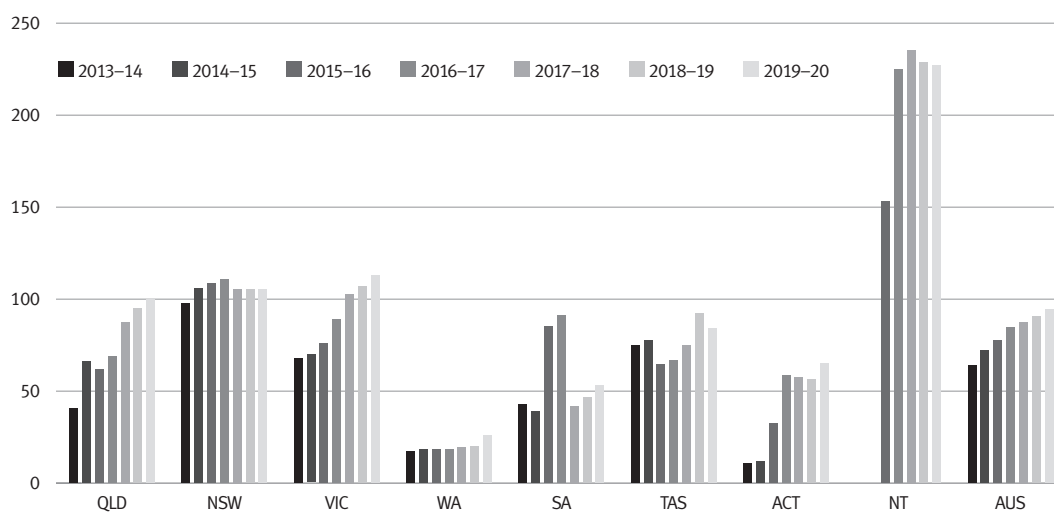


\* Northern Territory data was not available for either 2013–14 or 2014–15
*Source:* Productivity Commission, 2021[64]

**Indicator 2:** *Number of children aged 0–17 years commencing with intensive family support services*

QFCC Assessment: ***Strong***

Intensive family support services provide support to parents and carers who are experiencing vulnerability and whose children are at risk of entering or re-entering the child protection system. The services they offer include practical in-home support, access to specialist support (including domestic and family violence responses) and cultural support.

In Queensland, anyone can refer a family to an intensive family support service, provided the family meets the referral criteria. Between 2015 and 2018, Queensland made a significant investment in establishing these services across the state as part of its child protection reforms.

Table D12 *(see page 102)* examines changes in the number of children and young people aged 0–17 years starting with intensive family support services. It also shows the proportion of the children and young people who were Aboriginal and Torres Strait Islander.

Three time points are presented: immediately prior to the Queensland reforms (2013–14); a midpoint, part way through the secondary services rollout (2016–17); and the most recently reported year (2019–20).[65]

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64  *Report on Government Services 2021: Child protection services—Table 16A.8*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

65  Data regarding the number of children commencing/receiving intensive family support services from 2016–17 onwards is not directly comparable to earlier years. This is because the scope of Queensland's intensive family support services changed from tertiary family support services to secondary family support services. Tertiary family support services may have included other family support services. Nevertheless, within the Productivity Commission's annual *Report on Government Services*, they are provided as an approximation of the number of children accessing comparable services prior to the reforms.

Table D12: *Number of children aged 0–17 years (and percentage of total population) who commenced with an intensive family support service, and proportion of Aboriginal and Torres Strait Islander children, by Australian jurisdiction—2013–14, 2016–17 and 2019–20*

| | 2013–14 | | | 2016–17 | | | 2019–20 | | |
|---|---|---|---|---|---|---|---|---|---|
| | Number of children | % Aboriginal and Torres Strait Islander | As % of total population aged 0–17 | Number of children | % Aboriginal and Torres Strait Islander | As % of total population aged 0–17 | Number of children | % Aboriginal and Torres Strait Islander | As % of total population aged 0–17 |
| QLD | 4,063 | 31.0% | 0.4% | 7,115 | 29.9% | 0.6% | 11,643 | 45.1% | 1.0% |
| NSW | 8,771 | 31.4% | 0.5% | 10,181 | 32.2% | 0.6% | 10,860 | 31.7% | 0.6% |
| VIC | 5,318 | 5.8% | 0.4% | 10,890 | 5.7% | 0.8% | 12,990 | 13.2% | 0.9% |
| WA | 934 | 33.1% | 0.2% | 769 | 31.3% | 0.1% | 1,057 | 51.5% | 0.2% |
| SA | 703 | unknown | 0.2% | 906 | 44.8% | 0.2% | 776 | 30.2% | 0.2% |
| TAS | 1,661 | unknown | 1.5% | 1,751 | unknown | 1.6% | 1,804 | unknown | 1.6% |
| ACT | 303 | 29.4% | 0.4% | 387 | 26.1% | 0.4% | 393 | 40.5% | 0.4% |
| NT | 150 | 70.7% | 0.2% | 411 | 80.3% | 0.7% | 636 | 87.7% | 1.0% |

*Source:* Productivity Commission, 2021[66]

This table shows there has been a sharp increase in the number of children aged 0–17 years accessing intensive family support services in Queensland since 2013–14. The number has almost tripled (187 per cent increase) between 2013–14 and 2019–20. This corresponds with the expansion of intensive family support services across the state.

Queensland is one of three jurisdictions with an increase of more than 100 per cent during this time. The others were the Northern Territory (324 per cent increase) and Victoria (144 per cent increase).

Smaller increases in the number of children entering intensive family support services were observed for the Australian Capital Territory (30 per cent), New South Wales (24 per cent), Western Australia (13 per cent), South Australia (10 per cent) and Tasmania (9 per cent).

Queensland also had a sharp increase in the number of the children and young people commencing with services who identified as Aboriginal and Torres Strait Islander peoples (from 31 per cent in 2013–14 to 45 per cent in 2019–20). This percentage was lower than in the Northern Territory (88 per cent) and Western Australia (52 per cent) but higher than all other states.

An important contributor to this increase is Queensland's introduction of 33 Aboriginal and Torres Strait Islander Family Wellbeing Services between December 2016 and April 2018.

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66  *Report on Government Services 2021: Child protection services—Table 16A.34 and Table 16A.41,* **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

## D.3-3 National framework outcome 3: Risk factors for child abuse and neglect are addressed

Many of the factors that contribute to abuse and neglect are related to inequality and disadvantage. These can be dealt with through specific interventions and population-based strategies.

As stated in the National Framework:

The problems most commonly associated with the occurrence of child abuse and neglect and identified in families involved with child protection services are:

– domestic violence
– parental alcohol and drug abuse
– parental mental health problems.

Other known risk factors for abuse and neglect include:

– poverty and social isolation
– unstable family accommodation and homelessness
– poor child and maternal health
– childhood disability, mental health and/or behavioural problems
– young people disconnected from their families, schools and communities
– past experiences of trauma.[67]

For this outcome, we have chosen to focus on the homelessness risk factor, as comparable data is available for all jurisdictions.

| **Indicator:** *Children and young people subject to a care and protection order accessing specialist homelessness services* |
| --- |

QFCC Assessment: *Satisfactory*

The Australian Institute of Health and Welfare compiles an annual report on access to specialist homelessness services. These services provide support to people experiencing homelessness as well as those at risk of homelessness.[68] The annual report describes the characteristics of clients, the services requested, outcomes achieved, and unmet requests for services.

Since 2015–16, it has included a report on children accessing homelessness services who are the subject of a care and protection order.

The links between child protection involvement and homelessness are complex. Both are driven by experiences of abuse and neglect or being a witness to domestic and family violence in the home. In some circumstances, children with these experiences may not be removed from home but may no longer be prepared to live in these households, leading them to come into contact with specialist homelessness services.

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67 Department of Social Services 2009, *Protecting Children is Everyone's Business: National Framework for Protecting Australia's children 2009–2020*, p. 21, **www.dss.gov.au/sites/default/files/documents/child_protection_framework.pdf**

68 While this is a useful indicator, high rates of access to specialist homelessness services could indicate either high rates of homelessness among children or a good availability of specialist homelessness services.

Children and young people subject to child protection orders and living in unsatisfactory foster or residential care placements who feel unable to remain in their placement are also likely to come into contact with these services.[69]

Further, young people transitioning from care are often at greater risk of entering into homelessness. The CREATE Foundation, in its research on transitioning to adulthood from out-of-home care, found that 30 per cent of participants experienced homelessness during their first year after leaving care.[70]

Figure D6 shows the rate of children per 10,000 estimated resident population accessing specialist homelessness services, by Australian jurisdiction. In 2019–20, rates were highest for children in the Northern Territory (14/10,000 estimated resident population) and lowest for children in South Australia (0.9/10,000 estimated resident population).

Rates for Queensland were comparable to those for New South Wales, Western Australia, Tasmania and the Australian Capital Territory and lower than for Victoria. Between 2015–16 and 2019–20, accessing of specialist homelessness services in Queensland dropped by 7 per cent.

**Figure D6:** *Rate of children per 10,000 of estimated resident population accessing specialist homelessness services between 2015–16 and 2019–20, by Australian jurisdiction*
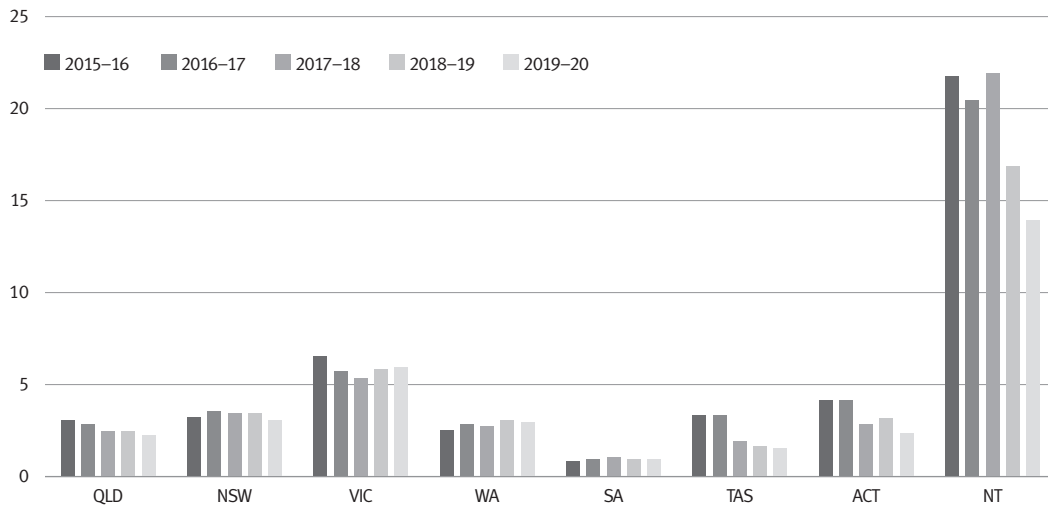


*Source:* Australian Institute of Health and Welfare, 2020[71]

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69 Australian Institute of Health and Welfare 2020, *Specialist homelessness services annual report*, **www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report/contents/summary**

70 CREATE Foundation 2021, *Transitioning to adulthood from out-of-home care: Independence or interdependence?* **create.org.au/wp-content/uploads/2021/05/CREATE-Post-Care-Report-2021-LR.pdf**

71 Australian Institute of Health and Welfare 2020, *Specialist homelessness services annual report*, **www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report/contents/summary**

## D.3-4 National framework outcome 4: Children who have been abused or neglected receive the support and care they need for their safety and wellbeing

The National Framework states that:

> Efforts to reduce the occurrence of child abuse and neglect are important. It is equally important that those children who have experienced abuse and neglect are provided high-quality services and interventions, as they are among the most vulnerable in our community.[72]

For this outcome, we have selected one indicator: substantiation rate within 12 months of a prior substantiation.

A substantiation occurs when, through investigation, it has been concluded that a child has been, was being, or is likely to be, abused, neglected or otherwise harmed. It is an indication that the system is dealing with an issue of significant harm to the child.

This indicator shows the proportion of children who were the subject of a substantiation in the previous financial year and who were then the subject of a further substantiation within the following 12 months.

**Indicator: *Substantiation rate within 12 months of a prior substantiation***

QFCC Assessment: ***Satisfactory***

Re-substantiation rates can be affected by many factors outside the control of the child protection system, such as changes in family situations (for example, illness, pregnancy or unemployment), which may increase vulnerability factors within a child's home environment.

Figure D7 shows that rates of re-substantiation in Queensland are comparable to those of other jurisdictions and have remained relatively steady over time.

Figure D7: *Substantiation rate within 12 months of a prior substantiation between 2013–14 and 2018–19, by Australian jurisdiction*
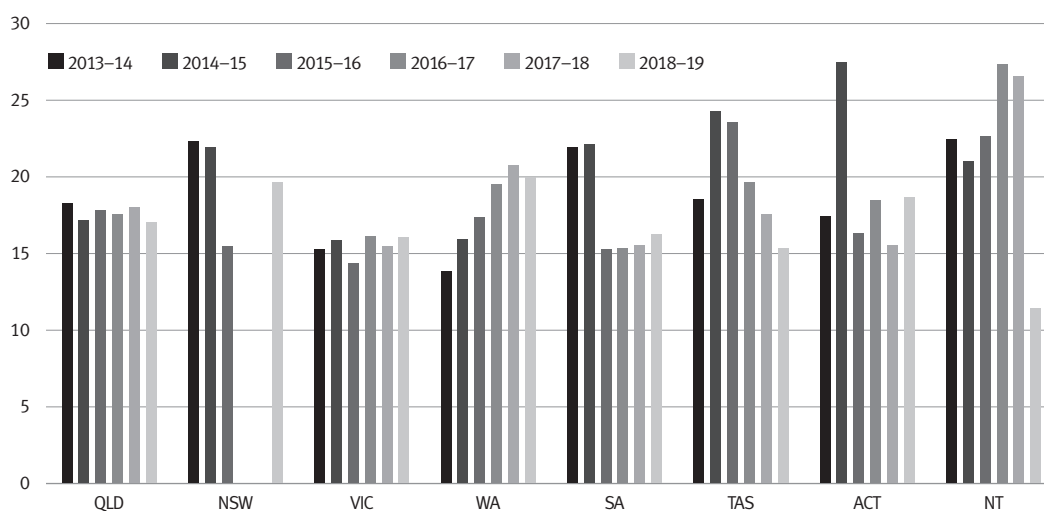


\* NSW data was not available for 2016–17 and 2017–18
*Source:* Productivity Commission, 2021[73]

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72 Department of Social Services 2009, *Protecting Children is Everyone's Business: National Framework for Protecting Australia's children 2009–2020*, p. 25, **www.dss.gov.au/sites/default/files/documents/child_protection_framework.pdf**

73 *Report on Government Services 2021: Child protection services—Table 16A.38*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

## D.3-5  National framework outcome 5: Indigenous children are supported and safe in their families and communities

The National Framework states:

> Where Aboriginal and Torres Strait Islander children cannot remain safely in the care of their parents or community, timely and culturally appropriate responses for their care, protection and nurture are needed.[74]

The *Child Protection Reform Amendment Act 2017*[75] amended the paramount principle—which is that the safety, wellbeing and best interests of children must always come first—to ensure that the child's best interests are considered not only for their childhood but also for their future life.

The Aboriginal and Torres Strait Islander Child Placement Principle (the Principle) was developed in recognition of the devastating effects of forced separation of Indigenous children from their families, communities and culture. It exists in legislation and policy to varying degrees in all Australian jurisdictions.

The Principle is intended to protect key human rights of Aboriginal and Torres Strait Islander children, particularly those recognised in the United Nations *Convention on the Rights of the Child*. It is expressly described in Queensland child protection legislation as having the aim of improving the rights, safety and wellbeing of Aboriginal and Torres Strait Islander children and young people.

It has five inter-related elements: prevention, partnership, placement, participation and connection. While acknowledging the importance of the other four elements, for this outcome, we have chosen to focus on the Principle's 'placement' element.

This measure is not indicative of compliance across the five elements. However, in looking at where children are placed, we are also considering the impact on the other elements of the Principle.

Placement of an Aboriginal or Torres Strait Islander child in out-of-home care according to the Principle's placement hierarchy is prioritised in the following way:[76]

1.  with Aboriginal or Torres Strait Islander relatives or extended family members, or other relatives or extended family members
2.  with Aboriginal or Torres Strait Islander members of the child's community
3.  with Aboriginal or Torres Strait Islander family-based carers.

If the above preferred options are not available, as a last resort the child may be placed:

4.  with a non-Indigenous carer or in a residential setting.

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**Indicator:** *Proportion of Aboriginal and Torres Strait Islander children placed with Aboriginal or Torres Strait Islander relatives or extended family members, or other relatives or extended family members*

QFCC Assessment: *Needs improvement*

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As of 30 June 2020, there were 3,951 Aboriginal and Torres Strait children and young people in out-of-home care in Queensland.

Figure D8 *(see page 107)* shows the relationship between Aboriginal and Torres Strait Islander children and young people in out-of-home care and their caregivers across Australian jurisdictions.[77]

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74  Department of Social Services 2009, *Protecting Children is Everyone's Business: National Framework for Protecting Australia's children 2009–2020*, p. 28, **www.dss.gov.au/sites/default/files/documents/child_protection_framework.pdf**

75  *Queensland Child Protection Reform Amendment Act 2017*, **www.legislation.qld.gov.au/view/pdf/asmade/act-2017-044**

76  SNAICC (the Secretariat of National Aboriginal and Islander Child Care) 2017, *Understanding and Applying the Aboriginal and Torres Strait Islander Child Placement Principle—A Resource for Legislation, Policy, and Program Development*, **www.snaicc.org.au/wp-content/uploads/2017/07/Understanding_applying_ATSICCP.pdf**

77  Productivity Commission reporting does not exactly match the placement hierarchy outlined by SNAICC. Figure D8 presents a continuum of placements from those that would be high on the placement hierarchy (left) to those low on the placement hierarchy (right).

**Figure D8:** *Aboriginal and Torres Strait Islander children in out-of-home care relationship with caregiver, by Australian jurisdiction—as of 30 June 2020*
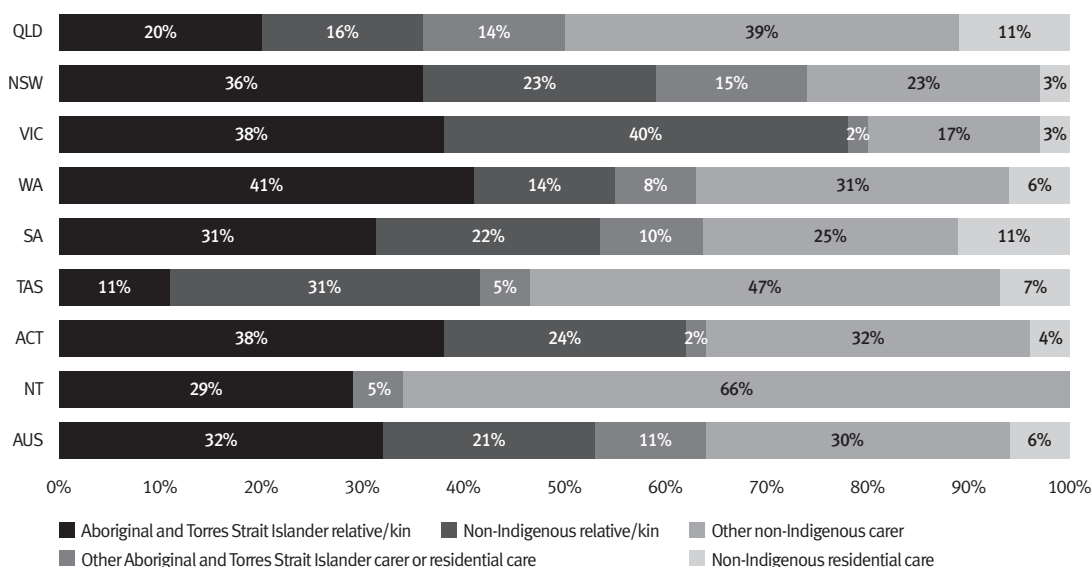


Source: Productivity Commission, 2021[78]

In Queensland, only 20 per cent of Aboriginal and Torres Strait Islander children and young people were placed at the highest level of the placement hierarchy—with Aboriginal or Torres Strait Islander kin. A further 16 per cent were placed with non-Indigenous relatives or kin, adding up to around one-third placed high on the placement hierarchy.[79] Queensland's performance on this measure fell far below nearly every jurisdiction, with the exception of Tasmania and the Northern Territory.

More than half of Queensland's Aboriginal and Torres Strait Islander children and young people were placed in the care of non-Indigenous carers or in non-Indigenous residential care—the lowest level of the placement hierarchy. This means that Aboriginal and Torres Strait Islander children and young people were more likely to be placed with carers who had no family connection to them. Again, only Tasmania and the Northern Territory had higher levels of placement with non-Indigenous carers than Queensland.

When system interventions result in the removal of Aboriginal and Torres Strait Islander children and young people from their kinship and cultural connections, there are dire consequences for their cultural rights.

A recent review of Queensland's implementation of the Principle suggested factors that could be contributing to the placement of high numbers of children on the lowest level of the placement hierarchy.[80] This review also made suggestions for achieving the prevention, partnership and participation elements of the Principle.

These included providing targeted investment to Aboriginal and Torres Strait Islander community-controlled organisations, as well as ensuring that families are able to access family-led decision-making[81] at all points of the child protection continuum, especially at their first engagement with it, to prevent them from progressing further into the system.

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78  *Report on Government Services 2021: Child protection services—Table 16A.22*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

79  Some caution should be taken when interpreting kinship placement data given the *Child Protection Act 1999* continues to include 'anyone else who is a person of significance to the child' in the definition of kin.

80  SNAICC 2020, *Reviewing implementation of the Aboriginal and Torres Strait Islander Child Placement Principle—Queensland 2020*, **www.snaicc.org.au/wp-content/uploads/2021/03/Reviewing-Implementation-of-the-ATSICPP_2020_QLD.pdf**

81  This approach involves helping a family to take the lead in making decisions about the safety, belonging and wellbeing needs of their child.

## D.3-6 National framework outcome 6: Child sexual abuse and exploitation is prevented, and survivors receive adequate support

Research on the impact of sexual abuse indicates that being a victim of child sexual abuse or exploitation can be associated with a range of negative long-term consequences including poor physical and mental health outcomes and issues with social, sexual and interpersonal functioning.[82]

While preventing sexual abuse is a priority, responding effectively to disclosures of abuse is also critical.

We have selected two indicators for this outcome:

1. rates of children who were subjects of a sexual abuse notification that was substantiated
2. proportion of children in care who were subjects of a substantiation of sexual abuse, physical abuse, emotional abuse or neglect.

**Indicator 1:** *Rates of children who were subjects of a sexual abuse notification that was substantiated*

QFCC Assessment: *Satisfactory*

Figure D9 compares the rates of sexual abuse substantiations per 10,000 children aged 0–17 years during 2019–20 across Australian jurisdictions.

The data in the figure only represents cases of sexual abuse reported to child protection departments. Also, if a child was the subject of more than one type of abuse or neglect as part of the same notification, the abuse and/or neglect reported is the one considered by the child protection workers to cause the most harm to the child.

Queensland had the third lowest rate of substantiated notifications, lower than that of South Australia, Western Australia, Victoria, the Northern Territory and New South Wales.[83] Over this time period, 369 Queensland children were subject to substantiated sexual abuse notifications.

**Figure D9:** *Rate of sexual abuse substantiations per 10,000 children during 2019–20*
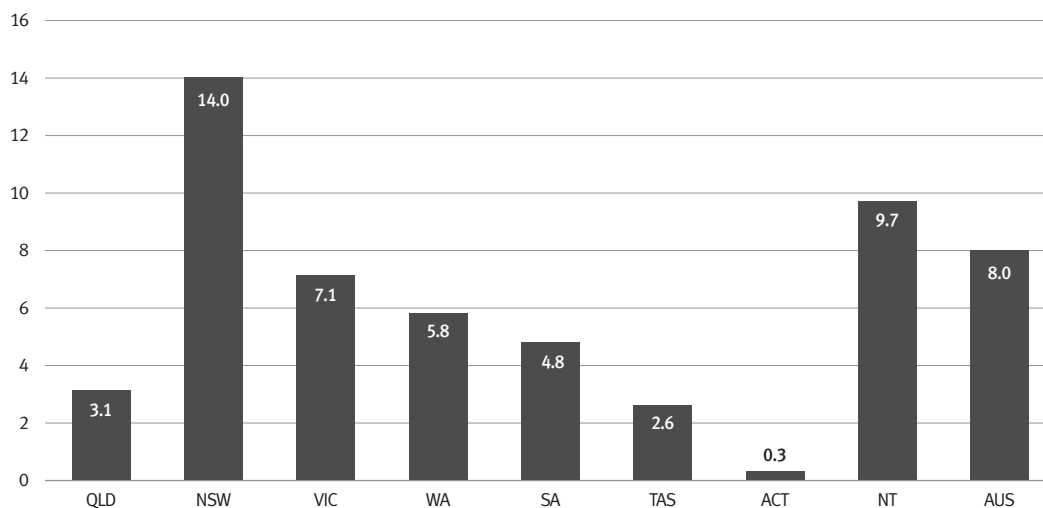


*Source:* Australian Institute of Health and Welfare, 2021[84]

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82  Cashmore, J & Shackel, R 2013, *The long-term effects of child sexual abuse*, Child and Family Community Australia paper, **aifs.gov.au/cfca/sites/default/files/cfca/pubs/papers/a143161/cfca11.pdf**

83  A low rate of substantiated notifications does not necessarily mean there are low rates of sexual abuse in the community. It can indicate that victims may not disclose their abuse experiences or that there wasn't enough evidence to substantiate the child concern report.

84  *Child protection Australia 2019–20—Table P4 and Table S3.5*, **www.aihw.gov.au/reports-data/health-welfare-services/child-protection/data**

**Indicator 2:** *Children in care who were the subject of a substantiation of sexual abuse, physical abuse, emotional abuse or neglect*

QFCC Assessment: ***Satisfactory***

Children in out-of-home care should be safe and protected, regardless of their placement type (for example, home-based or residential care). As they are in the care and protection of the relevant state or territory authorities, it is the state or territory that is responsible for keeping them safe from harm and/or abuse.

However, as is evident in Table D13, a small proportion of children in out-of-home care across Australian jurisdictions suffer further harm and/or abuse. To humanise these statistics, the actual numbers relating to these percentages have been provided. The Productivity Commission notes that data may not be comparable across jurisdictions or over time due to different policies or changes in data collection practices.

In Queensland in 2019–20, 197 children in the care of the state were subject to a substantiated notification of harm and/or abuse.

Table D13: *Number and proportion of children in care who were the subject of a substantiated notification of sexual, physical or emotional abuse or neglect (2013–14 to 2019–20)*

|  | 2013–14 | | 2015–16 | | 2017–18 | | 2019–20 | |
|---|---|---|---|---|---|---|---|---|
|  | % children in care | # children in care | % children in care | # children in care | % children in care | # children in care | % children in care | # children in care |
| QLD | 1.6% | 137 | 1.5% | 163 | 1.4% | 158 | 1.6% | 197 |
| NSW | unknown | | unknown | | 2.4% | 478 | 3.5% | 788 |
| VIC | unknown | | unknown | | unknown | | unknown | |
| WA | 1.3% | 59 | 1.7% | 82 | 1.7% | 89 | 1.7% | 98 |
| SA | 0.7% | 21 | 3.8% | 139 | 5.5% | 227 | 4.0% | 198 |
| TAS | 0.4% | 5 | 0.5% | 7 | 1.0% | 14 | 0.5% | 8 |
| ACT | 3.7% | 29 | 2.6% | 23 | 0.6% | 6 | 2.3% | 21 |
| NT | 1.7% | 19 | 5.5% | 72 | 5.9% | 78 | 0.9% | 11 |

Data reflects reports made in the period in which the harm was reported, not necessarily when the harm occurred. NSW and Victoria did not have this data available for some or all of these reporting periods, respectively.
*Source:* Productivity Commission, 2021[85]

Department of Children, Youth Justice and Multicultural Affairs data[86] provides a breakdown of the types of harm suffered by children in out-of-home care by the most serious abuse type that has been substantiated.

For the year ending 30 June 2020, of the 197 Queensland children who were the subject of a substantiated report of abuse and neglect while in care, the following percentage breakdowns applied:

- 13.2 per cent related to physical harm

- 9.1 per cent related to sexual harm

- 69 per cent related to emotional harm

- 8.6 per cent related to neglect.

These figures are consistent with those from previous years.

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85  *Report on Government Services 2021: Child protection services—Table 16A.13*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

86  Department of Children, Youth Justice and Multicultural Affairs 2021, *Standard care reviews and harm reports—Table HR.1*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/improved-safety/standard-care-reviews-harm-reports**

## D.4 Reducing the number of, and improving the outcomes for, Aboriginal and Torres Strait Islander children and young people in the child protection system

Despite 50 years of legislative and policy reform at both the state and national levels, Aboriginal and Torres Strait Islander children are still over-represented in the Queensland child protection system.

In this section, we examine:

- the increasing over-representation of Aboriginal and Torres Strait Islander children living in out-of-home care

- challenges in reducing over-representation, given the number of long-term child protection orders and the relative number of children entering and exiting out-of-home care

- lack of data about improved outcomes

- our future oversight priorities for Aboriginal and Torres Strait Islander children and young people involved with the child protection system.

### D.4-1 Aboriginal and Torres Strait Islander children are increasingly over-represented in out-of-home care

As of 30 June 2020, Aboriginal and Torres Strait Islander children made up 8.2 per cent of the Queensland population aged 0–17 years[87] but 44.3 per cent of all children in out-of-home care.[88]

Earlier in this report, we presented evidence of the over-representation of Aboriginal and Torres Strait Islander children in child concern reports (Table D4) and entries to out-of-home care (Table D5). Here, we present evidence of over-representation of Aboriginal and Torres Strait Islander children living in out-of-home care.

Figure D10 *(see page 111)* shows that the rate of Aboriginal and Torres Strait Islander children living in out-of-home care has increased over time. The greatest increase was between 2019 and 2020, when the rate of Aboriginal and Torres Strait Islander children living in out-of-home care increased from 37 to 40.4 per 1,000 children.[89]

Compared to non-Indigenous children, Aboriginal and Torres Strait Islander children were 8 times more likely to be living in out-of-home care in 2015 and 2016. By 2019 and 2020, this had increased to 8.8 times more likely.[90]

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87 Productivity Commission 2021, *Report on Government Services 2021: Child protection services—Table 16A.41*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**
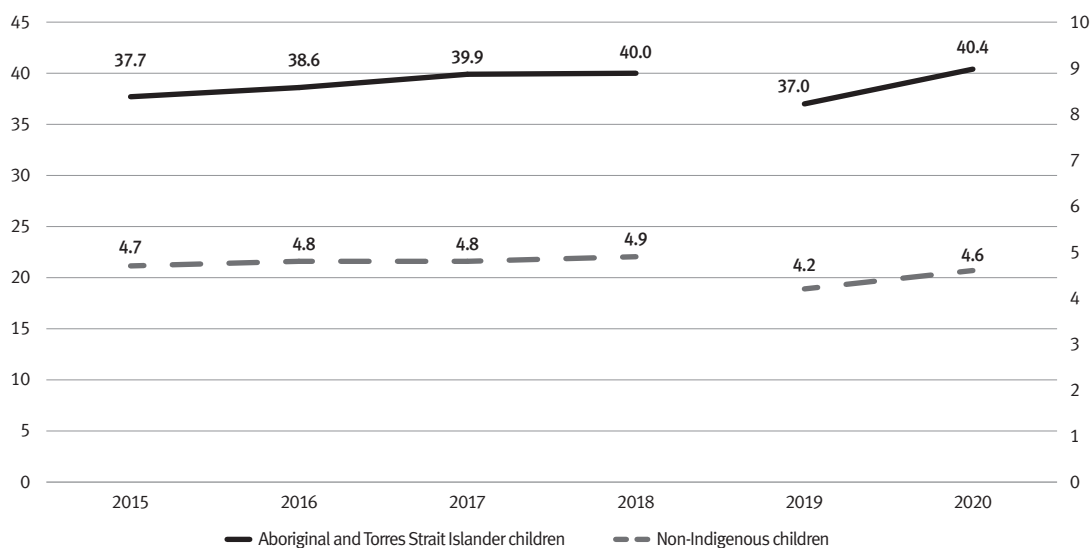
88 Productivity Commission 2021, *Report on Government Services 2021: Child protection services—Table 16A.2*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

89 Productivity Commission 2021, *Report on Government Services 2021: Child protection services—Table 16A.2*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

90 Increased likelihood was calculated by dividing the rate per 1,000 Aboriginal and Torres Strait Islander children by the rate for non-Indigenous children.

The lines in this figure are broken to reflect a change in the counting rule from 2018–19, which means data is not directly comparable to previous years.

**Figure D10:** *Children living in out-of-home care (rate per 1,000 children) as of 30 June each year, by Aboriginal and Torres Strait Islander status—2015–2020*



*Source:* Productivity Commission, 2021[91]

## D.4-2 Challenges in reducing over-representation: Entries of Aboriginal and Torres Strait Islander children into out-of-home care exceed exits

As of 31 December 2020, three in four (3,164) Aboriginal and Torres Strait Islander children living in out-of-home care were subject to long-term child protection orders and therefore not expected to leave the system until they turn 18.[92]

This is a significant challenge, as reducing the number of Aboriginal and Torres Strait Islander children living in out-of-home care can only be achieved if the number of children being discharged from out-of-home care significantly exceeds the number of children entering care.

Figure D11 *(see page 112)* compares the number of Aboriginal and Torres Strait Islander children who entered out-of-home care with the number discharged each year.

It shows that the number of children entering care consistently exceed the number exiting. It also shows that the number of Aboriginal and Torres Strait Islander children entering care each year has increased over time.

Reducing the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care cannot be achieved unless this trend is reversed.

91 *Report on Government Services 2021: Child protection services—Table 16A.2*, **www.pc.gov.au/research/ongoing/report-on-government-services/2021/community-services/child-protection**

92 Department of Children, Youth Justice and Multicultural Affairs 2021, *Legal permanency—long-term child protection orders—Table LT.1*, **www.cyjma.qld.gov.au/about-us/performance-evaluations/our-performance/ongoing-intervention-phase-permanency-planning/legal-permanency-long-term-child-protection-orders**

**Figure D11:** *Number of Aboriginal and Torres Strait Islander children admitted to and discharged from out-of-home care—2016–17 to 2019–20*
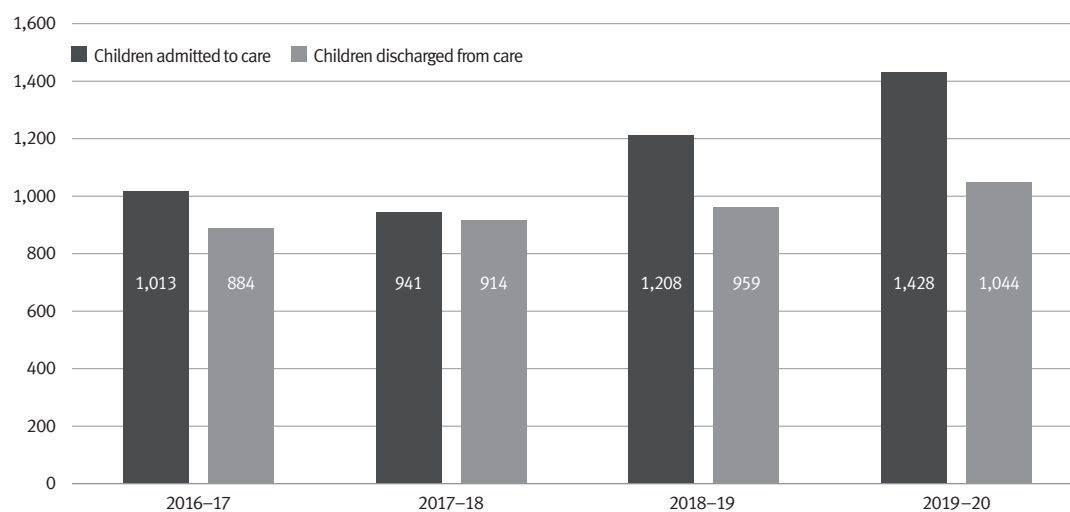


*Source:* Australian Institute of Health and Welfare, 2021[93]

## D.4-3 Lack of evidence of improved outcomes

While several measures of the number of Aboriginal and Torres Strait Islander children in the child protection system are available, there is far less data about the outcomes of their involvement with the child protection system.

The QFCC's position is that implementation of the five elements of the Aboriginal and Torres Strait Islander Child Placement Principle (the Principle) can lead to reduced numbers of, and improved outcomes for, Aboriginal and Torres Strait Islander children in the Queensland child protection system.

The enduring intention of the Principle has been to preserve Aboriginal and Torres Strait Islander human rights across all elements of the child protection system through an explicit recognition of the vital role that Aboriginal and Torres Strait Islander families, communities and their cultures play in decisions about the safety, wellbeing and best interests of their children.

In its most recent review of Queensland's implementation of the Principle, the Secretariat of National Aboriginal and Islander Child Care (SNAICC) notes that significant steps have been taken to better align legislation, policy, programs, processes and practice with the Principle, including:

• implementing the *Our Way* strategy

• enshrining the five elements of the Principle in legislation

• recognising the right of Aboriginal and Torres Strait Islander people to self-determination

• having flexibility around culturally appropriate support for participation in decision-making

• continued funding and implementation of Aboriginal and Torres Strait Islander Family Wellbeing Services and the Family Participation Program[94]

• making legislative amendments to enable the Chief Executive of the department to delegate some or all of their functions and powers, in relation to an Aboriginal or Torres Strait Islander child in need of protection or who is likely to become in need of protection, to an appropriate Aboriginal or Torres Strait Islander entity.[95]

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93  *Child protection Australia 2019–20—Table S5.17 and Table S5.19*, **www.aihw.gov.au/reports/child-protection/child-protection-australia-2019-20/data**

94  This external program, run by Aboriginal and Torres Strait Islander community-controlled organisations, facilitates Aboriginal and Torres Strait Islander family-led decision-making processes.

95  SNAICC 2020, *Reviewing Implementation of the Aboriginal and Torres Strait Islander Child Placement Principle—Queensland 2020*, **www.snaicc.org.au/wp-content/uploads/2021/03/Reviewing-Implementation-of-the-ATSICPP_2020_QLD.pdf**

Unfortunately, despite this progress with implementation, there is limited evidence of improvement in the Principle indicators reported on by the Australian Institute of Health and Welfare,[96] which acknowledges that there are few indicators (with more in development), and there are limitations associated with the indicators that are available for reporting.

For example, the percentage of Aboriginal and Torres Strait Islander children with current cultural support plans[97] does not tell us about the quality of the plan, whether the plan covers all elements of the Principle, the extent of the involvement of the child/young person in its development or their satisfaction with the process.

Lack of outcomes measures from the perspective of children and young people has been a consistent theme raised throughout this report.

## D.4-4  Future oversight priorities

Through our systemic oversight function, the QFCC will monitor the ongoing implementation of the Principle. We will continue to analyse publicly available data and collect our own data to:

• understand what helps and hinders progress in implementing all elements of the Principle

• raise awareness of these issues

• advocate for changes to the system

• hold responsible parties to account for ensuring the Principle is consistently implemented to the standard of active efforts.[98]

Our ongoing program of work will include in-depth reviews of the implementation of the Principle within child protection decision-making. Consistent with our current strategic plan,[99] our approach will focus on the rights of Aboriginal and Torres Strait Islander children and young people.

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96  Australian Institute of Health and Welfare 2020, *The Aboriginal and Torres Strait Islander Child Placement Principle Indicators 2018–19— Measuring progress*, **www.aihw.gov.au/reports/child-protection/atsicppi-2018-19/data**

97  A cultural support plan is completed when an Aboriginal or Torres Strait Islander child or a child from another cultural community is in need of protection, to ensure they remain connected with their culture, families and communities.

98  Active efforts are purposeful, thorough and timely efforts that are supported by legislation and policy to enable the safety and wellbeing of Aboriginal and Torres Strait Islander children. They are the standard required of the state and the broader child and family support services to safeguard the rights of Aboriginal and Torres Strait Islander children. SNAICC 2019, *The Aboriginal and Torres Strait Islander Child Placement Principle: A guide to support implementation*, **www.snaicc.org.au/product/the-aboriginal-and-torres-strait-islander-child-placement-principle-a-guide-to-support-implementation/**

99  Queensland Family and Child Commission 2021, *Bringing children's rights to life—strategic plan 2021–25*, **www.qfcc.qld.gov.au/sites/default/files/2021-06/QFCC%20Strategic%20Plan%202021-25.pdf**

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