



Implementing the Successor Plan to the National Framework for Protecting Australia's Children 2009-2020

A submission to the:
Australian Department of Social Services

Prepared by:
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yourtown services

yourtown is a national organisation and registered charity that aims to tackle the issues affecting the lives of children and young people. Established in 1961, **yourtown's** mission is to enable young people, especially those who are marginalised and without voice, to improve their quality of life. **yourtown** provides a range of face-to-face and virtual services to children, young people and families seeking support. Our services include:

- Kids Helpline, a national free 24/7 telephone and on-line counselling and support service for 5 to 25-year-olds with special capacity to support young people with mental health issues
- Employment and educational programs and social enterprises, which support young people to re-engage with education and/or employment, including programs for youth offenders and Aboriginal and Torres Strait Islander specific services
- Accommodation responses to young parents with children who are or at risk of entering into the child protection system, and to women and children seeking refuge from domestic and family violence
- Young Parent Programs offering case work, individual and group work support and child development programs for young parents and their children
- **Parentline**, a telephone and online counselling and support service for parents and carers
- Mental health service/s for children aged 0-11 years old, and their families, with moderate mental health needs
- Expressive Therapy interventions for young children and infants who have experienced trauma, and abuse, or been exposed to violence

Kids Helpline

Kids Helpline is unique within Australia, as the only national 24/7, confidential support and counselling service, specifically designed to meet the needs of children and young people, aged 5 to 25 years. It offers counselling support via telephone, email and real time webchat and is staffed by a paid professional workforce, with all counsellors holding a tertiary qualification. The website and social media channels provide a range of tailored self-help resources designed to meet the needs of young people, parents, carers, and schools.

Since March 1991, children and young people have contacted **Kids Helpline** about a range of issues, from everyday topics, such as family, friends, and school, to more serious issues of child abuse, bullying, mental health issues, drug and alcohol use, self-injury, and suicide.

Since the onset of the COVID-19 pandemic in Australia, there has been a significant increase in the numbers of duty of care interventions at **Kids Helpline**. Duty of care interventions occur when a **Kids Helpline** counsellor deems a child or young person to be at risk of imminent harm and accordingly contacts police, child safety, or ambulance services. In the period 1 January 2021 to 31 June 2021, these interventions were 114% higher nationally compared to the same period in the previous year. The escalation was largely related to suicide attempts (38%) and child abuse (35%).¹

yourtown welcomes the opportunity to provide feedback to the Commonwealth Government on the successor plan to the National Framework for Protecting Australia's Children 2009-2020 (the National Framework).

Protection of Australia's children is all of Australia's responsibility. **yourtown** strongly supports the development of a successor plan that focuses on prevention and early intervention and secures real and lasting change for children and young people who are at risk of harm and abuse so that they are protected and provided with safe environments in which they can live and thrive. **yourtown** agrees with Assistant Minister Landry that this consultation process is crucial to ensuring that the successor plan can deliver the best possible on-the-ground outcomes for Australian children who need the most support.²

Sadly, **yourtown** has little confidence that the current successor plan will be able to achieve these changes without the Commonwealth, state and territory governments activating significant policy levers to fundamentally tackle the problem of child abuse in Australia. This will also require meaningful and tangible binding commitments from state, territory, and Commonwealth governments to bring about change.

Without this, the successor plan will fail like its predecessor. Since the National Framework's establishment in 2009, the number of children (per 1,000) in Australia who were subject to a substantiation of child protection increased by **27.94%**. This is predicted to increase a further **7.4%** by 2022, as seen in figure 1.

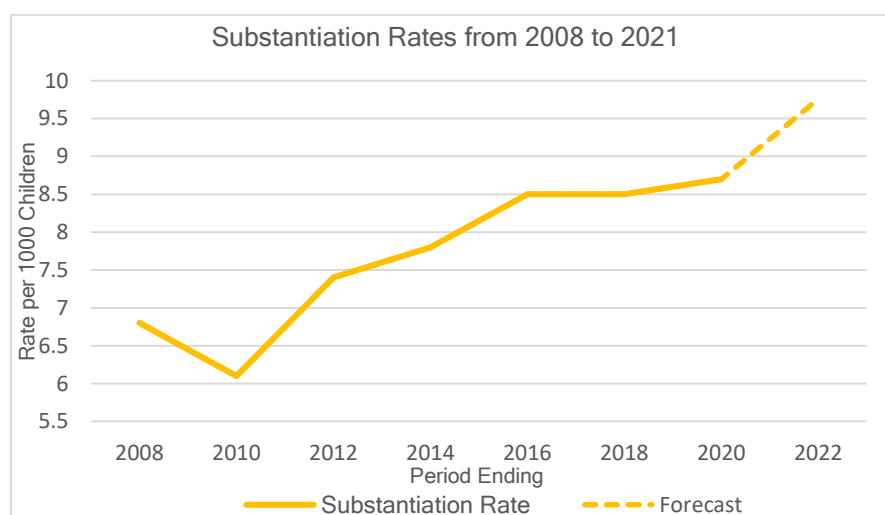


Figure 1. Substantiation rates for Australian Children from 2008 to 2020, including a forecasted prediction. Source: Report on Government Services Data 2007 – 2021³

To achieve real and significant change to keep Australia's children and young people safe and well, **yourtown** recommends:

¹ <https://www.yourtown.com.au/media-centre/new-kids-helpline-data-reveals-spike-duty-care-interventions>

² <https://ministers.dss.gov.au/media-releases/7111>

³ <https://www.pc.gov.au/research/ongoing/report-on-government-services>

Recommendation 1: Focus the successor plan upon:

- All Australian children, with currently identified priority groups targeted as specialised groups within the broader actions to be undertaken for all Australian children;
- 'Safety and wellbeing' rather than just 'protection';
- Measurable goals linked to young people feeling and knowing they are safe; and
- Prioritisation of measurable actions to be taken by governments that support young people to live in their own families, homes, schools and communities where they can thrive.

Every Australian child has the right to be and feel safe. Safety and wellbeing should be a national imperative for every Australian child. The successor plan has deliberately directed its vision and goals towards target cohorts of vulnerable and disadvantaged children, young people and their families, including: Aboriginal and Torres Strait Islanders; people with disability; those with multiple and complex needs; and children and young people who have experienced abuse or neglect, such as those in or leaving care. This approach narrows the focus from the National Framework that opened with the express recognition of the fundamental right under the United Nations Convention of the Child, that 'all children' have the right to be safe and receive loving care and support.

While **yourtown** supports a targeted approach to dealing with priority groups with complex needs and who are identified as vulnerable, it should not exclude those who fall outside of those identified cohorts and are deemed to be at less risk than others. Every Australian child has the right to be supported, and receive services to help them live safely in their own homes and families, to learn in schools, and live in communities where they can thrive and be the best that they can be. The targeted response for children and families experiencing disadvantage should be a sub-set of priorities under the broader umbrella of an overarching commitment to the safety and wellbeing of all Australian children. The Framework should also establish clear and measurable targets that identify what success looks like for child safety and wellbeing, both in the general population and within the targeted populations experiencing disadvantage.

A holistic approach and framework to improve outcomes for children and promote their healthy development could include:

- Proactive commitments to supporting responsive relationships for all Australian families in need, such as investing in stable and long term community based services that support families, and help them to build strong relationships;
- Commitments from all governments to invest in services and supports that strengthen core skills in young people to be resilient, and help them reduce and respond to sources of stress; and,
- Tangible performance indicators from states and territories to develop and maintain workforce capability, prioritising adequate compensation, benefits, and professional development to reduce high levels of turnovers in these positions.

Recommendation 2: Frame the successor plan within the context of real world issues of today that impact ‘safety and wellbeing’ of children and young people by addressing:

- The present and ongoing impact of the COVID-19 pandemic; and
- The need for flexible, individualised and agile responses to ensure the wellbeing and protection of *all* Australian children throughout the coming decade.

COVID-19 has radically impacted the safety and wellbeing of children and young people, and its impact will resonate for years to come. Since the onset of the COVID-19 pandemic in Australia, **yourtown** has observed a significant increase in the numbers of duty of care interventions at **Kids Helpline**.⁴ In the period 1 January 2021 to 31 June 2021, these interventions were 114% higher nationally compared to the same period in the previous year, with the escalation largely related to suicide attempts (38%) and child abuse (35%). The fact that the discussion paper on the successor plan was released in 2021 without reference to COVID-19, (or other crisis events such as the 2019 bushfires and their impact), nor references how to respond to children and young people’s safety and wellbeing in a crisis or pandemic is deeply concerning.⁵ This omission reflects a deeper problem of a serious disconnect between what is proposed and what is happening ‘on the ground’. The proposed approach of the successor plan needs re-thinking to ensure it addresses how *all* Australian children and young people will be supported to build and strengthen their resilience, and wellbeing following several years of (amongst other things): international and national angst, loss and fear; economic and financial uncertainty; repeated lockdowns; separation and isolation from family and friends; increased anxiety; and disrupted education. In addition, we need to prepare our young people to withstand the unknown future impact of COVID-19. The successor plan will fail on this point alone if this is not addressed.

Further, while the draft guiding principles articulated under the successor plan (page 9) propose ‘access to universal and targeted services’, **yourtown** also recommends these principles are re-examined and rooted in the current environment to promote access to ‘universal, **flexible, individualised** and targeted’ services. Indicators of successful service provision should include a quantifiable and substantial commitment by all governments to fund and invest in services that are responsive in a crisis. They should be integrated, and scalable, and able to adapt swiftly, modify and perform under increased pressure and demand. Funding should be stable, and long term for face-to-face and virtual services, particularly for the non-government sector which (in addition to providing core services and support), often operates as the ‘stop gap’ to meet gaps or overloads in current systems.

The commitment to investment in existing face-to-face, virtual and new technologies should include provision of holistic and integrated support and services to respond to children and young people across the spectrum, whether they are at risk, or need basic supports to strengthen resilience or wellbeing. Virtual services are highly scalable and complementary to support face-to-

⁴ Duty of care interventions occur when a Kids Helpline counsellor deems a child or young person to be at risk of imminent harm and accordingly contacts police, child safety, or ambulance services.

⁵ See the inquiry by the Select Committee on Mental Health and Suicide Prevention into strategic reviews of the mental health system in light of events (eg 2019 bushfires and the COVID-19 pandemic), and the capacity of the mental health workforce to respond. https://www.aph.gov.au/Parliamentary_Business/Committees/House/Mental_Health_and_Suicide_Prevention/MHSP/Terms_of_Reference.

face services. During COVID-19, **yourtown** demonstrated the agility and scalability of its virtual services through its **Kids Helpline** response when faced with a spike in demand for its online services.

However, it is only through the provision of significant and ongoing core funding for the delivery, support and integration of quality support services, and equitable access to digital tools that all Australian children will have the confidence and certainty that at a time of crisis, there will be services and supports available to them that have the foundational infrastructure and model in place to be scaled up to meet additional demand.

In the words of young people who told us what they see as important to them in today's world (May 2021, *Your Voice* project):

"You can't separate the mental health of young people from our social and environmental contexts. We grew up knowing that our world is dying, and no amount of counselling will stop the anxiety and depression that this causes. People talk about a youth mental health crisis and while access to therapy is essential, it is not enough; we need reforms surrounding education, employment, and the environment in order to have hope that we will ever be able to grow up safely into a safe world".

"Whenever I've felt alone and needed help, it has been really easy for me to get access to online counsellors through a range of different websites".

"There could even be a national virtual hub for people who aren't able to access physical hubs which could include live chat and online resources. Having someone to talk to who can help you figure out what is happening and direct you to other resources would be incredibly handy".

"Education, housing, toiletries and food are basic human rights and for people as vulnerable as teenagers and children, they need support given to them".

Recommendation 3: Develop one comprehensive, and unified National Framework that prioritises clear and measurable national actions and targets to reduce family, domestic and community violence; address mental health and suicide risk of harm; and to promote the safety and wellbeing of all Australian young people.

There is a plethora of Commonwealth, state and territory plans and strategies that seek to address the wellbeing of children and young people, yet there is no coherent and cohesive national approach to tackling the key issues that place children's safety and wellbeing at risk. For example, the Commonwealth Government recently launched their National Mental Health and Suicide Prevention Plan⁶ in May 2021. There is also a National Plan to Reduce Violence against Women and their Children 2010-2022⁷ launched in August 2019, and various other Commonwealth, state and territory plans⁸ that seek to address children's health, early intervention, cultural or child protection

⁶ <https://www.health.gov.au/resources/publications/the-australian-governments-national-mental-health-and-suicide-prevention-plan>

⁷ https://www.dss.gov.au/sites/default/files/documents/08_2014/national_plan_accessible.pdf

⁸ See the National Children's Mental Health and Wellbeing Strategy (Department of Health); National Action Plan for the Health of Children and Young People (Department of Health); and the Aboriginal and Torres Strait Islander Early Childhood Strategy (National Indigenous Australian's Agency); see also for example the Queensland Government *Protecting children and supporting families*

issues. The current successor plan, when taken into consideration with these other plans and frameworks, does not appear to have adopted a cohesive and holistic approach to addressing drivers of abuse, or underlying social, health (including mental health), economic or localised factors that negatively impact the safety and wellbeing of children and young people. **yourtown** strongly recommends a re-examination of the Commonwealth's current approach of developing isolated and disconnected frameworks and plans that impact the safety and wellbeing of children and young people. **yourtown** recommends combining the current plans and frameworks to address mental health, suicide prevention, domestic violence and issues relating to the protection and wellbeing of children through one overarching Framework. This Framework should prioritise one holistic, whole of government approach to prioritising the safety and wellbeing of young people, setting out achievable, clear and measurable targets to be met by the Commonwealth and state and territory governments in the short, medium and longer term.

Recommendation 4: The Commonwealth Government should consider and assess options to use its key policy lever, the **social security system** to:

- Explore the use of welfare conditionality to incentivise parents to provide adequate support for children in their care, drawing on the lessons learned from *No Jab, No Pay* and *Cashless Debit Card*; or,
- Garnishee the wages of parents not in receipt of welfare payments, similar to the way Department of Social Services currently assesses, collects and transfers child support payments to ensure equity.

It is well known that behaviour can change when money is involved. Australia's national *No Jab, No Pay policy* linked family assistance payments with child immunisation. The risk of having a person's childcare benefit, childcare rebate, or a portion of the fortnightly family tax benefit withheld, increased vaccination activity both in the shorter and longer term⁹.

Another example of monetary incentivisation has been the use of the 'cashless debit card' trialled by the Commonwealth Government to reduce domestic violence, crime and improve children and family welfare. The intent of the program was to ensure welfare payments were not spent on products and activities contributing to social harm to limit the effects of welfare-fuelled alcohol, drug, and gambling abuse¹⁰.

These policy initiatives by the Commonwealth Government should be assessed in relation to whether they could be applied in the child protection space. Welfare conditionality does not necessarily need to be solely punitive but could take the form of requiring parents subject to multiple notifications to participate in intensive family support programs and seek assistance from

<https://www.dsdsatip.qld.gov.au/resources/campaign/supporting-families/protecting-children-supporting-families.pdf>; and the Tasmanian Government's *Strong Families Safe Kids Next Steps Action Plan 2021-2023*.

⁹ Media Release, Senator the Hon Anne Rushton, Ministers for the Department of Social Services, No Jab, No Pay boosting child immunisation rates. 1 September 2019. Li, Ang, Toll, Mathew (2020), "Removing conscientious objection: The impact of 'No Jab No Pay' and 'No Jab No Play' vaccine policies in Australia, *Preventive Medicine* 145: 106406; see also Hull, Brynley P; Beard, Frank H; Alexandra J; Dey, Aditi; Maccartney, Kristine (2020). "No jab, no pay": catch-up vaccination activity during its first two years" *Medical Journal of Australia*, 213 (8) 364-369.

¹⁰ Cashless Debit Card – Evaluation – Independent Impact Evaluation of the Cashless Debit Card. <https://www.dss.gov.au/families-and-children-programs-services-welfare-reform-cashless-debit-card/cashless-debit-card-evaluation>.

support organisations to address their specific needs as a condition of receipt of full welfare payments.

To ensure equitable application to those not in receipt of welfare payments, it is also recommended that child support payment mechanisms (as currently used under family law parenting orders) are explored, leveraging the power of the welfare system to garnishee wages where a parent (not in receipt of welfare) is found to have failed to provide adequate care and support, and a child is taken into the child protection system. Linking welfare payments or child support payments to provision of adequate care and support to children in their care could drive behavioural change and keep children and young people safe. This should occur in conjunction with the provision of, and participation in, ongoing supports and services for at risk families, children and young people at the state and territory level.

While there have been mixed evaluations and some controversy regarding the use of welfare conditionality, the current crisis in our increasingly overwhelmed child protection systems, arguably provides sufficient justification for genuine exploration of alternate radical solutions. Welfare conditionality and/or the garnisheeing of wages are tried mechanisms that should be explored, building on existing leverages within our welfare systems to ensure that behaviour that leads to harm is stopped, while ensuring that the best interests of the child are paramount.

Recommendation 5: Link receipt of all Commonwealth payments to the states and territories that relate to services for, or engagement with, children and young people to adoption of, and compliance with, the National Principles for Child Safe Organisations.

The National Principles for Child Safe Organisations (National Principles) were agreed by the Council of Australia's Governments in 2018 and places the responsibility on all those who work with, and for the protection of children to demonstrate how they are implementing adoption of, and compliance with the National Principles¹¹. The National Principles "collectively show that a child safe organisation is one that creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people"¹². This is the base standard for any organisation working with children and young people, and should be included as a legal obligation for any organisation, including the states and territories, that receive Commonwealth funding for child related services.

In 2018, the Commonwealth Government agreed to consider an appropriate way to extend its Commonwealth Child Safe Framework to funded third parties, which included the requirement to adopt and implement the National Principles. This requirement has been extended through relevant grant agreements to service providers. However, there is no evidence that the Commonwealth has enforced this requirement through its significant funding agreements with states and territories for relevant services, such as housing and homelessness services or domestic violence services.

¹¹ National Principles for Child Safe Organisations.

<https://humanrights.gov.au/sites/default/files/National%20Principles%20for%20Child%20Safe%20Organisations.pdf>

¹²https://childsafe.humanrights.gov.au/sites/default/files/2019-02/National_Principles_for_Child_Safe_Organisations2019.pdf

yourtown recommends the Commonwealth Government bind the state and territory governments to their stated commitments by making all Commonwealth funding to state and territory governments for services relating to children and young people contingent on evidence of the adoption of, and compliance with, the National Principles. This would include grant funding, as well as National Partnership funding to introduce strong, public accountability for states to adopt and meaningfully implement the National Principles. Failure to adopt and comply with the National Principles should be met by a suspension of Commonwealth funds to the respective state, until evidence of compliance is provided.

Conclusion

Levels of child abuse in Australia are at crisis point and something needs to change. Urgent action needs to be taken to address this emergency and keep Australia's children and young people safe from future familial harm, not just with words, but with action. While the successor plan is articulate and idealistic, it remains toothless with its inability to provide certainty or sanctions that empower Australian governments to halt the tidal wave of young people in our community who are at risk of harm and entering our child protection systems.

The successor plan should be re-envisioned and empowered to bring real change. We need to think outside the box and own our individual and collective responsibility to keep Australia's children and young people safe and create better environments and services that enable them to thrive. However, it must start with the governments of Australia being bound by the Commonwealth, and also binding themselves to real and meaningful contracts which empower affecting behavioural change in individuals who fail to protect children and young people in their care; and halt the exponential increase of young people at risk of harm.

We would welcome the opportunity to explore these ideas with you further in more detail. Should you require any further information, please do not hesitate to contact Kathryn Mandla, Head of Advocacy and Research at **yourtown** via email at kmandla@yourtown.com.au.