

**Submission  
No 38**

## **CHILD PROTECTION AND SOCIAL SERVICES SYSTEM**

**Organisation:** MacKillop Family Services and OzChild

**Date Received:** 17 December 2020



Committee on Children and Young People  
Parliament of New South Wales  
Macquarie Street  
Sydney NSW 2000

17 December 2020

Dear Committee Members,

Thank you for the opportunity to provide a response to the Inquiry into the Child Protection and Social Services System. MacKillop Family Service (MacKillop) and OzChild have developed a joint response to the inquiry due to our shared commitment to intervening earlier to support vulnerable children, young people and families. Both organisations have extensive experience providing evidence-based support to vulnerable children, young people and families. We share a passion for delivering programs and supports that are demonstrated by research to make a positive and lasting difference in the lives of those with whom we work. While both MacKillop and OzChild are providers of out-of-home care services, consistent with the Terms of Reference for the Inquiry we have focused on the programs and systems designed to support vulnerable families and keep children safe in the home.

MacKillop is a national organisation and a leading provider of services for children, young people and families across New South Wales, Victoria, the ACT and Western Australia. We offer services and programs in family support, foster care, residential care, disability services, youth support, education and training, parenting, family therapy, mental health, family violence, early childhood, and support to women and men who, as children, were in the care of our founding agencies.

MacKillop employs over 1,400 staff and supports 1,100 foster carers. Over the past year, MacKillop supported more than 10,000 disadvantaged and at-risk children, young people and families.

For 170 years, OzChild has been a leading child welfare organisation committed to improving the lives of at-risk children, young people and families through the provision of home-based care and family strengthening services. Focused on providing support for children and young people in foster or kinship care and keeping families together where possible through the delivery of evidence-based programs and services aimed at strengthening and repairing relationships.

One of the first not-for-profit organisations to introduce evidence-based programs to Australia, OzChild has a proven record of working collaboratively with government to allocate investment in innovative solutions to achieve better outcomes for vulnerable children, young people and their families.

Nationally, OzChild employs over 830 staff, carers and volunteers in New South Wales, Victoria, Queensland and the ACT, delivering 23 targeted programs and services to over 10,000 children, young people and family members each year.

If you have any queries related to this submission or require further information, please contact:

**MacKillop**

Dr Nick Halfpenny  
Director, Policy and Research



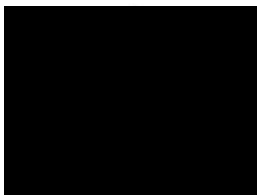
**OzChild**

Jarrod Edwards  
Chief Transformation Officer



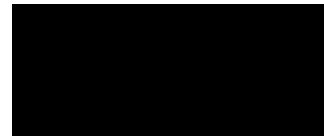
We thank you for the opportunity to respond to the inquiry and look forward to learning of the outcome.

Kind Regards,



**Dr Robyn Miller**

Chief Executive Officer  
MacKillop Family Services



**Dr Lisa J. Griffiths**

Chief Executive Officer  
OzChild





# Submission to the Inquiry into the Child Protection and Social Services System

Committee on Children and Young People



18 December 2020

## 1. How vulnerable children and families are identified and how the current system interacts with them including any potential improvements, particularly at important transition points in their lives;

OzChild and MacKillop were very supportive of the reform directions associated with the *Their Futures Matter* initiative. A strategy for improving the safety and wellbeing of children based on an approach of direct investment to where funding and programs deliver the greatest social and economic benefits is sound and places a necessary focus on intervening early to affect positive change. The human and financial costs of failing to act early in the lives of vulnerable children and families has been clearly outlined in work conducted by NSW government<sup>1</sup>.

The associated emphasis on the use of a robust and comprehensive datasets to understand, prioritise, and evaluate support for children, young people and families with the highest needs to inform resourcing and investment is also warranted. The use of evidenced-based and evidence-informed programs to realise this intent is also strongly supported.

We note the positive and necessary focus on family preservation and restoration associated with the Permanency Support Program reforms commencing in October 2017. All jurisdictions across Australia have experienced profound growth in the number of children and young people placed in out-of-home care. We fully support continuing initiatives that place a primary emphasis on keeping families together to reverse this trend.

While the direction of these reforms includes many positives, we note the work to be done to address vulnerability, improve the outcomes for certain cohorts and to address emerging needs. Our experience suggests the access and availability of services and support to vulnerable families continues to be too reactive for many vulnerable families. Too often our system is calibrated to respond only after a report of serious harm has been made.

### **Better responding to unborn reports**

We recommend a consideration of strategies to improve the identification and support of vulnerable and at-risk women who are pregnant. The highest rate of children (11.4 per 100,000) who were subject to a substantiation of a notification in NSW were aged less than one year old<sup>2</sup>. We note the data compiled by Taplin indicating the number of prenatal reports in NSW more than doubled between 2010/11 and 2016/17. For Aboriginal and Torres Strait Islander children, NSW data indicates that 10% of Aboriginal children who entered care were removed from family within two weeks of their birth with 18 percent entering care before they were six months old<sup>3</sup>. This suggests that responses to address the needs of vulnerable expectant mothers and infants could be improved. We note those at highest risk of being subject to an unborn report and subsequently having a child removed are those expectant parents who have a history of out-of-home care or are currently placed in out-of-home

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<sup>1</sup> Their Futures Matter (2018) *Forecasting Future Outcomes - Stronger Communities Investment Unit 2018 Insights Report* – available at [https://www.theirfuturesmatter.nsw.gov.au/\\_data/assets/pdf\\_file/0003/673284/Forecasting-Future-Outcomes-Stronger-Communities-Investment-Unit-2018-Insights-Report.pdf](https://www.theirfuturesmatter.nsw.gov.au/_data/assets/pdf_file/0003/673284/Forecasting-Future-Outcomes-Stronger-Communities-Investment-Unit-2018-Insights-Report.pdf)

<sup>2</sup> Australian Institute of Health and Welfare 2020. Data tables: Child protection Australia 2018–19. Available at <https://www.aihw.gov.au/reports/child-protection/child-protection-australia-2018-19/data>

<sup>3</sup> Davis, M (2019) *Family is Culture: Family is Culture: Independent Review into Aboriginal and Torres Strait Islander Children and Young People in Out-of-Home Care in New South Wales*, Sydney, 2019, available [https://www.familyisculture.nsw.gov.au/\\_data/assets/pdf\\_file/0011/726329/Family-Is-Culture-Review-Report.pdf](https://www.familyisculture.nsw.gov.au/_data/assets/pdf_file/0011/726329/Family-Is-Culture-Review-Report.pdf)

care<sup>4</sup>. The approach to early intervention should be extended to intense support to those in out-of-home care with sexual health, sexual safety, and pre-parenting support as they are more likely to become young parents, become enmeshed in violent relationships and their children to be exposed to trauma and enter care. Investment is required to halt these intergenerational cycles of trauma and abuse.

As outlined in the modelling commissioned by *Their Futures Matter*, the financial cost of supporting females born in NSW aged 21 or younger at 30 June 2017 with at least one child and the children of young mothers is estimated to be an additional \$2.4b when compared with a comparison group of a randomly selected group with the same number and distribution of individuals by age, gender, Aboriginality, and socio-economic status (based on birth location) to that of the vulnerable group<sup>5</sup>.

We note data from Victoria which tracked all unborn reports to child protection in 2014 indicating that 28% of infants who were subject to an unborn report were placed in out-of-home care within two years. Similarly, a study of all of the 2016 South Australian unborn reports to SA child protection authorities were tracked by the University South Australia and within 2 years, the same proportion – 28% – of the children were placed in out-of-home care. We recommend the Committee consider programs designed to address the needs of this vulnerable group.

Since June 2017 MacKillop has been providing the Intensive Support Cradle to Kinder program across three sites in Victoria. The program works with a very complex cohort of families. The program is an intensive ante and postnatal support service that provides long term, intensive family and early parenting support for vulnerable young mothers (aged less than 25 years) and their children who have received a report from Child Protection or exhibit indicators of vulnerability (poverty, homelessness, domestic violence etc.). The place-based multidisciplinary service starts during pregnancy for identified vulnerable mothers and continues until the child is four years old (usually when kindergarten begins).

The MacKillop programs have been independently evaluated by Monash University<sup>6</sup>. Of the cohort of families referred to the Intensive Support Cradle to Kinder programs approximately one third of participants identified as Aboriginal. In addition:

1. Every family referred (100 percent) were identified to have more than three complex issues. The co-existence and interrelated complexity of problematic alcohol and other drug use, mental health issues, and family violence are particularly prevalent. These complexity factors rarely exist in isolation and are associated with broader complex issues of poverty and social exclusion.
2. More than 50 percent of families had Child Protection reports for other children, some of whom were in care.
3. Almost half of the families have a disability. In one of the programs, this figure is over two thirds

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<sup>4</sup> Font, S., Cancian, M., Berger, L. M., & DiGiovanni, A. (2020). Patterns of intergenerational child protective services involvement. *Child Abuse and Neglect*, 99.

<sup>5</sup> Their Futures Matter (2018) *Forecasting Future Outcomes - Stronger Communities Investment Unit 2018 Insights Report*.

<sup>6</sup> O'Donnell, R., Skouteris, H. and Savaglio, M. (2019), *Cradle to Kinder: a preliminary report*, Monash Centre for Health Research and Implementation.



4. In one program over 90 percent of families had a parent with Child Protection/out-of-home care history and in other areas the figure was approximately 75 percent. We note the NSW and SA longitudinal research has shown that the parent being in care themselves is the most potent indicator of the next generation also being placed in care.

The evaluation indicates that participants in the program have recorded statistically significant improvements across the assessed domains of physical environment, parental capabilities, family interactions, family safety, child wellbeing, social life, self-sufficiency and family health. These improvements have been sustained over the longer term.

Of the 150 infants in MacKillop's Intensive Support Cradle to Kinder programs, only 11 percent of these children have been placed in out-of-home care across the three programs (three in foster care and 14 into kinship care). As stated above, this contrasts with the state-wide figure which indicates 28 percent of infants who were subject to unborn reports being placed in out-of-home care. Most of the children placed in kinship care are in extended family households where their mother also lives or visits daily.

In addition to significantly improving the safety and wellbeing of children and stopping the inter-generational pattern of child abuse trauma and removal, MacKillop's Intensive Support Cradle to Kinder service avoids significant 'downstream' costs.

### **Supporting vulnerable school aged children transitioning from primary to secondary school**

The transition from primary to secondary school is a critical period for vulnerable children and young people. Our experience suggests more can be done to support this cohort of children to promote engagement in school. The modelling work commissioned by *Their Futures Matter*, focusing on individuals born in NSW aged between 10 and 14 at 30 June 2017 with an identified risk factor in the five years prior (justice system interactions, assessment at ROSH or parental risk factors of interacting with the justice system, mental illness, Alcohol and Other Drugs or family violence) indicate significant costs associated with meeting their future support needs. It is estimated the future cost of this group to age 40 is \$25.1B, which is equivalent to an average cost of \$344k per person<sup>7</sup>.

### **Older adolescents**

Our services report that improvement can be made to the accessibility and availability of support and service provided to older adolescents, particularly those for whom restoration with family is not a viable option. Our staff report limited accommodation options for this cohort of young people and the supports that address the pronounced risk of homelessness and child sexual exploitation are not in place. This is particularly the case for those young people who are approaching the age of 18.

### **Economic disadvantage, poverty, and the abuse of children**

The focus of this inquiry on child protection and the service system designed to support them is important although we strongly encourage consideration of the broader impact of poverty and disadvantage on the abuse of children. Several studies have noted the association between economic disadvantage and increased vulnerability of children, young people and their families<sup>8</sup>. While factors

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<sup>7</sup> Their Futures Matter (2018) *Forecasting Future Outcomes - Stronger Communities Investment Unit 2018 Insights Report* – available at [https://www.theirfuturesmatter.nsw.gov.au/\\_data/assets/pdf\\_file/0003/673284/Forecasting-Future-Outcomes-Stronger-Communities-Investment-Unit-2018-Insights-Report.pdf](https://www.theirfuturesmatter.nsw.gov.au/_data/assets/pdf_file/0003/673284/Forecasting-Future-Outcomes-Stronger-Communities-Investment-Unit-2018-Insights-Report.pdf)

<sup>8</sup> See for example, Australian Parliament Community Affairs References Committee (2015) *Out-of-home care*, Commonwealth of Australia, Canberra.

such as alcohol and drug use, family violence and mental health are often cited as drivers of vulnerability and contact with systems of child protection, a common thread is pronounced economic disadvantage. For example, Doidge, Higgins, Delfabbro and Segal highlighted higher levels of economic disadvantage as one of the factors strongly associated with increased risk of child maltreatment<sup>9</sup>. Furthermore, researchers noted in a related study that:

- Economic factors independently predicted all forms of child maltreatment.
- Poverty and parental unemployment were the strongest determinants of maltreatment.
- An estimated 27.3% of child maltreatment was attributable to economic factors.<sup>10</sup>

This highlights the need to support investment in employment and poverty reduction initiatives as a critical means of addressing child abuse and neglect.

### **Responding to the impact of bushfires and COVID-19 on vulnerable families**

The COVID-19 pandemic has led to a significant contraction of the Australian economy and the associated unemployment has elevated level of financial disadvantage and stress for many families. The past 18 months have been an incredibly challenging year for many Australians. The devastation and displacement of the summer bushfires<sup>11</sup> has been compounded by the impact of the COVID-19 pandemic. Emerging evidence suggests this has profoundly exacerbated levels of family violence and mental distress.

A survey conducted by the Australian Institute of Criminology in May 2020, indicated that in the three months prior to the survey:

- 4.6 percent of women who responded to the survey experienced physical or sexual violence from a current or former cohabiting partner.
- 5.8 percent of women experienced coercive control and 11.6 percent reported experiencing at least one form of emotionally abusive, harassing or controlling behaviour.

Furthermore,

- 65.4 percent of women who experienced physical or sexual violence from a current or former cohabiting partner in the three months prior to the survey had experienced either violence for the first time by that partner or an escalation in the frequency and severity of prior violence.
- 54.8 percent of women who experienced coercive control from a current or former cohabiting partner in the three months prior to the survey said either that they had experienced emotionally abusive, harassing or controlling behaviour by that partner for the first time, or that the abuse had escalated since February 2020.

Data is also emerging on the mental health impact on adults and children associated with the COVID-19 pandemic and related restrictions. A national survey conducted by Monash University in April-May

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<sup>9</sup> Doidge, J.C., Higgins, D.J., Delfabbro P. and Segal, L. Risk factors for child maltreatment in an Australian population-based birth cohort, *Child Abuse & Neglect*, Volume 64, February 2017, Pages 47-60.;

<sup>10</sup> Doidge, J.C., Higgins, D.J., Delfabbro P., Edwards, B., Vassallo, S. Toumbourou, J.W. and Segal, L. Economic predictors of child maltreatment in an Australian population-based birth cohort, *Children and Youth Services Review*, Volume 72, January 2017, Pages 14-25.

<sup>11</sup> We note that 20 percent of those displaced were children, see Internal Displacement Monitoring Centre (2020) *The 2019-2020 Australian bushfires: from temporary evacuation to longer-term displacement*, available at [https://www.internal-displacement.org/sites/default/files/publications/documents/Australian%20bushfires\\_Final.pdf](https://www.internal-displacement.org/sites/default/files/publications/documents/Australian%20bushfires_Final.pdf)



2020 indicated that in the first month of restrictions, clinically significant depressive and generalised anxiety symptoms, thoughts of being better off dead or of self-harm, and irritability were at least double those in non-COVID affected populations. In addition, one in four had mild to moderate mental ill health symptoms. The most vulnerable people had lost jobs, lived alone or in poorly resourced areas, were providing care to dependent family members, were members of marginalised minorities, women or young<sup>12</sup>. Other studies have noted that COVID-19-associated mental health risks will disproportionately impact on children and adolescents who are already disadvantaged and marginalized<sup>13</sup>.

In examining the existing child protection and social service systems we encourage the Committee to consider the emerging and lasting impact of the pandemic on vulnerable children and families.

In our response to Question 3 we outline a range of further program responses that can effectively intervene address these vulnerabilities, including:

- Functional Family Therapy – Child Welfare
- Multisystemic Therapy – Child Abuse and Neglect
- Functional Family Therapy
- Family Referral Services (Family Connect and Support Service from January 2020)
- Improved family finding
- A Place to Go program

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<sup>12</sup> Fisher, J., Tran, T.D., Hammarberg, K., Sastry, J., Nguyen, H., Rowe, H., Popplestone, S., Stocker, R., Stubber, C. and Kirkman, M., (2020) Mental health of people in Australia in the first month of COVID-19 restrictions: a national survey, *Medical Journal of Australia*, pre-print – 10 June 2020 available at <https://www.mja.com.au/system/files/2020-06/Fisher%20mja20.00841%20-%2010%20June%202020.pdf>

<sup>13</sup> Fegert, J.M., Vitiello, B., Plener, P.L. et al. (2020) Challenges and burden of the Coronavirus 2019 (COVID-19) pandemic for child and adolescent mental health: a narrative review to highlight clinical and research needs in the acute phase and the long return to normality. *Child Adolescent Psychiatry Mental Health* 14, 20 (2020). <https://doi.org/10.1186/s13034-020-00329-3>

## **2. The respective roles, responsibilities, including points of intersection, of health, education, police, justice and social services in the current system and the optimum evidence-based prevention and early intervention responses that the current system should provide to improve life outcomes;**

MacKillop and OzChild strongly support the significant committed investment into the *children and families thrive* outcome of the Stronger Communities Cluster in the 2020-21 NSW Budget, in particular the continuing investment into evidence-based interventions that have shown success in keeping families safely together. The commitment of up to \$171.9 million (\$41.4 million in 2020-21) for up to four years is commendable and presents the opportunity for robust program implementation and importantly evaluation of what works in the improvement of life outcomes for vulnerable children. However, we implore the establishment of a collaborative, cross government and non-government sector, governance framework that identifies and oversees the implementation of the optimum evidence-based and evidence-informed prevention and early intervention responses based on a comprehensive integrated dataset.

### **Improving Intersection between Relevant Services**

The 2015 Independent Review of Out-of-home Care in New South Wales<sup>14</sup> concluded that the department holding primary accountability for very vulnerable families had very little influence over the drivers or levers for change and therefore was not effective in improving life outcomes for vulnerable children and families. The establishment of the *Their Futures Matter* initiative, a whole-of-government reform, aimed to deliver on the key findings of the review including overcoming the barriers of coordination across agencies and multiple programs through partnership between departments representing Family & Community Services, Health, Education and Justice.

The Auditor General's report to Parliament in 2020<sup>15</sup> concluded that the governance and cross agency partnership arrangements were ineffective in delivering the intended reform due to *Their Futures Matter* lacking mechanisms to secure cross-portfolio buy-in and lacked the powers to drive reprioritisation of government investment in evidence-based and earlier intervention supports across agencies.

The Auditor General's report stated that despite this, amongst other matters, the issues identified in the 2015 Independent Review remain pertinent and the intent and vision of *Their Futures Matter* remains relevant and urgent.

The need to establish a governance framework with a sufficient mandate to compel the cross-agency action necessary to collaboratively identify the key drivers of child abuse and neglect and for reprioritisation of ineffective investment is clear.

### **Engagement with Non Government and Aboriginal Community Controlled Organisations**

The establishment of a suitable governance framework to inform government investment into evidence-based and evidence-informed prevention and early intervention responses must be underpinned by the appointment of relevant external expertise to ensure probable options are rigorously evaluated for the quality of their evidence prior to the commissioning process. The inclusion of representation of non-government and Aboriginal community controlled organisations within the

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<sup>14</sup> Tune, D (2015) *Independent Review of Out-of-home Care in New South Wales*, Final Report, p4

<sup>15</sup> New South Wales Auditor-General (2020) *Performance Audit: Their Futures Matter*, Audit Office of New South Wales, p2

governance entity will ensure that appropriate practitioner and stakeholder data is informing the best available evidence.

The Auditor General's report identified that the *Their Futures Matter* governance arrangements and capacity were not matched to the scale or complexity of the reform, citing that decision makers would have benefited from access to external expertise on Aboriginal community needs and strengths and non-government organisation service delivery as these skillsets were not always represented at the Board level. This highlights the importance of ensuring the future governance entity includes the capability of the non-government and Aboriginal community controlled organisations.

### **Place Based Decision Making**

To ensure local solutions are appropriately matched to locally defined problems, the governance framework should establish local cross agency entities, incorporating non-government and Aboriginal Community Controlled organisations, responsible for providing advice on local context, needs and service gaps, commissioning of services and report against outcomes defined by the primary governance entity.

### **Utilisation of the Human Services Dataset**

MacKillop and OzChild wish to emphasise our strong support of the NSW Government maintaining and continuing to update the Human Services Dataset as an enduring asset, given its critical value to ongoing system transformation work across the government and non-government sectors and acknowledge the publication of the Forecasting Future Outcomes report commissioned by *Their Futures Matter*<sup>16</sup>.

The Auditor General's report acknowledges the significance of the updated Human Services Dataset in providing insights that should assist in prioritising future investment, however, notes that this dataset was not used to make key decisions on reprioritising funding or on scaling up promising or proven pilots during the reform period.

We consider the Human Services Dataset should form a fundamental foundation of future investment decisions by the cross-agency governance entity into the optimum evidence-based prevention and early intervention responses to improve the life outcomes of vulnerable children, including reprioritisation of ineffective investment and the consideration of scaling up the evidence-based and evidence-informed programs committed to in Stronger Communities Cluster in the 2020-21 NSW Budget.

### **Investing in What Works**

We encourage the Committee to endorse the recommendations of the Auditor General's report<sup>17</sup>, with regard to governance, investment and evidence.

*To implement governance arrangements that:*

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<sup>16</sup> Their Futures Matter (2018) Forecasting Future Outcomes - Stronger Communities Investment Unit 2018 Insights Report – available at [https://www.theirfuturesmatter.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0003/673284/Forecasting-Future-Outcomes-Stronger-Communities-Investment-Unit-2018-Insights-Report.pdf](https://www.theirfuturesmatter.nsw.gov.au/__data/assets/pdf_file/0003/673284/Forecasting-Future-Outcomes-Stronger-Communities-Investment-Unit-2018-Insights-Report.pdf)

<sup>17</sup> New South Wales Auditor-General (2020) *Performance Audit: Their Futures Matter*, Audit Office of New South Wales, p6.

- ensure the participation of all relevant ministers in decisions on the reform's performance, risks and value to each portfolio
- develop and implement a mechanism to resolve cross-agency issues that have reached an impasse, such as through escalation to the Secretaries Board and/or relevant minister's offices
- enhance the capability of the relevant governance entities to include external expertise from Aboriginal leaders, finance professionals, the funded NGO sector, the evaluation and data field, and experienced commissioners.

*Partner ministers and agencies develop and implement:*

- a mutually agreed standard of evidence required to make informed funding decisions, and a process to guide how decisions about future redirection of funding will be made where the evidence on effectiveness is mixed, unclear, or difficult to compare
- a process for reprioritising identified funding, building on the evidence and key enablers now in place, including outcomes evaluations from key pilots, the Human Services Dataset and the whole-of-government shared outcomes framework for children aged zero to five years.

*To ensure, for the Human Services Data Set, that:*

- there continue to be data governance arrangements in place to preserve the independence of the data set, and protect the privacy of the data it contains (*noting the information sharing provisions contained in Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998*)
- there is a strong mandate and clear cross-agency accountability governing data sharing and use, and rigorous controls are in place to ensure the quality, reliability, accuracy and completeness of the data, and compliance with relevant legislation and regulation
- it captures relevant outcomes and administrative data, and is regularly updated and analysed
- insights from its analysis continue to be shared within government and with external stakeholders including funded service providers and the university sector
- it is used effectively to enhance service delivery, guide investment and drive social policy reforms in NSW.

### 3. The adequacy of current interventions and responses for vulnerable children and families and their effectiveness in supporting families and avoiding children entering out-of-home care;

MacKillop and OzChild note the significant evidence of increasing vulnerability for children and families. Based on data from Department of Community and Justice, in 2018/19:

- There was 15.2% increase in the number of Aboriginal children and young people involved in risk of significant harm reports compared with the previous year.
- There was an increase of 13.6% increase in the number of Aboriginal children and young people entering out-of-home care compared with the previous year. The number of Aboriginal children and young people in a Guardianship order increased by 9.7% in the same period.
- There was a 3.1% decrease in the number of children and young people who commenced Intensive Family Support Services compared with the previous year
- There was a 23.1% increase in concern reports made to the NSW Child Protection Helpline
- There was a 15% increase in the number of children involved in ROSH reports from the previous year
- The proportion of children re-reported at ROSH within one year of achieving care plan goals was 35.8% as at 30 June 2019<sup>18</sup>

While the investment approach adopted through *Their Futures Matter* will take time to shift the trajectory of children and young people coming into contact with the child protection system, the above data is cause for significant concern. The disturbing support and safety indicators regarding Aboriginal and Torres Strait Islander children and families continues to call into question the adequacy of the investment in culturally safe, accessible and supportive services.

#### **Aboriginal and Torres Strait Islander children**

We support the work of *Family Matters* campaign led the Secretariat of National Aboriginal and Islander Child Care (SNAICC) to reduce the number of Aboriginal and Torres Strait Islander children entering out-of-home care. The most recent Family Matters Report includes clear recommendations and highlights six priority areas to provide a better support system for Aboriginal and Torres Strait Islander children and families:

- Maternal and child health
- Early childhood education and care
- Intensive family support services
- Government investment
- Workforce development to enable sustainable improvements
- Improving evaluation to build better service systems<sup>19</sup>

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<sup>18</sup> NSW government (2020) Annual Statistical Report 2018/19 available at

[https://public.tableau.com/profile/facs.statistics#!/vizhome/ASR2018-19\\_textversion/Textversion](https://public.tableau.com/profile/facs.statistics#!/vizhome/ASR2018-19_textversion/Textversion)

<sup>19</sup> Family Matters (2020), The Family Matters Report 2020: Measuring Trends to Turn the Tide on the Over-Representation of Aboriginal and Torres Strait Islander Children in Out-Of-Home Care in Australia, available at [https://www.familymatters.org.au/wp-content/uploads/2020/11/FamilyMattersReport2020\\_LR.pdf?utm\\_source=Family+Matters+organisational+su](https://www.familymatters.org.au/wp-content/uploads/2020/11/FamilyMattersReport2020_LR.pdf?utm_source=Family+Matters+organisational+su)

Furthermore, we note the important work completed by Professor Megan Davis *Family is Culture: Family is Culture: Independent Review into Aboriginal and Torres Strait Islander Children and Young People in Out-of-Home Care in New South Wales*<sup>20</sup>. This critical inquiry provides a detailed analysis of failures with the systems to protect Aboriginal and Torres Strait Islander children and young people both within out-of-home care and, also, the sector supporting vulnerable families. This report contains a comprehensive set of 125 recommendations spanning reform in areas such as governance, self-determination, policy and practice reform, early intervention, better embedding the Aboriginal Placement Principle, restoration, care criminalisation, the Children's Court and connection to family, community, culture and country. We support the further consideration of this report by the Committee.

### **Investment in proven responses to address the vulnerability and the risk of abuse and neglect**

OzChild and MacKillop congratulate the NSW government on the promotion of evidence-based programs and the recent commitment to continue the funding of these programs. We advocate for system responses that engage families at an earlier stage. We are supporters of initiatives that encourage multi-agency and integrated responses. The below interventions work particularly well when combined with a place-based model of design and delivery.

#### **Functional Family Therapy – Child Welfare**

MacKillop and OzChild are providers Functional Family Therapy - Child Welfare (FFT-CW) across areas including Blacktown, Edgeworth, Campbelltown, Parramatta, Auburn, Mt Druitt, Shellharbour/Illawarra, Nowra and Ulladulla.

The program to families with children aged from birth to 17 years. FFT-CW is a home-based treatment model that works with families where there has been physical abuse and/or neglect of a child. It is an integrated approach incorporating theory, clinical practice and evidence-based research. FFT-CW provides two levels of assistance:

- High Track supports very high-risk families with intensive therapeutic home-based services
- Low Track supports low risk families to access a range of community-based support services

The program supports families to develop parenting skills, improve family dynamics and communication, better engage with community services such as allied health and establish a safe, stable and supportive home environment.

During our time delivering this service, we have witnessed this program result in a decline in ROSH report for families engaged in the program.

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<sup>20</sup> Davis, M (2019) *Family is Culture: Independent Review into Aboriginal and Torres Strait Islander Children and Young People in Out-of-Home Care in New South Wales*, Sydney, 2019, available [https://www.familyisculture.nsw.gov.au/\\_data/assets/pdf\\_file/0011/726329/Family-Is-Culture-Review-Report.pdf](https://www.familyisculture.nsw.gov.au/_data/assets/pdf_file/0011/726329/Family-Is-Culture-Review-Report.pdf)



### **Multisystemic Therapy – Child Abuse and Neglect**

OzChild delivers the Multisystemic Therapy – Child Abuse and Neglect (MST-CAN) in Campbelltown, NSW. MST-CAN works with families where there has been substantiated physical abuse and/or neglect of a child aged 6–17 years in the previous 180 days. The intervention is a treatment for serious, high and very high risk and complex families.

The outcomes achieved through participation in this program include:

- Improved family dynamics, communication and supportiveness while decreasing intense negativity and dysfunctional patterns of behaviour.
- Significant decrease in blame and negativity and increasing collaborative parenting and problem-solving skills.
- Increased positivity and shared experiences.
- Reduced conflict and aggression.
- Families begin to focus on an improved and more positive future together and start to reconnect as a family, having fun and proactively creating new experiences together which rebuilds trust and attachment.
- A significant reduction in the children entering out-of-home care.

### **Functional Family Therapy**

OzChild delivers Functional Family Therapy (FFT) on the Central Coast as a pilot under the Women NSW Domestic and Family Violence Fund. FFT supports families who may not otherwise engage with a social service or seek help for adolescents showing violent behaviour. Strengthening parenting skills and supporting parents is a key contributor to enacting behavioural change and preventing the need for a youth justice response. Supporting young people between 11-18 years who are exhibiting aggressive and in certain cases violent behaviour, as well as substance misuse, FFT is conducted in a home-based or clinical-based environment and delivered across five separate phases, with interventions typically spanning 3-5 months.

Working in collaboration with police, youth justice, health and education providers to match the needs of young people with FFT, the outcomes of the program include:

- Improved engagement within the community
- Positive inclusion in activities and enhanced pro-social behaviours
- Greater attendance and participation at school and work
- Significantly improved aggressive and high risk behaviours and reduce substance abuse
- Reduced conflict and aggression
- Promote more harmonious relationships within households, reducing stress and improving the mental health of parents, resulting in improved outcomes for parents and extended family members alike

### **Family Referral Services (Family Connect and Support Service from January 2020)**

Mackillop is currently partnered with Marymead to provide the Family Referral Service (FRS) in Southern NSW. The functions carried out by this service will be transitioned to the Family Connect and Support Services in January 2021. This service provides support including case coordination case management and referral to longer term support services. This service has been very effective in

responding to vulnerable families at an earlier stage. Access to service does not rely on the involvement of Department of Community and Justice and families can access the service without a referral from another agency. This service can effective response to emerging need and in crisis situations. It is well connected with local supports.

Demand for this service continues to exceed funded capacity. In the last 12 months this service has performed at an average of 157 percent of funded capacity.

The MacKillop FRS has engaged in a co-location in schools project in Southern NSW. It is an excellent example of a partnership between a universal service and an early intervention service. Our FRS has been involved with FRS in Schools in Bega and Eden for almost 4 years. We note that under certain conditions this initiative provides a very effective early intervention response and increases the capacity of the schools to handle challenging issues with students who were at risk<sup>21</sup>. FRS in Schools works well when:

- There is a clear understanding of roles and the work is aligned
- The school is engaged and shares a vision as to the potential of the FRS in the school setting
- The FRS staff are visible and well located in the school setting
- There are clear lines of communication – including communicating clear and tangible outcomes of FRS involvement to the school

Based on the experience of delivering FRS in Schools, we believe this initiative could be expanded to other areas to embed FRS services in areas such as early childhood, police, juvenile justice and health services. We believe this approach has the potential to work very well in rural and remote areas.

We note the transition from FRS to Family Connect and Support (scheduled for January 2021) involved a significant change in funding for this important service. The resource allocation model includes an assessment of population, Child protection data and other Socio-Economic Indexes for Areas (SEIFA). This model has led to a significant decrease in funding for some districts. We believe this funding model does not adequately reflect the service need or demand. For example, the FRS operated by Marymead and MacKillop in Southern NSW has consistently performed well over funding capacity yet in the revised funding formula the funding has been significantly reduced.

### **Family Finding**

MacKillop and OzChild believe more could be done to actively engage in family finding and family connection for children and young people placed in out-of-home, or at risk of placement. Our experience suggests that the practice of family finding is falling through the cracks for many children and young people. Too often this important work is subject to unnecessary delays. Children and young people can remain in out-of-home care as other priorities push this work to the margins. We believe this work must be prioritised and the non-government sector should be engaged to complete this work with Aboriginal community controlled organisations leading support for Aboriginal and Torres Strait Islander family connection.

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<sup>21</sup> See also Hall, M. T., & Wurf, G. (2016). *An evaluation of the Family Referral Service in schools*. Wagga Wagga, NSW: Research Institute for Professional Practice, Learning and Education, Charles Sturt University.

## A Place to Go

The A Place to Go (APTG) pilot program offers wraparound supports for 10-17 year olds entering and exiting the youth justice system, with a focus on young people in remand. APTG is delivered by MacKillop in the Penrith Local Government Area of Western Sydney. The key goal of the program is to divert young people from entering or re-entering the out-of-home care system. The program works with each young person to address underlying issues contributing to offending behaviour. APTG provides:

- a therapeutic framework underpinned by the Sanctuary Model
- short-term accommodation for up to 12-weeks
- 24/7 staffed support (7 therapeutic workers, a case worker and house manager)
- after-care for 12-weeks to support young people to maintain their longer-term accommodation
- evidence-based assessments and formulation of therapeutic treatment plans
- therapeutic support which holistically address needs of young people through a consistent and structured program of activities and interventions
- therapeutic care providing predictability, consistency and normality while being flexible and responsive to individual young people
- therapeutic case work, including intensive work with the young person and their family
- highly skilled, qualified, trained and consistent staff/carers providing safe and child-friendly home-like environment
- respectful partnerships with Aboriginal and culturally and linguistically diverse (CALD) families and a commitment to Aboriginal self-determination and the Aboriginal placement principles
- a robust clinical and operational governance structure

Since its commencement in November 2018 the APTG program has been at capacity and supported the restoration of families and the transition of young people to independent living. The model is an excellent example of joined up service delivery bringing together program staff and the DCJ Adolescent Specialist Manager Case Worker; the Community Integration Team (CIT) clinician, the Education Officer and other service providers and programs, such as the Justice Health Teen Got It!; the Joint Action Meetings (JAM). This network has been critical in the provision of coordinated and responsive services.

The program has supported a significant reduction in offending behaviour of the young people referred to the services. An independent evaluation conducted by the University of Western Sydney is the final stages of completion. Preliminary data from the evaluation indicates the APTG model appears to be providing an effective therapeutic and trauma-informed accommodation service to the house residents and, also that the house positively supports the achievement of the house residents' outcomes, relating to their accommodation, education, and mental wellbeing<sup>22</sup>.

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<sup>22</sup> Katz, I., Giuntoli, G. and valentine, k (forthcoming) *Evaluation of A Place to Go House (APTG House)*, commissioned by the Department of Communities and Justice.

Mackillop and OzChild recommends the success of these programs continue to be built upon. While the NSW Auditor General noted in the performance audit of *Their Futures Matter* the evidence of efficacy for some programs had yet to mature, the report noted:

The evidence base should continue to be developed and deployed to scale up what works, drive greater resourcing in early intervention, enable investment in the right supports at the right time, and improve outcomes for vulnerable children and their families in NSW.<sup>23</sup>

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<sup>23</sup> NSW Auditor General (2020) *Performance Audit: Their Futures Matter*, Sydney, available <https://www.audit.nsw.gov.au/sites/default/files/documents/Their%20Futures%20Matter%20-%20PDF%20Report.pdf>

**4. The child protection intake, assessment, referral and case management system including any changes necessary to ensure that all children assessed as being at risk of significant harm receive a proactive and timely in-person response from child protection staff;**

**Build on codesign initiatives**

MacKillop and OzChild acknowledge the codesign work that was undertaken as part of the *Their Futures Matter* System Transformation Project to design, test and implement an intake, assessment and referral system. This collaborative project between the non-government sector, DCJ and NSW government human service agencies including health and education was an excellent example of cross sector co-design. The focus on the development of a service response using the below four design recommendations the below was particularly beneficial:

- Locally led governance and funding
- Implement a community-led, trauma-informed practice framework
- Flexible outreach imbedded in the community
- Online platform to promote awareness of referral to services

The focus on place-based and community driven responses was an important step forward in early intervention service responses to vulnerable families. While the program design and testing process for the project was commendable, we were disappointed that the commissioning of the services resulted in a reduced level of funding for some districts. This was counter to the stated aim of investing earlier to address vulnerability.

**Child Story**

The provision of clear, accurate and up to date information is foundation of effective responses to vulnerable families. The Child Story information system was implemented to make it easier for non-government agencies (NGO's) to interact with Department of Communities and Justice (DCJ). Our staff continue to report problems involving the Child Story system. Problems associated with a lack of training, the uneven quality of data and a lack of clarity regarding the use of Child Story mean the system remains a significant impediment to the provision of services to vulnerable children and families. We recommend a significant investment in the governance, implementation and quality assurance of the Child Story system.

## 5. The availability of early intervention services across NSW including the effectiveness of pilot programs commissioned under Their Futures Matter program;

MacKillop and OzChild fully support a focus on intervening earlier and the investment in service responses based on evidence of efficacy. As outlined in response to question 3, our experience as providers of evidence-based and evidence-informed programs has been positive and we have seen how these programs can create positive and lasting change for families.

### A population focus

We encourage a focus on early intervention as not simply focusing on those populations that are identified as at risk. The emerging work on population approaches to early intervention emphasises a broader focus to ensure families are supported in non-stigmatising and culturally appropriate ways. These approaches include:

- communicating effectively with parents at a community level to build awareness of child development
- delivering parenting education and supports in mainstream services (e.g. primary health care settings, early childhood centres and schools)
- targeting parenting education and support at key stages of children’s development
- tailoring early interventions to the diverse needs of families<sup>24</sup>.

### Rural and remote locations

Our experience suggests the coverage of services and supports across NSW is uneven when considering the areas of greatest need. This is particularly the case in rural and regional areas. The *Dropping Off the Edge* work commissioned by Jesuit Social Services and Catholic Social Services Australia noted rural and remote locations are significantly over-represented in the data of the most disadvantaged communities in New South Wales. Assessing across the domains of ‘interaction with the criminal justice system’, ‘lack of internet access and unemployment’, ‘domestic violence’, ‘youth disengagement’, ‘low education and training levels’, this research highlighted the high levels of disadvantage in rural and remote areas. For example, five out of the six postcodes identified as the most disadvantaged are outside the Sydney metropolitan area with four of these areas in remote locations<sup>25</sup>. This is supported by more recent work commissioned by Catholic Social Services Australia that identified the regional and rural electorates of Parkes, Cowper, Lyne and Page as the most disadvantaged in NSW based on an assessment of economic, health, education and social indicators<sup>26</sup>.

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<sup>24</sup> Sanders, M. R., Higgins, D. J., & Prinz, R. J. (2018). A population approach to the prevention of child maltreatment: Rationale and implications for research, policy, and practice. *Family Matters*, 100, 62–70. Retrieved from <http://www.aifs.gov.au/publications/family-matters/issue-100/population-approach-prevention-child-maltreatment>

<sup>25</sup> *Dropping off the Edge* (2015) NSW Fact Sheet, <http://k46cs13u1432b9asz49wnhcx-wpengine.netdna-ssl.com/wp-content/uploads/DOTE-state-fact-sheet-NSW1.pdf>

<sup>26</sup> Prosser, B. and Hellenen-Simpson, G. 2020. (eds). *Mapping the Potential: Understanding persistent disadvantage to inform community change*, preliminary research report, Catholic Social Services Australia (CSSA): Canberra – available at <https://mappingthepotential.cssa.org.au/index.php/findings/>



Work completed by the Centre for Community Child Health has noted that children in rural and remote Australia:

- experience poverty at disproportionately higher rates are more likely to be Indigenous
- are more likely to live in unemployed households, with single parent families, and in families where the mother has a low educational attainment
- are more likely to be socially isolated
- are more likely to be exposed to family and domestic violence and have contact with child protection services
- are less likely to engage in early childhood education and care services
- have poorer access to early childhood intervention services, paediatricians, allied health and mental health services.<sup>27</sup>

Too often those children, young people and families in greatest need to not have access to the supports required. Our experience suggests that both DCJ and non-government organisation find it challenging to attract, recruit and retain qualified staff in regional and rural locations. We recommend investing in strategies to open up the benefits of evidence-based and evidence-informed programs to all communities. This can be achieved by exploring:

- alternative modalities of service provision such as online or telehealth service delivery.
- Co-location or integration of services
- Better resourcing local networks to build place-based responses

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<sup>27</sup> Royal Far West (2017) The Invisible Children: The state of country children's health and development in Australia, Manly <https://www.royalfarwest.org.au/wp-content/uploads/2018/09/invisible-children-2018-web.pdf>

## 6. The adequacy of funding for prevention and early intervention services

Mackillop and OzChild acknowledge the vision of *Their Futures Matter* reform and the allocation of \$190 million over four years (2016–17 to 2019–20) to the initiative. The investment in design and commissioning of evidence-based pilots, codesign methodologies, data analytics work, the administration and governance of cross-agency collaboration has led the country in the delivery of evidence-based and evidence-informed prevention and early intervention responses for children and families. The further commitment in the 2020-21 NSW Budget of \$171.9 million (\$41.4 million in 2020-21) for up to four years is commendable and presents the opportunity for robust program implementation and importantly evaluation. However, this continuation does not adequately support scaling up those programs that are demonstrated by evaluation to improve life outcomes for vulnerable children.

As part of Their Futures Matter reform, the Department of Premier and Cabinet, NSW Treasury and partnering agencies (NSW Health, Department of Education and Department of Justice) identified various existing programs that targeted vulnerable children and families<sup>28</sup>. Funding for these programs, totalling \$381 million in 2019–20, was combined to form a nominal ‘investment pool’ intended for the reprioritisation of resource allocation to evidence-based interventions for vulnerable children and families in NSW. The Auditor General’s report concluded that collective decisions could not be reached on cross-agency funding for proven early intervention responses, or on repurposing existing programs found to be misaligned with the reform, and most of the ear marked investment pool of \$381 million, was not committed to target evidenced and earlier interventions.

With current funding commitments achieving only the continuation of existing pilot programs, we consider the need for establishment of a suitable governance framework and agreed process for reprioritising funding vital to delivering on the recommendations of the 2015 Independent Review and the intent of *Their Futures Matter*.

### Increasing Future Demand

The unprecedented bushfire and pandemic (COVID-19) events occurring during 2020 are forecast to significantly increase unemployment, leading to higher levels of mental distress, domestic violence and housing stress, including homelessness, which a key drivers for a forecast increase in the number of children at risk of abuse and neglect across NSW. A recent report commissioned by the New South Wales Council of Social Services (NCOSS)<sup>29</sup> forecast that without interventions to strengthen the social safety net by June 2021:

- The number of 20-24 year olds in NSW experiencing high or very high mental distress will increase by up to 16.8 per cent
- Higher unemployment alone will lead to rates of domestic violence increasing by up to 5.5 per cent in some regions of NSW, with COVID-19 lockdowns already having caused alarming spikes in reports to police

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<sup>28</sup> New South Wales Auditor-General (2020) “Their Futures Matter”, Audit Office of New South Wales, p1

<sup>29</sup> Equity Economics (2020) “A wave of disadvantage across NWS, Impact of the COVID-19 recession”, New South Wales Council of Social Services (NCOSS)

- More than 9,000 more people in NSW will be homeless – a rise of 24.0 per cent in the homeless population. Some regions will see a 40.5 per cent increase in homelessness
- The number of NSW families experiencing housing stress will increase by more than 88,000 or 24.3 per cent
- There will be **27,447 more children at risk of neglect across NSW**, a 24.5 per cent rise due to increased unemployment.

In light of the forecast increase in children and family vulnerability arising from the bushfire and COVID-19 crises, in addition to the historical increase in the rates of children entering out-of-home care, the need for increased funding in evidence-based and evidence informed prevention and early intervention responses for children and families has never been greater.

### **Return on Investment**

The 2015 Independent Review clearly articulated the need to shift focus toward earlier intervention to address the growing numbers of children in out-of-home care. The investment into the *Their Futures Matter* reform demonstrated decisive action and investment in early intervention by the NSW Government. Despite this, the Auditor General’s report<sup>30</sup> identifies that the current evidence base is not yet robust enough to determine which interventions, of those piloted and those already provided by agencies, are most effective in terms of supporting vulnerable children and families and that without wider implementation, there is a risk that lessons from the pilot programs will be lost, and, at best, the supports they delivered will remain fragmented in pilot sites across NSW.

An alliance of non-government organisation in Victoria commissioned research to understand the economic impact of evidence-based prevention and early intervention responses for children and families. The research report<sup>31</sup> demonstrates that by investing in targeted early intervention, over a 10-year period Victoria can save \$1.6 billion in the child protection and out-of-home care system alone and prevent 1,200 children a year from entering out-of-home care. This equates to a \$2 saving for each \$1 invested. The report concludes the need for additional investment to complement efforts and investment to strengthen the family services platform and stabilise the child protection and out-of-home-care system.

MacKillop and OzChild consider the context of NSW and Victoria to be similar in terms of scale demand, encouraging the Committee to explore the research into the economic case for early intervention in the child protection and out-of-home care system in Victoria as part of this inquiry.

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<sup>30</sup> New South Wales Auditor-General (2020) “Their Futures Matter”, Audit Office of New South Wales, p3

<sup>31</sup> Social Ventures Australia (2019) “The economic case for early intervention in the child protection and out-of-home care system in Victoria”, Research Paper

## 7. Any recent reviews and inquiries

The following reviews and inquiries are referenced in our submission:

- Equity Economics (2020) “A wave of disadvantage across NWS, Impact of the COVID-19 recession”, New South Wales Council of Social Services (NCOSS)
- New South Wales Auditor-General (2020) “Their Futures Matter”, Audit Office of New South Wales
- Professor Davis, M (2019) “Family is Culture; Independent review into Aboriginal out-of-home care in NSW”, Final Report
- Social Ventures Australia (2019) “The economic case for early intervention in the child protection and out-of-home care system in Victoria”, Research Paper
- Taylor Fry (2018) “Forecasting Future Outcomes; Stronger Communities Investment Unit – 2018 Insights Report”
- Tune, D (2015) “Independent Review of Out-of-Home Care in New South Wales”, Final Report

The following recent reviews and inquiries are recommended to the Committee for their consideration in the inquiry into the effectiveness of the NSW child protection and social services system in responding to vulnerable children and families:

- Our Booris, Our Way Steering Committee (2019) “Our Booris, Our Way – Final Report”  
*This Review analyses the experiences of over 300 Aboriginal and Torres Strait Islander children involved with the child protection system in the ACT as at 31 December 2017. It is from deeply understanding these children’s experience, from consultations with the community and emerging data from case file reviews, that the Steering Committee have already presented 15 recommendations to the ACT Government for action.*
- New Zealand, Office of the Children’s Commission (2020) “Te kuku o te manawa : Ka puta te riri, ka momori te ngākau, ka heke ngā roimata mo tōku pēpi”, Ministry for Children  
*A review of what needs to change to enable pēpi Māori aged 0-3 months to remain in the care of their whānau in situations where Oranga Tamariki-Ministry for Children is notified of care and protection concerns.*
- NSW Health (2019) “The First 2000 Days; Conception to Age 5”, Framework  
*The First 2000 Days Framework is a strategic policy document which outlines the importance of the first 2000 days in a child’s life (from conception to age 5) and what action people within the NSW health system need to take to ensure that all children have the best possible start in life.*
- SNAICC (2020) “The Family Matters Report 2020”  
*Since its first release in 2016, the Family Matters report has continued to expose the rising rate of Aboriginal and Torres Strait Islander children in out-of-home care when compared to non-Indigenous children. Sadly, 2020 is no exception. The trend will continue if we do not collectively act to fix a broken system based on statutory intervention that is long overdue for change.*