

briefs



To protect children we need to support families.

The Tasmanian Government estimates there has been a steady increase in the number of children in the state's out-of-home care system over the last ten years, and that this number will continue to rise by up to 9% per year.

The forced separation of families can have enormous impacts for children, their parents and their extended kinship networks. Why is that? What actually happens to parents and extended families when children are taken into the child protection system? It is important for us to understand parents' experiences and perspectives if we are to work with them towards reunification with their children.

In order to learn more about how families experience the child protection system we interviewed a broad range of people including parents, lawyers, NGO workers and child protection workers. The key findings from our study - *Parents in the Child Protection System* - are outlined in this Brief.



The standards of our child protection services need to be consistent and high.

We discovered many examples of good collaboration between families, NGOs and government services, where they had worked effectively together in the best interests of children. However, the research also revealed that this was not consistent across the service system.

They don't work in partnership, they make the decisions. And they won't admit they're wrong, never. I haven't actually worked in partnership with child protection. There has never been partnership. What you mean is them being involved with me and me being involved with them.
(Parent)

The research showed clearly how parents felt poorly treated by the system. Research participants described a system where a family's experience, and the outcomes for parents and children depended very much on the personality of individual child protection workers. Communication was often poor and the lack of trust between child protection services and parents had a significant impact on parents' ability and willingness to engage with the system and address concerns about their parenting and their ability to keep their family together. Parents were given few choices, there were minimal opportunities to be fully involved in decision making, and the attitudes of child protection workers left them feeling disempowered and disrespected.

Parents who come into the child protection system need support to change their lives.

Our research revealed that parents moving into and through the child protection system commonly experienced shock, confusion, anger, fear and despair. Parents and workers reported that parents were expected to change their behaviour and circumstances to meet an array of conditions imposed by Care and Protection Orders. This might mean finding new housing, moving suburbs, that they stop using drugs or alcohol or stop having contact with friends, partners or family.

But often parents reported that there was a lack of clarity about what they were expected to do, and when they had to do it by. They sought assistance from the child protection system, but were confused by the lack of a coordinated response to their need for support. Although a new reunification program, Pathway Home, is having a significant positive impact on these experiences, not all parents are able to get access to it.

The research showed that NGO services performed a vital role in supporting parents but that few were designed to work intensively and comprehensively with those involved with the child protection system. This left parents feeling unsupported and struggling to cope with a multitude of problems.

Parents with intellectual disability were particularly poorly served by the service system. They may need support over a long period of time as they care for dependent children. However, such long term support is not available in the existing system.

What parents and NGO staff wanted was earlier intervention and support to assist families to address problems and stay together. This would happen prior to any contact with the child protection system. They also wanted the service system to provide the level of intensive support required to deal with complex and often multi-generational issues. They stressed the importance of making a shift from blaming parents to helping them to make changes.

If they are going to spend so much money on children in care why aren't they spending that money on parents, if they are worth it? ... If someone could have stayed with us for a couple of days a week that would have actually helped us a lot more than what did happen. Two hours a week just wasn't enough for us to see the real reality. All we were doing was trying to mask what our problems really were and saying it was all bright and dandy because we were so frightened of the Department being involved with us. (Parent)

Services working together benefits families and children.

This research showed the need for services to work together to help families and children.

The research showed that a lack of collaborative working was having a significant impact on families and their progress through the child protection system. Although parents highly valued the support they received from NGOs, especially in mediating their contact with child protection, many were in contact with a range of different organisations, each of which was meeting some, but not all, of their needs. They described this as frustrating and confusing.

NGO workers who worked most closely with child protection had proactively built collaborative relationships with individual child protection workers. Others shared the same sense of confusion and frustration as parents. NGO workers across the board expressed concerns about the thresholds for child protection intervention, their role in the monitoring and surveillance of families, and missed opportunities for using their expertise and knowledge about families to improve decision making. They wanted to see better partnership working with child protection services.

When it is possible, keeping positive contact with children in out-of-home care is important.

We learned again how important positive family contact is for children.

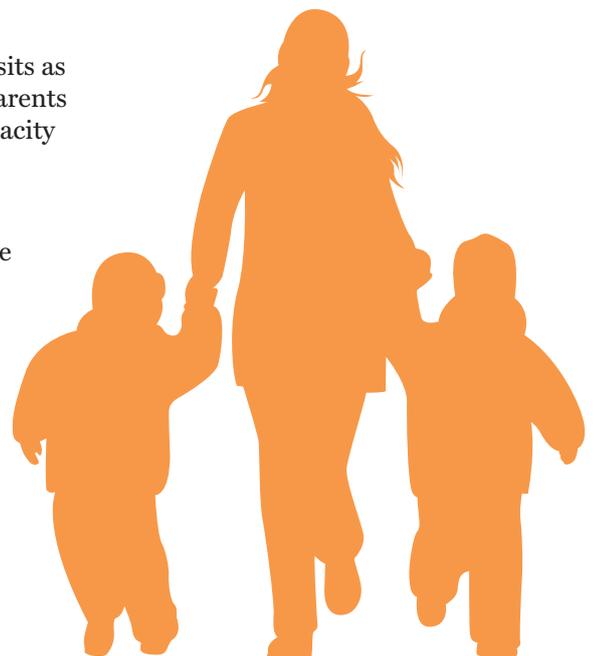
Parents emphasised the importance of sustaining good relationships with their children, whether or not they were involved in their day-to-day care or on a path towards reunification. But they also reported a range of difficulties in maintaining positive contact with children once they were in the out-of-home care system.

Parents reported constant changes to access arrangements and frequent cancellations which were confusing and distressing for parents and children and generated high levels of resentment. The way in which visits were managed and supervised was also a cause for concern and they wanted to see a more proactive approach which used access visits as an opportunity to work with parents to improve their parenting capacity in a supportive way.

Better quality out-of-home care provision was a top priority for many parents. They were frustrated by the apparent low priority given by child protection to encouraging team working between the carer, birth parents and the Department.

Parents were also frustrated by the way in which their knowledge about their children's needs was dismissed. In addition they had a multitude of concerns about what was happening to their children in the out-of-home care system and how far their needs – both practical and therapeutic – were being met.

I can never get those years back, my children's day at the park, the first appointment, first kindergarten, first child care. I don't get any of that. I never got to go to childcare on the first day. I don't even know where it is. The carer gets to do all that. It's his birthday today and I can't have tea with him. I can't read him that story tonight. (Parent)



Advocacy, representation and participation is critical for families dealing with child protection services.

We learned that to be able to make choices about the future of their family and to fully participate in decision making processes, parents need good information. This information is about child protection processes, decision making mechanisms, their choices and rights, the rights of their children and what support is available to them. If they go to court they need access to Legal Aid and representation and to advocacy which can work alongside legal representatives to explain processes.

Parents reported a dearth of information and little understanding about what was happening to them. Those who had been able to get advocacy support from NGOs or specialist advocacy organisations had found it invaluable in clarifying their situation and supporting them to negotiate the service system. But our research revealed that access to advocacy and good representation was limited and shortfalls were

particularly visible during court processes. Both parents and NGO workers reported concerns about the use of hearsay and expert evidence in Care and Protection proceedings, evidence from children and an underreporting of any positive changes parents may have achieved. A failure to challenge the content of affidavits meant that parents often felt unfairly treated by the court system which offered no redemption or reintegration path for parents.

Parents who participated in the research were able to translate their experiences into suggestions for changes to the design and delivery of child protection and family support services. Their expertise is vital in order to develop a service structure that effectively meets their needs. It requires ongoing consumer engagement mechanisms which can tap into this rich vein of information when developing policy frameworks and services.

I wish it was a fairer system and people like me could be heard. If anything could come out of this I hope other parents could be treated better than me. They should hear what parents have to say and not run parents down and make them feel like an ant because it doesn't do their self-esteem any good. It makes them feel worthless. We want someone to listen to us and to know that we're not all evil, cruel people. We're not bad people. (Parent)

Our laws need to reflect what we know is best for children and families.

The research clearly demonstrated a need to amend the current Act to promote a more child-centred and family-orientated child protection system. This should enable families to better work in partnership with the child protection system to make decisions about the safety of their children and receive support to address the factors that put their children at risk. A key element of any amendments to the Act should be about removing the resolution of child protection issues from the courts as far as possible.

No one likes child protection work. It's difficult and unforgiving and the most traumatic hearings you can imagine. The court is not necessarily conducive to resolving the kinds of issues presented to it. Parents are right to feel aggrieved by the child protection system. They are railroaded and patronised and punished and are not equal partners in the process. Out of all the groups in the legislation they are the least well served. (Lawyer)

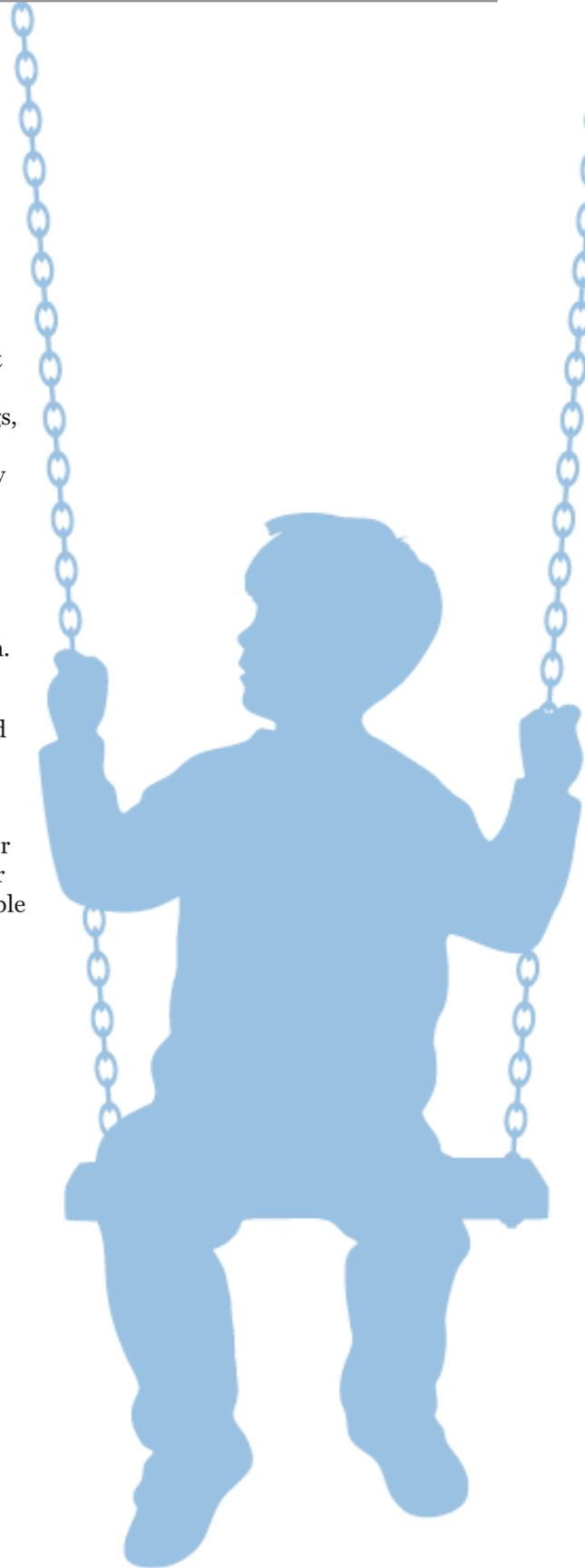
There are long-term effects from not getting it right.

Our research revealed that being involved with the child protection system can have a profound long term impact on parents and turn their lives upside down. Parents described the anger, grief, loss and stigma when their children were removed which, for some, never goes away. They described the practical difficulties of dealing with the financial implications, the risk to secure housing and coping with the impact on family relationships and attachments in the longer term.

This translates into a significant impact on other services – on mental health, alcohol and drugs, housing and homelessness and family support services – as they try to ameliorate this impact on families. These services work to repair the damage and prevent parents from becoming more vulnerable due to their contact with the child protection system.

One of the most disenfranchised groups is parents whose ties with their children have been permanently severed. There are no formal established models for working with them around their loss and they can become invisible within the service system.

It's made me most depressed. I don't even get dressed unless I have to. It's taken all the self-esteem that I've built up. I feel like I'm happy for five minutes and not the other twenty three hours and fifty five minutes. Welfare seems to have taken everything that I ever believed in. They've made me not believe in myself whatsoever. I feel like I'm more a victim now than I was before. (Parent)



Everyone agrees that it doesn't have to be this way.

There was a clear consensus among all those who participated in the research about how to improve the service system. The changes required include better engagement and partnership working with parents, more intensive and holistic support and advocacy for families, improved service standards across the child protection system, the coordination of services and a better deal for children and young people in the out-of-home care system. They also include mechanisms to ensure that the voices of parents and their experiences are heard and used in developing and designing policy and services.

The **key recommendations** of Anglicare's research are:

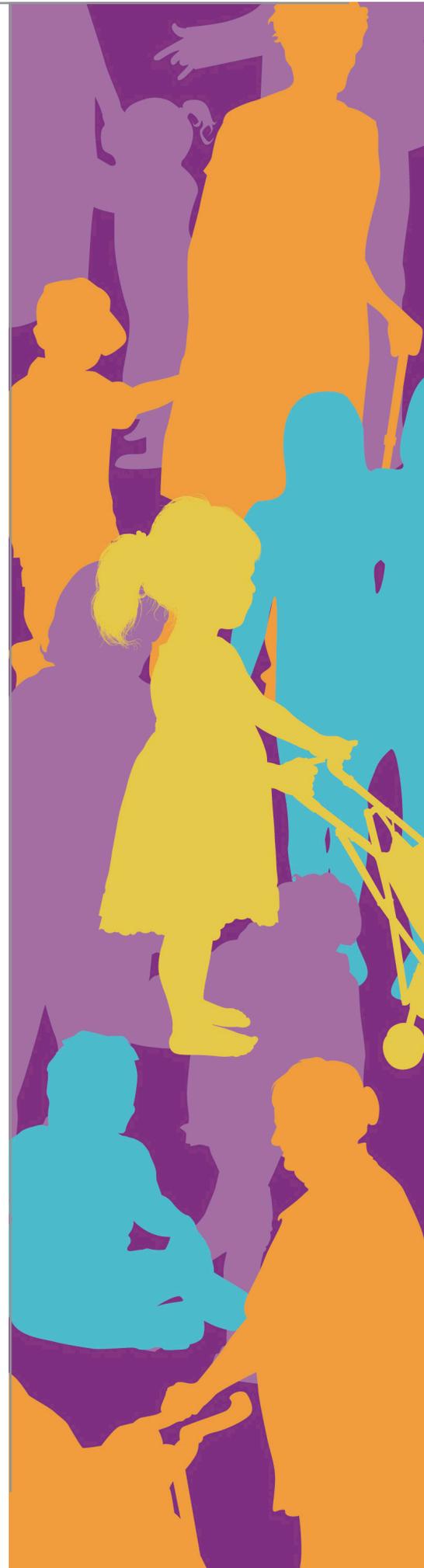
- That the State Government/Child Protection Service incorporate the following as part of standard practice:
 - Clear, accountable and transparent decision making processes which involve parents as a right.
 - Clarity about goals and timescales.
 - Recognition of the parental responsibilities of men and their inclusion in decision making about their children.
 - A culture which offers choices, hope and empathy and which treats people with respect.
 - Recognition of the importance of relationships between individual child protection workers and parents for positive outcomes.
- That the State Government invest in the provision of intensive support for families at risk of entering, or within, the Child Protection Service.
- That the Child Protection Service acknowledge the contribution and expertise of NGO support services. This would build good working relationships, ensure a holistic picture of family circumstances and promote better decision making.
- That there is adequate resourcing to provide a quality out-of-home care system which can engage parents as partners, support them to improve their parenting capacity and ensure the practical and therapeutic needs of children and young people are promptly met.
- That the Child Protection Service review written and verbal information available to parents to ensure it is easily accessible and understandable.
- That the State Government ensure an entitlement to legal representation for parents involved in Care and Protection proceedings and access to free, expert independent advocacy for parents.
- That the Department establish a consumer engagement strategy to ensure the ongoing participation of parents with experience of the Child Protection Service in making decisions about the design and delivery of services.
- That the Act provide a framework for ensuring that families are supported to function well, involved early on in decision-making and that opportunities for resolving problems without having to go to court are maximized.

How the research was done

This study researched the views of 208 adults who are closely associated with the workings of the child protection system in Tasmania. Most importantly, it documented the experiences of 47 parents in this system. It described what it was like for parents to travel through the system and the support available to them along the way. The research also collated the views of over 140 workers in non-government organisations (NGOs), 16 child protection workers and five lawyers about how the service system could be improved to better assist families to parent their children.

The interviews were conducted by the Social Action and Research Centre at Anglicare Tasmania during 2012.

This research was framed by the principles of partnership working between the Government, NGOs and families as expressed in the *Children, Young Persons and Their Families Act 1997 (Tas)*. It explored the challenges of working in partnership to protect children and demonstrated that despite growing public participation in welfare services, families in the child protection system have rarely been involved in participatory processes, decisions about interventions, service systems and policy frameworks (Arney & Scott 2010). Their experiences are a world little known beyond the families themselves and the small network of services which work with them. The absence of their voices is an indication of the profound social marginalisation they experience and one of the main motivations for this research.





Key facts: in Tasmania

- In 2011-12 there were over 11,830 notifications involving 7,752 children and young people. Of these 85% were closed without any investigation (AIHW 2013). During the year 1,728 investigations were carried out. Two-thirds of finalised investigations resulted in substantiations of abuse and neglect relating to 939 children and young people.
- At any one time there are approximately 2,500 families in contact with the child protection system.
- During the past decade there has been a steady increase in the number of children in the Tasmanian out-of-home care system. As of June 2012 there were 1185 children on Care and Protection Orders with 1049 living away from their birth families.
- Many families in the child protection system have multiple and complex needs and require support from a range of different organisations. It has been estimated that up to 65% of parents have a history of alcohol and drug use, up to 50% have been involved in family violence, up to 50% have a history of mental illness and about 10% have an intellectual disability (Parliament of Tasmania 2011).
- Aboriginal children and young people are almost four times more likely to be in the Tasmanian child protection system than non-Aboriginal children (AIHW 2013).
- Concerns about the child protection system have led to new organisational structures. They aim to provide a more coordinated family services system to avoid unnecessary contact with child protection and provide support to families. The key elements of this system are Gateway services providing a single entry point for family support services and Integrated Family Support Services (IFSS) to support families to improve their parenting capacity and reduce the numbers entering the child protection system.

Social Action and Research Centre (SARC)

Anglicare's SARC team work with low income Tasmanians to identify the structural barriers that impact most severely on their lives. The Centre pursues policy change on these issues at a State and Federal level.

References

Arney, F & Scott, D (eds) 2010, *Working with vulnerable families: A partnership approach*, Cambridge University Press, Melbourne.

Australian Institute of Health and Welfare 2013, *Child Protection Australia 2011-12*, Child Welfare series no. 55, cat.no. CWS 43, AIHW, Canberra.

Parliament of Tasmania 2011, *Select Committee on Child Protection 2011*, final report, Parliament of Tasmania, Hobart.

For more information

The full report, *Parents in the Child Protection System* by Teresa Hinton, is published by the Social Action and Research Centre at Anglicare Tasmania.

It is available by calling 1800 243 232 or can be downloaded at www.anglicare-tas.org.au.

