

2.14 Child protection

Aboriginal and Torres Strait Islander children in substantiations, on care and protection orders and in out-of-home care

Data sources

Data for this measure come from three national child protection data collections:

- child protection notifications, investigations and substantiations
- children on care and protection orders
- children in out-of-home care.

These data are collected each year by the AIHW from the relevant departments in each state and territory. Most of the data presented here cover the 2004–05 financial year and have been published in the AIHW report – *Child protection in Australia 2004–05*. Some data on trends in child protection are also included.

Each state and territory has its own legislation, policies and practices in relation to child protection, which accounts for some of the differences between jurisdictions in the data provided. Australian totals have not been provided for those data that are not comparable across the states and territories.

The practices used to identify and record the Indigenous status of children vary across states and territories, with some jurisdictions recording large numbers of unknowns. No state or territory can validate the data on Aboriginal and Torres Strait Islander children by other means and the quality of the data is therefore unknown.

In this collection, children are counted as Indigenous if they are identified as such in the state and territory collections. Children whose Indigenous status is recorded as ‘unknown’ are counted as non-Indigenous and included in the category ‘other children’. The counts for Aboriginal and Torres Strait Islander children are therefore likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.

It should also be noted that Tasmania and the Australian Capital Territory have very small numbers and statistics from these jurisdictions are susceptible to random fluctuations.

Reported rates for Aboriginal and Torres Strait Islander children in the child protection system for 2004–05 cannot be compared directly with those from previous years in earlier AIHW *Child protection in Australia* publications. Prior years were calculated using ABS Indigenous population data from the 1996 Census; these projections are different from those in that they are based on the data from the 2001 Census. For time series analysis presented in this measure, rates have been recalculated using revised ABS population estimates and projections for the relevant years based on the 2001 Census.

Data analyses

Children in substantiations

The data presented below on child protection substantiations relate to those notifications received by departments responsible for child protection and support services. Only child protection matters that were notified to state and territory child protection and support services are included in this national collection. Notifications made to other organisations, such as the police or non-government welfare agencies, are included only if these notifications were also referred to state and territory child protection and support services.

Substantiations are defined as situations where after investigation the relevant authorities concluded that there was reasonable cause to believe that the child has been, was being or was likely to be abused, neglected or otherwise harmed. Substantiation does not necessarily require sufficient evidence for a successful prosecution and does not imply that treatment or case management was provided (AIHW 2006).

It should be noted that as a child can be the subject of more than one notification, investigation or substantiation in a year, there are fewer children than there are total notifications, investigations and substantiations.

- In 2004–05, Aboriginal and Torres Strait Islander children are more likely to be the subject of a substantiation than other children.

Children in substantiations by age

- In 2004–05, the majority of Indigenous and other children who were in substantiations were aged between 1 and 14 years of age (Table 2.14.1).

Table 2.14.1: Number of children in substantiations, by age, Indigenous status and state/territory, 2004–05

Age group (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Number								
Indigenous children								
<1	268	119	163	65	72	3	10	58
1–4	436	203	288	95	159	18	34	101
5–9	448	231	353	88	142	7	22	75
10–14	412	178	331	97	90	9	27	71
15–17	71	39	58	13	16	—	8	19
Unknown	11	—	—	—	4	—	—	—
Total	1,646	770	1,193	358	483	37	101	324
Other children								
<1	927	768	1,207	80	173	51	63	12
1–4	1,803	1,545	3,068	154	375	115	193	35
5–9	2,101	1,758	3,540	215	394	149	234	37
10–14	2,197	1,757	3,273	197	307	159	212	37
15–17	528	416	704	41	71	28	62	8
Unknown	35	1	—	—	6	98	—	—
Total	7,591	6,245	11,792	687	1,326	600	764	129

Notes

1. If a child was the subject of more than one type of abuse or neglect as part of the same notification, then the abuse and/or neglect is the one considered by the child protection workers to cause the most harm to the child. Where a child is the subject of more than one substantiation during the year, then the type of abuse reported in this table is the type of abuse and/or neglect associated with the first substantiation decision during the year.
2. Rates for other (Australian) children were calculated by subtracting the identified Aboriginal and Torres Strait Islander children from the number of children in the total population.
3. The counts of Aboriginal and Torres Strait Islander children are likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.
4. Totals differ slightly from those provided in Table 2.14.2 because 17 year olds are included.

Source: AIHW 2006.

Substantiations by state/territory

- In 2004–05 in all jurisdictions, except Tasmania, the substantiation rate for Indigenous children was higher than the rate for other children (Table 2.14.2).

The reasons for the over-representation of Aboriginal and Torres Strait Islander children in child protection substantiations are complex. The report *Bringing Them Home* (National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families (HREOC 1997)) examined the effect of child welfare policies on Indigenous people. It noted that some of the underlying causes of the over-representation of Aboriginal and Torres Strait Islander children in the child welfare system include:

- the legacy of past policies of the forced removal of Aboriginal children from their families
- intergenerational effects of previous separations from family and culture
- poor socioeconomic status and
- cultural differences in child-rearing practices.

Table 2.14.2: Children aged 0–16 years who were the subjects of substantiations: number and rates per 1,000 children, by Indigenous status and state/territory, 2004–05

State/territory	Number of children			Rate per 1,000 children		
	Indigenous	Other	Total	Indigenous	Other	Total
New South Wales	1,642	7,556	9,198	27.1	5.2	6.1
Victoria	770	6,244	7,014	63.0	5.8	6.4
Queensland	1,186	11,700	12,886	20.4	13.7	14.1
Western Australia	353	682	1,035	12.2	1.6	2.3
South Australia	481	1,317	1,798	43.2	4.2	5.5
Tasmania	37	599	636	4.8	5.8	5.8
Australian Capital Territory	99	758	857	56.0	10.9	12.0
Northern Territory	319	128	447	13.7	3.9	7.9

Notes

1. Children aged 17 years were not included in this table. The substantiation rate for 17 year olds is, compared to the rate for younger children, very low. Including 17 year olds would decrease the average substantiation rate for all age groups in an unrepresentative way.
2. Data from Tasmania should be interpreted carefully due to a lower rate of recording Indigenous status at the time of the substantiation.
3. Rates for other (Australian) children were calculated by subtracting the identified Aboriginal and Torres Strait Islander children from the number of children in the total population.
4. The counts of Aboriginal and Torres Strait Islander children are likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.'

Source: AIHW 2006.

Substantiations by types of abuse and neglect

Substantiations are classified into four categories: physical abuse, sexual abuse, emotional abuse and neglect. Where more than one type of abuse or neglect has occurred, the substantiation is classified to the type most likely to be the most severe in the short term or most likely to place the child at risk in the short term, or if such an assessment is not possible, to the most obvious form of abuse or neglect. Therefore, the data presented on the type of abuse suffered by Indigenous children who were the subject of substantiations can not be considered to be the total number of cases for each type of abuse.

- The pattern of substantiated abuse and neglect for Aboriginal and Torres Strait Islander children differs from the pattern for other children. Indigenous children were more likely than other children to be the subject of a substantiation of neglect. For example, in Queensland, 41% of Indigenous children in substantiations were the subject of a substantiation of neglect, compared with 31% of other children. In the Northern Territory, the corresponding percentages were 44% and 26% respectively (Table 2.14.3).
- The proportion of Indigenous and other children who were the subject of a substantiation for the various types of abuse and neglect varied over the period 1998–99 to 2004–05. For example, the proportion of Indigenous and other children in Queensland in substantiations of emotional abuse was lower in 1997–98 (9% and 9% respectively) than in 2004–05 (31% and 39% respectively) (Table 2.14.4).

Table 2.14.3: Children aged 0–17 years who were the subject of a substantiation: type of abuse or neglect, by Indigenous status and state/territory, 2004–05 (per cent)

Type of abuse or neglect	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Indigenous children								
Physical abuse	18	22	24	28	18	27	13	34
Sexual abuse	11	4	4	20	2	30	3	6
Emotional abuse	37	49	31	13	39	22	44	16
Neglect	34	25	41	39	41	22	41	44
Total	100	100	100	100	100	100	100	100
Other children								
Physical abuse	24	25	23	29	24	31	14	48
Sexual abuse	19	10	6	23	7	13	6	6
Emotional abuse	36	43	39	14	35	21	54	20
Neglect	21	22	31	34	33	35	26	26
Total	100	100	100	100	100	100	100	100

Notes

1. The number of Indigenous children who were the subject of a substantiation should be interpreted with caution due to small numbers in Tasmania and the Australian Capital Territory.
2. Rates for Other (Australian) children were calculated by subtracting the identified Aboriginal and Torres Strait Islander children from the number of children in the total population.
3. The counts of Aboriginal and Torres Strait Islander children are likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.
4. Children aged 17 years were included in this table. Inclusion of this age group does not skew results, because no average substantiation rate for all children (in relation to all children in the state) is calculated.

Source: AIHW 2006.

Table 2.14.4: Children who were the subject of a substantiation, by type of abuse, Indigenous status and state/territory, 2004–05 (per cent)

Type of abuse or neglect	NSW		Vic		Qld		WA		SA		Tas		ACT		NT	
	Indig.	Other	Indig.	Other	Indig.	Other	Indig.	Other	Indig.	Other	Indig.	Other	Indig.	Other	Indig.	Other
	(Per cent)															
Physical abuse	18	24	22	25	24	23	28	29	18	24	27	31	13	14	34	48
Sexual abuse	11	19	4	10	4	6	20	23	2	7	30	13	3	6	6	6
Emotional abuse	37	36	49	43	31	39	13	14	39	35	22	21	44	54	16	20
Neglect	34	21	25	22	41	31	39	34	41	33	22	35	41	26	44	26
Total	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

Notes

1. Rates for other (Australian) children were calculated by subtracting the identified Aboriginal and Torres Strait Islander children from the number of children in the total population.
2. The counts of Aboriginal and Torres Strait Islander children are likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.
3. Children aged 17 years were included in this table. Inclusion of this age group does not skew results, because no average substantiation rate for all children (in relation to all children in the state) is calculated.

Source: AIHW 2006.

Time series analysis

- Since 1998–99 the rate of Aboriginal and Torres Strait Islander children in substantiations has fluctuated across the jurisdictions; however, it has increased substantially in all jurisdictions except Western Australia (Table 2.14.5).

Improvements in the quality of the data on Indigenous status are one of the major issues to be considered when analysing trends for Aboriginal and Torres Strait Islander children. Increases in the rates of Aboriginal and Torres Strait Islander children in the child protection system over time may be due to improvements in the quality of the data.

Table 2.14.5: Number and rates of Aboriginal and Torres Strait Islander children aged 0–16 years who were the subject of a substantiation, per 1,000 children, by state/territory, 1998–99 to 2004–05

Year	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT ^(a)	NT
Number								
1998–99	864	n.a. ^(b)	492	598	269	8	23	n.a. ^(c)
1999–00	761	568	502	329	337	4	6	172
2000–01	875	602	680	355	317	2	20	153
2001–02	913	579	795	386	346	2	11	222
2002–03	1910	667	881	275	351	19	33	198
2003–04	n.a.	700	1,192	322	441	12	44	375
2004–05	1,642	770	1,186	353	481	37	99	319
Rate per 1,000								
1998–99	15.2	n.a. ^(b)	9.3	10.9	25.6	1.1	14.3	n.a. ^(c)
1999–00	13.2	48.5	9.3	11.9	31.6	0.5	3.7	7.7
2000–01	14.9	50.9	12.4	12.6	29.4	0.3	12.1	6.8
2001–02	15.4	48.4	14.3	13.6	31.8	0.3	6.6	9.7
2002–03	31.9 ^(d)	55.3	15.6	9.6 ^(e)	32.0	2.5	19.4	8.6
2003–04	n.a. ^(f)	57.7	20.8	11.2	39.9	1.6	25.3	16.2
2004–05	27.1	63.0	20.4	12.2	43.2	4.8	56.0	13.7

(a) Rates from Tasmania and the Australian Capital Territory should be interpreted with care due to the small numbers. Any fluctuation in the numbers of children has a large impact on the rates.

(b) Indigenous data were not available from Victoria in 1998–99.

(c) Data for the 1998–99 financial year were not available from the Northern Territory.

(d) The data for 2002–03 and previous years should not be compared. New South Wales implemented a modification to the data system to support legislation and practice changes during 2002–03 which would make any comparison inaccurate.

(e) The decline in the number of substantiations is due to the decreased number of notifications.

(f) New South Wales was able to provide limited data for 2003–04 due to the introduction of a new client information system.

Notes

1. Rates calculated using ABS Indigenous population estimates and projections (low series) based on the 2001 Census.
2. Improvements in the quality of the data on Indigenous status are one of the major issues to be considered when analysing trends for Aboriginal and Torres Strait Islander children. Increases in the rates of Aboriginal and Torres Strait Islander children in the child protection system over time may be due to improvements in the quality of the data.
3. Children aged 17 years were not included in this table. The substantiation rate for 17 year olds is, compared to the rate for younger children, very low. Including 17 year olds would decrease the average substantiation rate for all age groups in an unrepresentative way.

Source: AIHW 2006.

Care and protection orders

If a child has been the subject of a child protection substantiation, there is often a need for state and territory child protection and support services to have continued involvement with the family. The relevant department generally attempts to protect the child through the provision of appropriate support services to the child and family. In situations where further intervention is required, the department may apply to the relevant court to place the child on a care and protection order.

Recourse to the court is usually a last resort – for example, where supervision and counselling are resisted by the family or where removal of the child to out-of-home care needs legal authorisation. However, not all applications for an order will be granted. The term ‘care and protection order’ refers not only to legal orders but also to other legal processes relating to the care and protection of children, including administrative arrangements or care applications (AIHW 2006).

Care and protection orders by state/territory

- As at June 2005, the rates of Aboriginal and Torres Strait Islander children on care and protection orders varied considerably across jurisdictions (Table 2.14.6). The rate was highest in Victoria (52.8 per 1,000) and lowest in the Northern Territory (11.4 per 1,000). In all jurisdictions, the rate of Indigenous children on orders was higher than the rate for other children.

It should be noted that care should be taken in interpreting this data as an individual child may be subject to more than one protection order at the same time.

Table 2.14.6: Children on care and protection orders: number and rate per 1,000 children aged 0–17 years, by Indigenous status and state/territory, at 30 June 2005

State/territory	Number of children			Rate per 1,000 children		
	Indigenous	Other	Total	Indigenous	Other	Total
New South Wales ^(a)	2,113	6,507	8,620	33.0	4.3	5.4
Victoria	682	4,976	5,658	52.8	4.3	4.9
Queensland	1,342	4,515	5,857	21.9	5.0	6.0
Western Australia	660	1,123	1,783	21.6	2.5	3.7
South Australia	322	1,231	1,553	27.3	3.7	4.5
Tasmania	94	622	716	11.5	5.7	6.1
Australian Capital Territory	70	394	464	37.4	5.3	6.1
Northern Territory	281	133	414	11.4	3.8	7.0

Notes

- New South Wales data do not include supervisory orders.
- Rates for other (Australian) children were calculated by subtracting the identified Aboriginal and Torres Strait Islander children from the number of children in the total population.
- The counts of Aboriginal and Torres Strait Islander children are likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.

Source: AIHW 2006.

Types of care and protection orders

There were more orders issued during 2004–05 than children admitted to orders because more than one order can be issued for any one child. For example, a child will often be admitted to a temporary or interim order followed by a guardianship or custody order. The number of orders issued in 2004–05 for Indigenous and other children is presented in Table 2.14.17.

- As at 30 June 2005, most Indigenous children were on guardianship and custody orders or arrangements (89%). Approximately 10% of Indigenous children were on interim and temporary orders. The proportion of other children on these orders was very similar to those for Indigenous children.

Table 2.14.7: Children on care and protection orders, by type of order, by state/territory and Indigenous status, 30 June 2005

Type of order	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Indigenous children									
	Number								
Guardianship or custody orders/arrangements	1,914	525	1,188	556	296	82	49	187	4,797
Supervisory orders	n.a.	137	65	..	..	0	2	2	206
Interim and temporary orders	199	20	89	104	26	12	19	92	561
Total	2,113	682	1,342	660	322	94	70	281	5,564
	Per cent								
Guardianship or custody orders/arrangements	91	77	89	84	92	87	70	67	86
Supervisory orders	..	20	5	..	..	0	3	1	4
Interim and temporary orders	9	3	7	16	8	13	27	33	10
Total	100	100	100	100	100	100	100	100	100
Other children									
	Number								
Guardianship or custody orders/arrangements	5,836	3,572	3,909	961	1,150	509	284	86	16,307
Supervisory orders	n.a.	..	220	..	..	30	49	3	302
Interim and temporary orders	671	181	386	162	81	83	61	44	1,669
Total	6,507	3,753	4,515	1,123	1,231	622	394	133	185,278
	Per cent								
Guardianship or custody orders/arrangements	90	72	87	86	93	82	72	65	89
Supervisory orders	..	..	5	..	..	5	12	2	2
Interim and temporary orders	10	4	9	14	7	13	15	33	9
Total	100	100	100	100	100	100	100	100	100

Notes

1. New South Wales could not provide data on children on supervisory orders.
2. Rates for other (Australian) children were calculated by subtracting the identified Aboriginal and Torres Strait Islander children from the number of children in the total population.
3. The counts of Aboriginal and Torres Strait Islander children are likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.

Source: AIHW 2006.

Time series analysis

- At 30 June 2005 there were more Indigenous and other children on care and protection orders than in previous years for all jurisdictions (Table 2.14.8).

Since 1997 the number of both Indigenous and other children on care and protection orders across Australia has increased significantly. The increase in the number of children on care and protection orders is attributed to a greater awareness of child abuse and neglect but also to the cumulative effect of the growing number of children who enter the child protection system at a young age and remain on orders until they are 18 years of age. Departmental analyses across the states and territories indicate that children are being admitted to orders for increasingly complex factors associated with parental substance abuse, mental health and family violence.

Table 2.14.8: Number of children on care and protection orders: children aged 0–17 years, by Indigenous status and state/territory, at 30 June 1998 to 30 June 2005

State/territory	1997–98	1998–99	1999–2000	2000–01	2001–02	2002–03	2003–04	2004–05
Indigenous								
NSW	1,195	1,562	1,826	2,070	1,992	2,265	n.a.	2,113
Vic	294	n.a.	448	512	510	534	574	682
Qld	852	880	856	803	880	953	1,146	1,342
WA	215	298	327	355	468	509	583	660
SA	160	158	215	221	233	261	275	322
Tas	34	34	31	27	23	59	83	94
ACT	46	36	40	32	32	48	53	70
NT	72	93	118	126	126	174	230	281
Australia	2,868	n.a.	3,861	4,146	4,264	4,803	n.a.	5,564
Other								
NSW	4,792	6,948	5,835	6,035	6,237	6,710	n.a.	6,507
Vic	3,921	4,358	4,304	4,270	4,465	4,504	4,677	4,976
Qld	2,581	3,609	2,756	2,770	2,885	3,154	3,804	4,515
WA	584	1,019	778	831	916	961	1,056	1,123
SA	942	1,024	995	1,039	1,053	1,117	1,180	1,231
Tas	486	440	439	426	440	541	551	622
ACT	209	236	192	187	229	240	300	394
NT	66	177	102	79	68	100	115	133
Australia	13,581	17,811	15,401	15,637	16,293	17,327	n.a.	19,501

Notes

- The data for New South Wales exclude children on finalised supervisory orders. New South Wales was unable to provide data for 2003–04 due to the ongoing implementation of the data system.
- Victoria was unable to provide Indigenous data for 1998–99.
- During 2001–02, practices were introduced to improve the identification of Indigenous status that resulted in an increase in the number of Indigenous clients.
- Rates for other (Australian) children were calculated by subtracting the identified Aboriginal and Torres Strait Islander children from the number of children in the total population.
- The counts of Aboriginal and Torres Strait Islander children are likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.

Source: AIHW 1999; 2000; 2001; 2002; 2003; 2004; 2005; 2006.

Out-of-home-care

Out-of-home care is one of a range of services provided to children who are in need of care and protection. This service provides alternative accommodation to children and young people who are unable to live with their parents. These arrangements include foster care, placements with relatives or kin, and residential care. In most cases, children in out-of-home care are also on a care and protection order of some kind (AIHW 2006).

Some children are placed in out-of-home care because they are the subject of a child protection substantiation and require a more protective environment. Other situations in which a child may be placed in out-of-home care include those where parents are incapable of providing adequate care for the child, or where alternative accommodation is needed during times of family conflict. There are no national data available, however, on the reasons children are placed in out-of-home care. This will hopefully change with the introduction of the unit record file collection which is currently being developed. More information will be collected on the child and each placement the child has throughout their time in out-of-home care.

Out-of-home care by state/territory

- At 30 June 2005 there were 5,678 Aboriginal and Torres Strait Islander children in out-of-home care. The rate of Aboriginal and Torres Strait Islander children in out-of-home care was 26.4 per 1,000 aged 0–17 years, ranging from 8.9 per 1,000 in the Northern Territory to 40.7 per 1,000 in Victoria (Table 2.14.9).
- In all jurisdictions there were higher rates of Aboriginal and Torres Strait Islander children in out-of-home care than other children. The national rate of Indigenous children in out-of-home care was over 6 times the rate for other children.

Table 2.14.9: Children in out-of-home care: number and rate per 1,000 children aged 0–17 years, by Indigenous status and state/territory, at 30 June 2005

State/territory	Number of children			Rate per 1,000 children		
	Indigenous	Other	Total	Indigenous	Other	Total
New South Wales	2,543	6,687	9,230	39.7	4.4	5.8
Victoria	526	3,882	4,408	40.7	3.4	3.8
Queensland	1,275	4,382	5,657	20.8	4.8	5.8
Western Australia	692	1,137	1,829	22.6	2.5	3.8
South Australia	286	1,043	1,329	24.3	3.1	3.9
Tasmania	78	498	576	9.5	4.6	4.9
Australian Capital Territory	60	282	342	32.0	3.8	4.5
Northern Territory	218	106	324	8.9	3.1	5.5
Australia	5,678	18,017	23,695	26.4	3.9	4.9

Notes:

1. Rates for other (Australian) children were calculated by subtracting the identified Aboriginal and Torres Strait Islander children from the number of children in the total population.
2. The counts of Aboriginal and Torres Strait Islander children are likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.

Source: AIHW 2006.

Out-of-home care by Indigenous status of caregivers

The Aboriginal Child Placement Principle outlines a preference for the placement of Aboriginal and Torres Strait Islander children with other Aboriginal and Torres Strait Islander people when they are placed outside their family (Lock 1997:50). The Principle has the following order of preference for the placement of Aboriginal and Torres Strait Islander children:

- with the child's extended family
- within the child's Indigenous community
- with other Indigenous people.

All jurisdictions have adopted the Aboriginal Child Placement Principle either in legislation or policy. The impact of the Principle is reflected in the relatively high proportions of Aboriginal and Torres Strait Islander children who were placed either with Indigenous caregivers or with relatives in many jurisdictions.

- As at 30 June 2005, the proportion of Aboriginal and Torres Strait Islander children who were placed with either an Indigenous carer or a relative, for example, was 87% in New South Wales and 83% in Western Australia (Table 2.14.10).

Table 2.14.10: Aboriginal and Torres Strait Islander children in out-of-home care: Indigenous status and relationship of carer, by state/territory, at 30 June 2005

Relationship	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
	Number							
Indigenous relative/kin	1,485	133	343	345	70	8	19	79
Other Indigenous caregiver	443	77	366	143	136	1	14	71
Other relative/kin	266	71	115	55	12	11	3	n.a.
Indigenous residential care	7	11	2	25	..	..	2	..
Total in accordance with the Aboriginal Child Placement Principle	2,201	292	826	568	218	20	38	150
Other caregiver	291	181	444	77	64	54	14	68
Other residential care	42	24	5	38	4	0	6	..
Total not placed in accordance with the Aboriginal Child Placement Principle	333	205	449	115	68	54	20	68
Total	2,534	497	1,275	683	286	74	58	218
	Per cent							
Indigenous relative/kin	59	27	27	51	24	11	33	36
Other Indigenous caregiver	17	15	29	21	48	1	24	33
Other relative/kin	10	14	9	8	4	15	5	n.a.
Indigenous residential care	..	2	..	4	..	..	3	
Total in accordance with the Aboriginal Child Placement Principle	87	59	65	83	76	27	66	69
Other caregiver	11	36	35	11	22	73	24	31
Other residential care	2	5	..	6	1	..	10	..
Total not placed in accordance with the Aboriginal Child Placement Principle	13	41	35	17	24	73	34	31
Total	100	100	100	100	100	100	100	100

Notes

1. This table does not include Indigenous children who were living independently or whose living arrangements were unknown.
2. The relationship of the caregiver to children placed with other caregivers was not available and these children were placed in the 'other Indigenous caregiver' category.

Source: AIHW 2006.

Data quality issues

Child Protection data

Reported rates for Aboriginal and Torres Strait Islander children in the child protection system for 2004–05 cannot be compared directly with those from previous years in earlier AIHW Child protection in Australia publications. Prior years were calculated using ABS Indigenous population data from the 1996 Census; these projections are different from those in that they are based on the data from the 2001 Census. For time series analysis presented in this measure, rates have been recalculated using revised ABS population estimates and projections for the relevant years based on the 2001 Census.

State/territory comparisons

As each state or territory has a different legal regime and different human services policies around child protection, the states and territories cannot be compared with each other, and national totals should not be used. Tasmania and the Australian Capital Territory have very small numbers and statistics from these jurisdictions are susceptible to random fluctuations.

Child protection is an area in which legislation and human services practice changes often; notification rates vary owing to public awareness of child abuse, and practice in relation to the intensity of follow-up of notifications also varies owing to a number of factors. For these reasons time-series comparisons may not be statistically valid.

In addition, one-off global changes may occur in the legal and procedural regime of a particular jurisdiction, which may make comparisons between time series data from before and after the change invalid.

Child abuse

A new development in child protection policy and practice that has emerged in the last decade has been the broadening of the definition of child abuse and a focus on early interventions and provision of support for families identified by family services departments as being in risk categories for child abuse. However, depending on how these policies have been implemented, this new focus could mean either an increase in substantiated notifications (as in New South Wales), as authorities intervene earlier, or a decrease, if child protection practice no longer relies to such an extent on the notification/substantiation process (as in Western Australia). (Western Australia child protection now uses a 'Child Concern Report' as a first step in the legal child protection process; many of these reports do not proceed to the substantiated notification stage.)

Care and protection orders

Care should be exercised in interpreting data on child protection orders as an individual child may be subject to more than one protection order at the same time.

Substantiations

Since 1997 the number of substantiated notifications of child abuse across Australia has increased significantly. Therefore, interpretation of the figures for Indigenous children should be in the light of the increasing number of all children subject to these substantiated notifications.

The practices used to identify and record the Indigenous status of children vary across states and territories, with some jurisdictions recording large numbers of unknowns. No state or territory can validate the data on Aboriginal and Torres Strait Islander children by other means and the quality of the data is therefore unknown. In this collection, children are counted as Indigenous if they are identified as such in the state and territory collections. Children whose Indigenous status is recorded as 'unknown' are counted as non-Indigenous and included in the category 'other children'. The counts for Aboriginal and Torres Strait Islander children are therefore likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.

Data quality issues (continued)

During 1998–99 a new method for counting Indigenous status was implemented in New South Wales, which improved the accuracy of this information. The apparent increase in the rate of Indigenous clients was a reflection of the improved recording of Indigenous status rather than an increase in the number of Indigenous clients. Western Australia also introduced new practices to improve the identification of Indigenous clients in 2001–02.

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