

## 2.15 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 2006–07 financial year and have been published in the AIHW report *Child protection in Australia 2006–07* (AIHW 2008). 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.

Note 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 to 2006–07 cannot be compared directly with those from previous years in earlier AIHW *Child protection in Australia* publications. In previous years, rates were calculated using ABS Indigenous population data from the 1996 Census; these later projections are based on the data from the 2001 Census. For time series analyses 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 substantiated notifications

The data presented below on child protection substantiated notifications 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 2008).

Note that because 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 2006–07, Aboriginal and Torres Strait Islander children were more than five times as likely as other children to be the subject of a substantiated notification.

## Children in substantiated notifications by age

- In 2006–07, the highest numbers of Indigenous children who were the subject of a substantiated notification were between 1 and 9 years of age, and the highest numbers of other children who were the subject of a substantiated notification were between 5 and 14 years of age (Table 2.15.1).

**Table 2.15.1: Children in substantiated notifications, by age, Indigenous status and state/territory, 2006–07**

Age group (years)	NSW <sup>(a)</sup>	Vic <sup>(b)</sup>	Qld <sup>(c)(d)</sup>	WA	SA	Tas <sup>(e)(f)</sup>	ACT	NT
Number								
<b>Indigenous children</b>								
< 1	558	109	197	77	81	5	11	65
1–4	909	183	325	108	132	5	21	125
5–9	839	191	315	137	123	10	21	91
10–14	817	177	297	109	89	7	18	96
15–17	160	37	80	8	16	3	5	18
Unknown	1	—	—	—	1	1	—	—
<b>Total</b>	<b>3,284</b>	<b>697</b>	<b>1,214</b>	<b>439</b>	<b>442</b>	<b>31</b>	<b>76</b>	<b>395</b>
<b>Other children<sup>(g)</sup></b>								
< 1	1,375	929	707	102	216	110	56	10
1–4	2,572	1,441	1,509	188	386	170	138	26
5–9	2,903	1,502	1,722	195	365	187	128	52
10–14	2,859	1,604	1,743	196	299	163	129	47
15–17	769	418	507	40	42	33	37	12
Unknown	7	—	—	—	7	106	—	—
<b>Total</b>	<b>10,485</b>	<b>5,894</b>	<b>6,188</b>	<b>721</b>	<b>1,315</b>	<b>769</b>	<b>488</b>	<b>147</b>

(a) There has been an increase in the number of Indigenous and other children recorded in substantiated notifications in New South Wales in recent years because of the introduction of a new client information system in 2002–03 and the establishment of an information quality and revised reporting framework in 2004–05, which have resulted in significant improvements to the coverage and quality of information on child protection notifications.

(b) Because of new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable to previous years data. See AIHW (2008) for more information.

(c) 2006–07 data for Queensland are interim and will be revised in 2008.

(d) 2006–07 substantiation figures for Queensland are affected by a change in recording practice. From March 2007, any new child protection concerns received by the department that relate to an open notification or investigation and assessment are recorded as an additional concern and linked to the open notification/investigation and assessment. Previously, any new child protection concerns received by the department were recorded as an additional notification. If an investigation relating to these notifications was substantiated, each notification was recorded as a separate substantiation. Because new concerns are now recorded as additional concerns, and not notifications, only the original notification is counted as substantiation, where the investigation outcome is substantiated.

(e) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully because of the high proportion of investigations in process by 31 August 2007.

(f) The high number of children in substantiation with an unknown Indigenous status in Tasmania makes the counts for both Indigenous children and other children unreliable.

(g) 'Other children' includes those children whose Indigenous status is unknown.

#### Notes

1. Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2007.
2. The counts of Indigenous children are likely to be an underestimate of the actual number of Indigenous children in the child protection system.
3. Totals differ slightly from those provided in Table 2.15.2 because 17 year olds are included.

Source: AIHW 2008.

## Substantiated notifications by state/territory

Aboriginal and Torres Strait Islander children are more likely to be the subjects of substantiated notifications than other children. In 2006–07, in all jurisdictions except Tasmania the substantiation rate for Indigenous children was higher than the rate for other

children. Across Australia, Indigenous children were more than five times as likely as other children to be the subject of a substantiated notification (Table 2.15.2; Figure 2.15.1).

The reasons for the over-representation of Aboriginal and Torres Strait Islander children in child protection substantiations are complex. The report of the 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
- cultural differences in child-rearing practices.

**Table 2.15.2: Children aged 0–16 years who were the subjects of substantiated notifications: number and rates per 1,000 children, by Indigenous status and state/territory, 2006–07**

State/territory	Number of children			No. per 1,000 children			Rate ratio <sup>(a)</sup>
	Indigenous	Other	Total	Indigenous	Other	Total	
New South Wales	3,276	10,414	13,690	53.5	7.1	9.0	7.5
Victoria <sup>(b)</sup>	697	5,891	6,588	56.6	5.3	5.9	10.6
Queensland <sup>(c)</sup>	1,203	6,138	7,341	20.3	6.9	7.7	3.0
Western Australia	438	716	1,154	15.0	1.6	2.4	9.3
South Australia	439	1,314	1,753	39.0	4.1	5.3	9.4
Tasmania <sup>(d)(e)</sup>	31	768	799	4.0	7.5	7.2	0.5
Australian Capital Territory	75	483	558	41.3	6.9	7.8	6.0
Northern Territory	395	145	540	16.8	4.2	9.3	4.0
<b>Australia</b>	<b>6,554</b>	<b>25,869</b>	<b>32,423</b>	<b>31.8</b>	<b>5.8</b>	<b>7.0</b>	<b>5.4</b>

(a) Rate ratio Indigenous:non-Indigenous

(b) Because of new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable to previous years data. See AIHW (2008) for more information.

(c) 2006–07 data for Queensland are interim and will be revised in 2008.

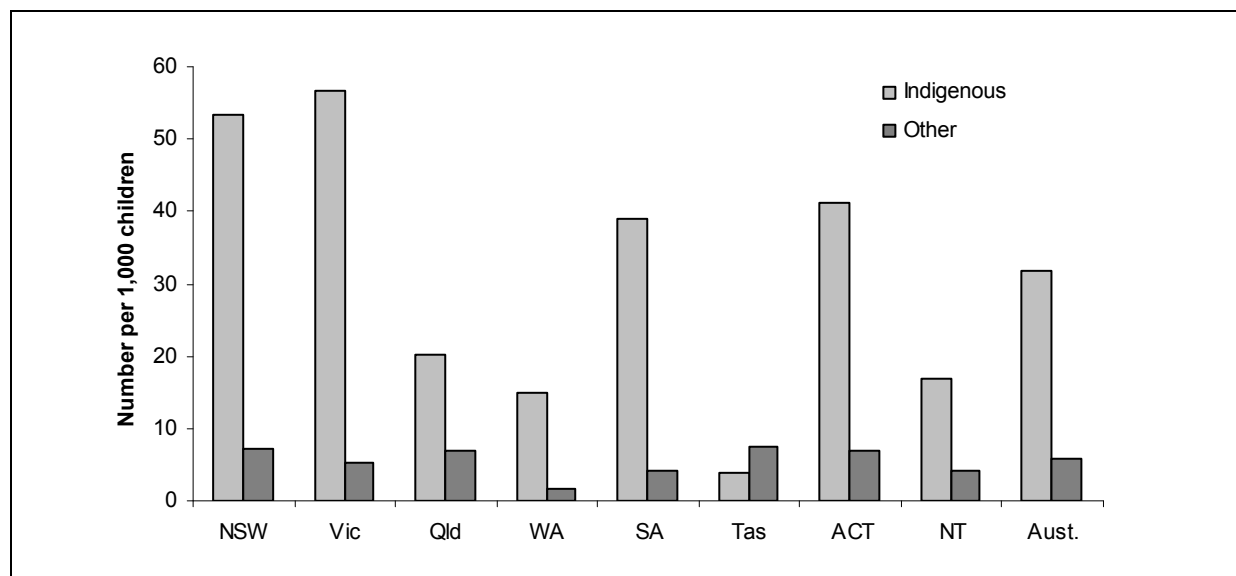
(d) Data relating to the substantiations in Tasmania for 2006–07 should be interpreted carefully because of the high proportion of investigations in process by 31 August 2007.

(e) The high number of children in substantiation with an unknown Indigenous status in Tasmania makes the counts for both Indigenous children and other children unreliable.

#### Notes

1. Due to the small number involved, children aged 17 years were not included in this table. However, children whose age was unknown are included.
2. 'Other' includes non-Indigenous children and those children whose Indigenous status is unknown.
3. Data from Tasmania should be interpreted carefully because of a lower rate of recording Indigenous status at the time of the substantiation.
4. 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.
5. 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.
6. Rate ratios are calculated by dividing the unrounded rate of Indigenous children who were the subject of substantiations by the unrounded rate of other children who were the subject of substantiations. The resulting number is a measure of how many Indigenous children were the subject of a substantiation for every one other child who was the subject of a substantiation.

Source: AIHW 2008.



Source: AIHW analysis of National Child Protection Data collections.

**Figure 2.15.1: Children aged 0–16 years who were the subjects of substantiated notifications: rates per 1,000 children, by Indigenous status and state/territory, 2006–07**

### Substantiated notifications by types of abuse and neglect

Substantiated notifications 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 overall pattern of substantiated abuse and neglect for Aboriginal and Torres Strait Islander children was similar to that of other children. However, the proportion of substantiations for Indigenous children recorded as neglect was generally higher than that of other children. For example, in Western Australia, 50% of Indigenous children in substantiated notifications were the subject of neglect, compared with 36% of other children (Table 2.15.3).

**Table 2.15.3: Children aged 0–17 years who were the subject of substantiated notifications: type of abuse or neglect, by Indigenous status and state/territory, 2006–07 (per cent)**

Type of abuse or neglect	NSW	Vic <sup>(a)</sup>	Qld <sup>(b)</sup>	WA	SA	Tas <sup>(c)(d)</sup>	ACT	NT
<b>Indigenous children</b>								
Physical abuse	16.5	31.3	22.6	19.6	10.0	9.7	15.8	30.1
Sexual abuse	8.7	4.6	4.9	12.5	2.7	19.4	3.9	9.9
Emotional abuse	37.1	44.8	39.5	17.5	50.0	9.7	39.5	30.1
Neglect	37.7	19.4	33.0	50.3	37.3	61.3	40.8	29.9
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Other children</b>								
Physical abuse	20.8	34.8	22.7	24.3	15.9	22.6	13.3	42.9
Sexual abuse	16.6	7.4	6.7	22.5	5.9	12.1	3.1	14.3
Emotional abuse	36.9	42.3	46.4	16.9	46.7	28.7	50.4	29.9
Neglect	25.7	15.5	24.2	36.3	31.5	36.5	33.2	12.9
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(a) Because of new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable to previous years data. See AIHW (2008) for more information.

(b) 2006–07 data for Queensland are interim and will be revised in 2008.

(c) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully because of the high proportion of investigations in process by 31 August 2007.

(d) The high number of children with an 'unknown' Indigenous status at substantiation in Tasmania makes the counts for both Indigenous children and other children unreliable.

*Notes*

1. If a child was the subject of more than one type of abuse or neglect as part of the same notification, the type of abuse or neglect reported 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, the type of abuse or neglect reported is the one associated with the first substantiation decision during the year.
2. In Tasmania and the Australian Capital Territory, the proportion of Indigenous children who were the subject of a substantiation should be interpreted with caution because of the small number.
3. 'Other' includes non-Indigenous children and those children whose Indigenous status is unknown.
4. Percentages in tables may not add to 100 due to rounding.
5. 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 2008.

### **Time series analyses**

- Over the period 1998–99 to 2006–07, the rates of Aboriginal and Torres Strait Islander children in substantiated notifications appear to have increased overall; however, the rates have fluctuated over this period. For example, between 2005–06 and 2006–07 the rate rose in New South Wales, Western Australia, South Australia and the Northern Territory but fell in Victoria, Queensland, Tasmania and the Australian Capital Territory (Table 2.15.4).

Improvements in the quality of the data on Indigenous status are one of the 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 a combination of improvements in the identification of Indigenous status in the data as well as to increases in the number of children in the child protection system.

**Table 2.15.4: Number and rates of Aboriginal and Torres Strait Islander children aged 0–16 years who were the subject of substantiated notifications, per 1,000 children, by state/territory, 1998–99 to 2006–07**

Year	NSW <sup>(a)</sup>	Vic <sup>(b)</sup>	Qld <sup>(c)</sup>	WA	SA	Tas <sup>(d)(e)(f)</sup>	ACT <sup>(f)</sup>	NT	Aust <sup>(g)</sup>
<b>Number</b>									
1998–99	864	n.a. <sup>(h)</sup>	492	598	269	8	23	n.a. <sup>(i)</sup>	n.a.
1999–00	761	568	502	329	337	4	6	172	n.a.
2000–01	875	602	680	355	317	2	20	153	n.a.
2001–02	913	579	795	386	346	2	11	222	n.a.
2002–03	1,910	667	881	275 <sup>(j)</sup>	351	19	33	198	n.a.
2003–04	n.a. <sup>(k)</sup>	700	1,192	322	441	12	44	375	n.a.
2004–05	1,642	770	1,186	353	481	37	99	319	n.a.
2005–06	2,696	834	1,340	316	360	34	99	354	6,033
2006–07	3,276	697	1,203	438	439	31	75	395	6,554
<b>Number per 1,000</b>									
1998–99	15.2	n.a. <sup>(h)</sup>	9.3	10.9	25.6	1.1	14.3	n.a. <sup>(i)</sup>	n.a.
1999–00	13.2	48.5	9.3	11.9	31.6	0.5	3.7	7.7	n.a.
2000–01	14.9	50.9	12.4	12.6	29.4	0.3	12.1	6.8	n.a.
2001–02	15.4	48.4	14.3	13.6	31.8	0.3	6.6	9.7	n.a.
2002–03	31.9	55.3	15.6	9.6 <sup>(j)</sup>	32.0	2.5	19.4	8.6	n.a.
2003–04	n.a. <sup>(k)</sup>	57.7	20.8	11.2	39.9	1.6	25.3	16.2	n.a.
2004–05	27.1	63.0	20.4	12.2	43.2	4.8	56.0	13.7	n.a.
2005–06	44.2	67.7	23.0	10.9	32.3	4.4	56.8	15.2	29.4
2006–07	53.5	56.6	20.3	15.0	39.0	4.0	41.3 <sup>(l)</sup>	16.8	31.8

- (a) New South Wales data for 2002–03 and previous years should not be compared with data from 2003–04 onwards. 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. In conjunction with the new system, an information quality and revised reporting framework was established in 2004–05 which resulted in significant improvements to the coverage and quality of information from 2004–05 onwards.
- (b) Because of new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable to previous years data. See AIHW (2008) for more information.
- (c) 2006–07 data for Queensland are interim and will be revised in 2008.
- (d) Data relating to substantiations in Tasmania for 2005–06 and 2006–07 should be interpreted carefully because of the high proportion of investigations in process by 31 August.
- (e) Because of the high number of children with Indigenous status unknown in Tasmania, Indigenous children may be considerably under-reported.
- (f) Rates from Tasmania and the Australian Capital Territory should be interpreted with care because of the small numbers. Any fluctuation in the numbers of children has a large impact on the rates.
- (g) Australia data were not available before 2005–06.
- (h) Indigenous data were not available from Victoria in 1998–99.
- (i) Data for 1998–99 were not available from the Northern Territory.
- (j) The decline in the number of substantiations is due to the decreased number of notifications in Western Australia.
- (k) New South Wales data for 2003–04 were not available because of the introduction of a new client information system.
- (l) The decrease in the number of substantiated notifications reflects a requirement of staff to substantiate emotional abuse or neglect only if there was, or is likely to be, significant harm and there was no-one with parental responsibility willing and able to protect the child/young person. Recording an outcome of an appraisal as not substantiated does not exclude ongoing work with the child or young person.

**Notes**

- Because of the small number involved, children aged 17 years were not included in this table. The substantiation rate for 17 year olds is, compared with 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. However, children whose age was unknown are included.
- Rates calculated using ABS Indigenous population estimates and projections (low series) based on the 2001 Census.
- 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.

Source: AIHW 1999; 2000; 2001; 2002; 2003; 2004; 2005; 2006; 2007; 2008.

## 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, where other avenues for resolution of the situation have been exhausted, 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 2008).

### Care and protection orders by age

- In 2006–07, the highest numbers of Indigenous and other children who were on care and protection orders were between 1 and 14 years of age (Table 2.15.5).

**Table 2.15.5: Children on care and protection orders, by age, Indigenous status and state/territory, 2006–07**

Age group (years)	NSW <sup>(a)</sup>	Vic <sup>(b)</sup>	Qld <sup>(c)</sup>	WA <sup>(d)</sup>	SA	Tas	ACT	NT
	Number							
<b>Indigenous children</b>								
<1	80	17	n.a	63	23	7	5	12
1–4	677	199	n.a	295	105	37	18	89
5–9	917	189	n.a	372	120	54	31	91
10–14	883	144	n.a	272	130	41	40	73
15–17	321	74	n.a	89	62	25	19	35
Unknown	2	0	n.a	0	0	0	0	0
<b>Total</b>	<b>2,880</b>	<b>623</b>	<b>1,690</b>	<b>1,091</b>	<b>440</b>	<b>164</b>	<b>113</b>	<b>300</b>
<b>Other children<sup>(g)</sup></b>								
<1	252	137	n.a	75	53	32	13	6
1–4	1,463	1,303	n.a	385	295	152	105	42
5–9	2,412	1,360	n.a	452	384	232	133	43
10–14	2,528	1,294	n.a	417	440	216	136	43
15–17	1,100	764	n.a	209	269	101	74	17
Unknown	4	698	n.a	0	0	0	0	0
<b>Total</b>	<b>7,759</b>	<b>5,556</b>	<b>4,466</b>	<b>1,538</b>	<b>1,441</b>	<b>733</b>	<b>461</b>	<b>151</b>

(continued)

**Table 2.15.5 (continued): Children on care and protection orders, by age, Indigenous status and state/territory, 2006–07**

Age group (years)	NSW <sup>(a)</sup>	Vic <sup>(b)</sup>	Qld <sup>(c)</sup>	WA <sup>(d)</sup>	SA	Tas	ACT	NT
Per cent <sup>(e)(f)</sup>								
<b>Indigenous children</b>								
< 1	2.8	2.7	n.a	5.8	5.2	4.3	4.4	4.0
1–4	23.5	31.9	n.a	27.0	23.9	22.6	15.9	29.7
5–9	31.9	30.3	n.a	34.1	27.3	32.9	27.4	30.3
10–14	30.7	23.1	n.a	24.9	29.5	25.0	35.4	24.3
15–17	11.2	11.9	n.a	8.2	14.1	15.2	16.8	11.7
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	n.a	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Other children<sup>(g)</sup></b>								
< 1	3.2	2.8	n.a	4.9	3.7	4.4	2.8	4.0
1–4	18.9	26.8	n.a	25.0	20.5	20.7	22.8	27.8
5–9	31.1	28.0	n.a	29.4	26.6	31.7	28.9	28.5
10–14	32.6	26.6	n.a	27.1	30.5	29.5	29.5	28.5
15–17	14.2	15.7	n.a	13.6	18.7	13.8	16.1	11.3
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	n.a	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(a) New South Wales data do not include supervisory orders

(b) Because of new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable to previous years data. See AIHW (2008) for more information.

(c) 2006–07 data for Queensland are interim and will be revised in 2008.

(d) Includes 24 children who were placed on Enduring Parental Responsibility orders. Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully because of the high proportion of investigations in process by 31 August 2007.

(e) Percentages exclude children of unknown age.

(f) Percentages in tables may not add to 100 because of rounding.

(g) Includes those children whose Indigenous status is unknown.

Source: AIHW analysis of National Child Protection Data Collection.

### **Care and protection orders by state/territory**

- As at June 2007, the rates of Aboriginal and Torres Strait Islander children on care and protection orders varied considerably across jurisdictions, ranging from 12.1 per 1,000 in the Northern Territory to 58.9 per 1,000 in the Australian Capital Territory (Table 2.15.6; Figure 2.15.2).
- In all jurisdictions, the rate of Indigenous children on care and protection orders was higher than the rate for other children, ranging from 3 to 11 times as high across jurisdictions. Across Australia, the rate of Indigenous children on orders was more than 7 times higher than that of other children.

**Table 2.15.6: Children on care and protection orders: number and rate (number per 1,000 children aged 0–17 years), by Indigenous status and state/territory, at 30 June 2007**

State/territory	Number of children			Number per 1,000 children			Rate ratio
	Indigenous	Other	Total	Indigenous	Other	Total	
New South Wales <sup>(a)</sup>	2,880	7,759	10,639	44.5	5.0	6.6	8.9
Victoria <sup>(b)</sup>	623	5,556	6,179	47.6	4.7	5.2	10.1
Queensland <sup>(c)</sup>	1,690	4,466	6,156	27.0	4.7	6.0	5.8
Western Australia <sup>(d)</sup>	1,091	1,538	2,629	35.2	3.2	5.2	10.8
South Australia	440	1,441	1,881	36.9	4.3	5.4	8.7
Tasmania	164	733	897	19.9	6.7	7.6	3.0
Australian Capital Territory <sup>(e)</sup>	113	461	574	58.9	6.2	7.5	9.5
Northern Territory	300	151	451	12.1	4.1	7.3	2.9
<b>Australia</b>	<b>7,301</b>	<b>22,105</b>	<b>29,406</b>	<b>33.4</b>	<b>4.7</b>	<b>6.0</b>	<b>7.1</b>

(a) New South Wales data do not include supervisory orders.

(b) Because of new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years data. See AIHW (2008) for more information.

(c) 2006–07 for Queensland are interim and will be revised in 2008.

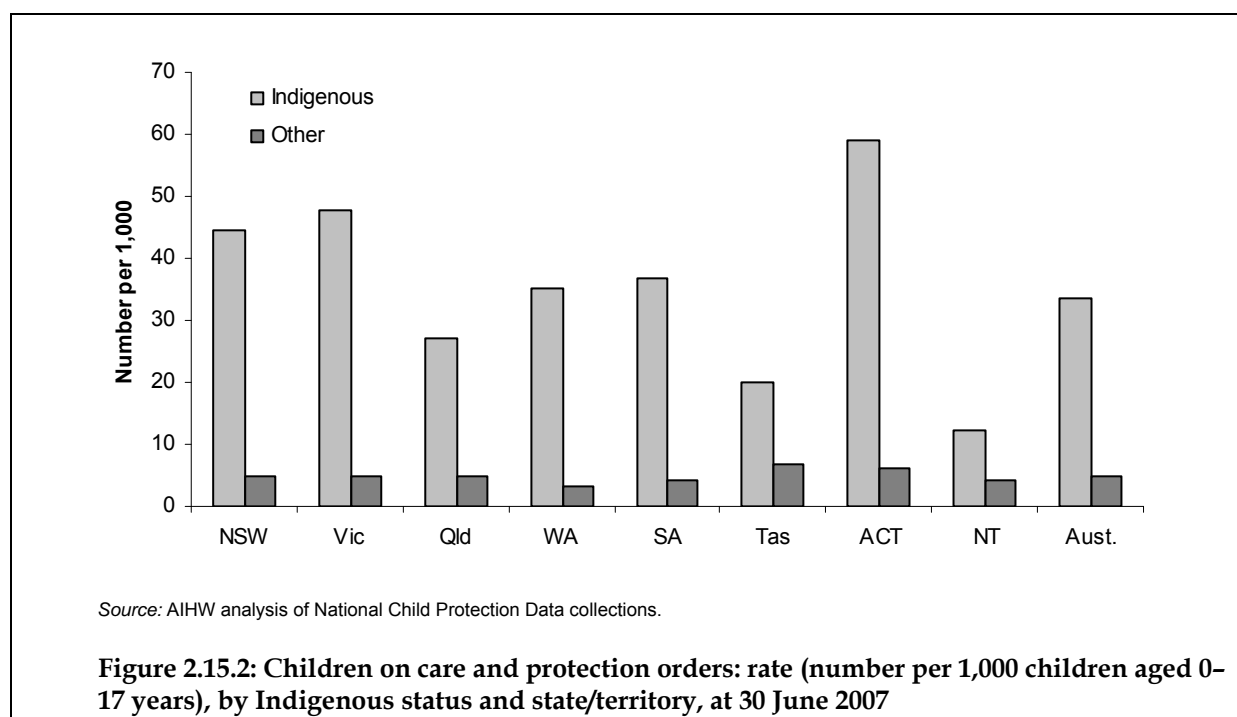
(d) Includes 24 children who were placed on Enduring Parental Responsibility orders.

(e) Additional systems have been put in place to tackle the Indigenous status recording issue, including quarterly monitoring.

*Notes*

1. 'Other' includes non-Indigenous children and those children whose Indigenous status is unknown. This includes 1,229 children whose Indigenous status was recorded as unknown.
2. Rate ratios are calculated by dividing the unrounded rate of Indigenous children who were on a care and protection order by the unrounded rate of other children who were on a care and protection order. The resulting number is a measure of how many Indigenous children were on a care and protection order for every one other child who was on a care and protection order.
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 2008.



**Figure 2.15.2: Children on care and protection orders: rate (number per 1,000 children aged 0–17 years), by Indigenous status and state/territory, at 30 June 2007**

## **Types of care and protection orders**

There were more orders issued during 2006–07 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 orders issued in 2006–07 for Indigenous and other children are presented in Table 2.15.7.

- As at 30 June 2007, most Indigenous children on care and protection orders were on guardianship and custody orders or arrangements (83%). The types of orders that Indigenous children were on compared with other children were very similar except in the Australian Capital Territory where Indigenous children were relatively less likely to be on supervisory orders or interim/temporary orders than other children.

**Table 2.15.7: Children on care and protection orders, by type of order, by state/territory and Indigenous status, 30 June 2007**

Type of order	NSW	Vic <sup>(a)</sup>	Qld <sup>(b)</sup>	WA <sup>(c)(d)(e)</sup>	SA	Tas	ACT	NT <sup>(f)</sup>	Total
<b>Indigenous children</b>	<b>Number</b>								
Guardianship or custody orders/arrangements	2,505	436	n.a.	818	416	134	98	274	4,681
Supervisory orders	n.a.	164	n.a.	23	—	6	6	—	199
Interim and temporary orders	375	23	n.a.	250	24	24	9	26	731
<b>Total</b>	<b>2,880</b>	<b>623</b>	<b>—</b>	<b>1,091</b>	<b>440</b>	<b>164</b>	<b>113</b>	<b>300</b>	<b>5,611</b>
	<b>Per cent</b>								
Guardianship or custody orders/arrangements	87.0	70.0	..	75.0	94.5	81.7	86.7	91.3	83.4
Supervisory orders	..	26.3	..	2.1	—	3.7	5.3	—	3.5
Interim and temporary orders	13.0	3.7	..	22.9	5.5	14.6	8.0	8.7	13.0
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>..</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Other children</b>	<b>Number</b>								
Guardianship or custody orders/arrangements	6,614	3,905	n.a.	1,206	1,379	620	337	134	14,195
Supervisory orders	n.a.	1,463	n.a.	42	—	26	53	—	1,584
Interim and temporary orders	1,145	188	n.a.	290	62	87	71	17	1,860
<b>Total</b>	<b>7,759</b>	<b>5,556</b>	<b>—</b>	<b>1,538</b>	<b>1,441</b>	<b>733</b>	<b>461</b>	<b>151</b>	<b>17,639</b>
	<b>Per cent</b>								
Guardianship or custody orders/arrangements	85.2	70.3	..	78.4	95.7	84.6	73.1	88.7	80.5
Supervisory orders	..	26.3	..	2.7	—	3.5	11.5	—	9.0
Interim and temporary orders	14.8	3.4	..	18.9	4.3	11.9	15.4	11.3	10.5
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>..</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(a) Because of new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable to previous years data. See AIHW (2008) for more information.

(b) Data have not been provided because of the recent transition to a new information management system.

(c) Implementation of the Western Australian *Children and Community Services Act 2004* in March 2006 required the legal status of children in care to be reviewed and protection orders were sought for a number of children already in care but not under care and protection orders.

(d) Includes 24 children who were placed on Enduring Parental Responsibility orders.

(e) In Western Australian, the application for a care and protection order to be issued for a child is counted as an interim order for national reporting purposes, but there is, in fact, no order issued during this stage. It is thus not relevant to compare the number of orders by a percentage basis or the ratio of orders issued per child.

(f) Data from the Northern Territory include all children admitted to care and protection orders for the first time since October 1998 (when the client information system was commissioned) and exclude those children with a current care and protection order at that time.

*Notes*

1. New South Wales could not provide data on children on supervisory orders.
2. 'Other children' includes those children whose Indigenous status is unknown. This includes 1,229 children whose Indigenous status was recorded as unknown.
3. Percentages in tables may not add to 100 because of rounding.
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 2008.

## Length of time on care and protection orders

- In 2006–07, in New South Wales, Western Australia and the Northern Territory, Indigenous children were most likely to be on care and protection orders for less than 1 month. In South Australia and the Australian Capital Territory, Indigenous children were most likely to be on care and protection orders for 1 to less than 3 months. In Victoria and Tasmania, Indigenous children were most likely to be on care and protection orders for 6 to less than 12 months and 1 to less than 2 years respectively (Table 2.15.8).
- A similar pattern was evident for other children on care and protection orders in 2006–07.

**Table 2.15.8: Children discharged from care and protection orders, by length of time on an order, for selected states and territories, 2006–07**

	Length of time continually on an order at time of discharge								Total
	Months				Years				
	<1	1 to <3	3 to <6	6 to <12	1 to <2	2 to <4	4 to <8	8 or more	
	Number								
<b>Indigenous children</b>									
New South Wales <sup>(a)</sup>	167	74	45	34	36	32	40	30	<b>458</b>
Victoria <sup>(b)</sup>	3	38	54	114	41	32	1	0	<b>283</b>
Queensland <sup>(c)</sup>	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	..
Western Australia	79	2	3	10	5	15	29	14	<b>157</b>
South Australia	5	22	0	3	6	18	4	14	<b>72</b>
Tasmania	2	6	0	1	11	5	0	3	<b>28</b>
Australian Capital Territory	5	6	3	0	2	4	2	2	<b>24</b>
Northern Territory	87	17	16	5	31	10	5	1	<b>172</b>
<b>Other children</b>									
New South Wales <sup>(a)</sup>	510	193	146	127	129	128	135	141	<b>1,509</b>
Victoria <sup>(b)</sup>	20	241	482	828	323	253	79	0	<b>2,226</b>
Queensland <sup>(c)</sup>	..	..	..	..	..	..	..	..	..
Western Australia	96	17	13	26	16	26	35	36	<b>265</b>
South Australia	6	54	1	12	41	38	26	36	<b>214</b>
Tasmania	52	58	30	13	58	28	12	17	<b>268</b>
Australian Capital Territory	25	9	7	4	21	47	6	10	<b>129</b>
Northern Territory	39	17	4	2	10	8	5	3	<b>88</b>

(continued)

**Table 2.15.8 (continued): Children discharged from care and protection orders, by length of time on an order, for selected states and territories, 2006–07**

	Length of time continually on an order at time of discharge								Total
	Months				Years				
	<1	1 to <3	3 to <6	6 to <12	1 to <2	2 to <4	4 to <8	8 or more	
	Per cent								
<b>Indigenous children</b>									
New South Wales <sup>(a)</sup>	36.5	16.2	9.8	7.4	7.9	7.0	8.7	6.6	100.0
Victoria <sup>(b)</sup>	1.1	13.4	19.1	40.3	14.5	11.3	0.4	0.0	100.0
Queensland <sup>(c)</sup>	..	..	..	..	..	..	..	..	..
Western Australia	50.3	1.3	1.9	6.4	3.2	9.6	18.5	8.9	100.0
South Australia	6.9	30.6	0.0	4.2	8.3	25.0	5.6	19.4	100.0
Tasmania <sup>(d)</sup>	7.1	21.4	0.0	3.6	39.3	17.9	0.0	10.7	100.0
Australian Capital Territory <sup>(d)</sup>	20.8	25.0	12.5	0.0	8.3	16.7	8.3	8.3	100.0
Northern Territory	50.6	9.9	9.3	2.9	18.0	5.8	2.9	0.6	100.0
<b>Other children<sup>(e)</sup></b>									
New South Wales <sup>(a)</sup>	33.8	12.8	9.7	8.4	8.5	8.5	8.9	9.3	100.0
Victoria <sup>(b)</sup>	0.9	10.8	21.7	37.2	14.5	11.4	3.5	0.0	100.0
Queensland <sup>(c)</sup>	..	..	..	..	..	..	..	..	..
Western Australia	36.2	6.4	4.9	9.8	6.0	9.8	13.2	13.6	100.0
South Australia	2.8	25.2	0.5	5.6	19.2	17.8	12.1	16.8	100.0
Tasmania <sup>(d)</sup>	19.4	21.6	11.2	4.9	21.6	10.4	4.5	6.3	100.0
Australian Capital Territory <sup>(d)</sup>	19.4	7.0	5.4	3.1	16.3	36.4	4.7	7.8	100.0
Northern Territory	44.3	19.3	4.5	2.3	11.4	9.1	5.7	3.4	100.0

(a) New South Wales data do not include supervisory orders.

(b) Because of new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable to previous years data.

(c) Data have not been provided because of the recent transition to a new information management system.

(d) Percentages for Tasmania and the Australian Capital Territory should be interpreted with care because of the small numbers. Any fluctuation in the number of children has a large impact on the percentages.

(e) Other children' includes those children whose Indigenous status is unknown.

**Notes**

1. If a child is discharged from an order and a new care and protection order/arrangement is applied within 5 days of the discharge, the orders are deemed to be consecutive (i.e. the length of time continuously on an order will include both orders).
2. If a child is on multiple care and protection orders/arrangements, all orders/arrangements must be discharged before a discharge for the purposes of this table is counted.
3. Length of time continuously on an order is counted only for the first order/arrangement that the child is discharged from during the year.
4. Totals exclude discharges of unknown length.
5. Percentages in tables may not add to 100 due to rounding.

Source: AIHW analysis of National Child Protection Data Collection.

## **Time series analyses**

- At 30 June 2007 there were more Indigenous children on care and protection orders than in previous years for all jurisdictions, except Victoria and the Northern Territory where the highest numbers were recorded in 2005–06 (Table 2.15.9).
- In 2006–07 there were more other Australian children on care and protection orders than in previous years for all jurisdictions, except Queensland and the Northern Territory.

Since 1997 the number of both Indigenous and other children on care and protection orders across Australia has increased significantly (Figure 2.15.3). The increase in the number of children on care and protection orders may be 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 (VDHS 2002).

**Table 2.15.9: 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 2007**

State/ territory	1997–98	1998–99	1999–00	2000–01	2001–02	2002–03	2003–04	2004–05	2005–06	2006–07
<b>Indigenous</b>										
NSW <sup>(a)</sup>	1,195	1,562	1,826	2,070	1,992	2,265	n.a.	2,113	2,409	2,880
Vic <sup>(b)</sup>	294	n.a.	448	512	510	534	574	682	740	623
Qld <sup>(c)</sup>	852	880	856	803	880	953	1,146	1,342	1,667	1,690
WA <sup>(d)</sup>	215	298	327	355	468	509	583	660	798	1,091
SA	160	158	215	221	233	261	275	322	378	440
Tas	34	34	31	27	23	59	83	94	125	164
ACT <sup>(e)</sup>	46	36	40	32	32	48	53	70	100	113
NT	72	93	118	126	126	174	230	281	303	300
<b>Australia</b>	<b>2,868</b>	<b>n.a.</b>	<b>3,861</b>	<b>4,146</b>	<b>4,264</b>	<b>4,803</b>	<b>n.a.</b>	<b>5,564</b>	<b>6,520</b>	<b>7,301</b>
<b>Other<sup>(f)</sup></b>										
NSW <sup>(a)</sup>	4,792	6,948	5,835	6,035	6,237	6,710	n.a.	6,507	6,804	7,759
Vic <sup>(b)</sup>	3,921	4,358	4,304	4,270	4,465	4,504	4,677	4,976	5,244	5,556
Qld <sup>(c)</sup>	2,581	3,609	2,756	2,770	2,885	3,154	3,804	4,515	4,779	4,466
WA <sup>(d)</sup>	584	1,019	778	831	916	961	1,056	1,123	1,248	1,538
SA	942	1,024	995	1,039	1,053	1,117	1,180	1,231	1,293	1,441
Tas	486	440	439	426	440	541	551	622	708	733
ACT <sup>(e)</sup>	209	236	192	187	229	240	300	394	458	461
NT	66	177	102	79	68	100	115	133	134	151
<b>Australia</b>	<b>13,581</b>	<b>17,811</b>	<b>15,401</b>	<b>15,637</b>	<b>16,293</b>	<b>17,327</b>	<b>n.a.</b>	<b>19,501</b>	<b>20,668</b>	<b>22,105</b>

(a) New South Wales data do not include supervisory orders. New South Wales was unable to provide data for 2003–04 because of the ongoing implementation of the new data system.

(b) Because of new service and data reporting arrangements, the Victorian child protection data from 2006–07 may not be fully comparable with previous years data. See AIHW (2008) for more information.

(c) 2006–07 data for Queensland are interim and will be revised in 2008.

(d) 2006–07 data include 24 children who were placed on Enduring Parental Responsibility orders.

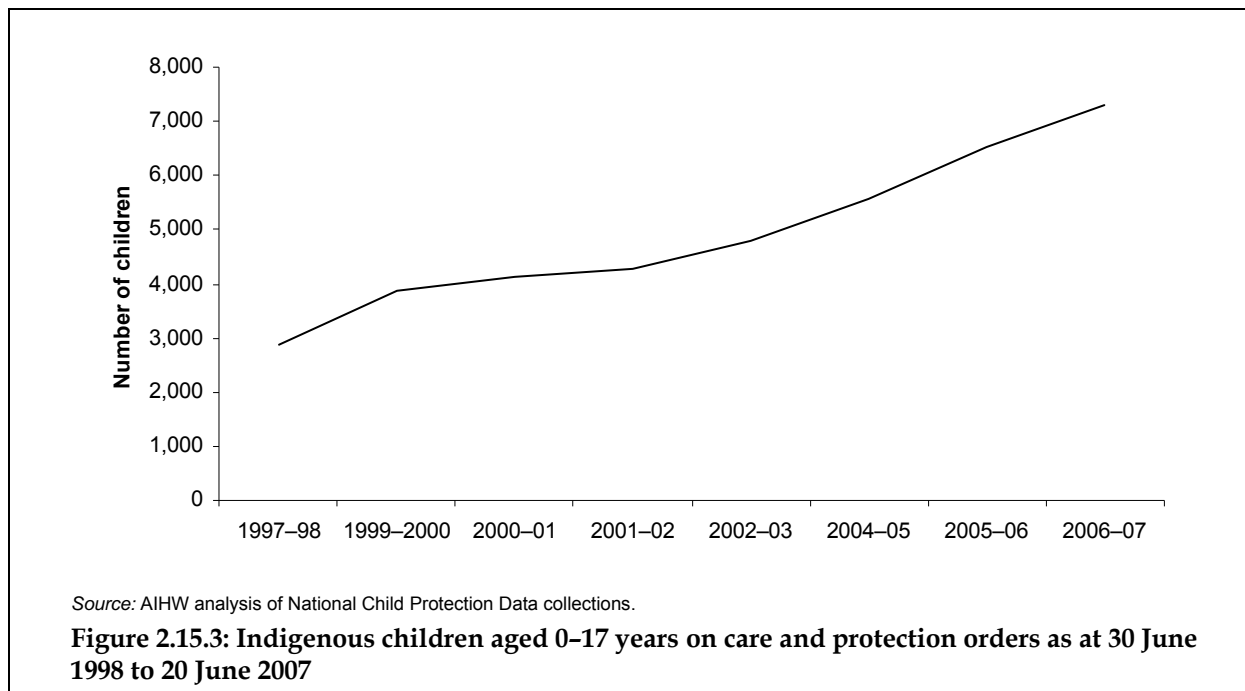
(e) Additional systems have been put in place to tackle the Indigenous status recording issues, including quarterly monitoring.

(f) 'Other' includes non-Indigenous children and those children whose Indigenous status is unknown. This includes 1,229 children whose Indigenous status was recorded as 'unknown'.

*Notes*

1. During 2001–02, practices were introduced to improve the identification of Indigenous status that resulted in an increase in the number of Indigenous clients.
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 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008.



## 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 2008).

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. It is hoped that this will 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 his or her time in out-of-home care.

## Out-of-home care by state/territory

- At 30 June 2007, there were 7,892 Aboriginal and Torres Strait Islander children aged 0–17 years in out-of-home care. The rate was 36.1 per 1,000, ranging from 10.8 in the Northern Territory to 57.0 in New South Wales (Table 2.15.10).
- In all jurisdictions there were higher rates of Indigenous children in out-of-home care than other children. The national rate of Indigenous children in out-of-home care was eight times the rate for other children.

**Table 2.15.10: Children in out-of-home care: number and rate (number per 1,000 children aged 0–17 years), by Indigenous status and state/territory, at 30 June 2007**

State/territory	Number of children			Number per 1,000 children			Rate ratio
	Indigenous	Other	Total	Indigenous	Other	Total	
New South Wales	3,689	8,154	11,843	57.0	5.3	7.3	10.8
Victoria <sup>(a)</sup>	626	4,426	5,052	47.8	3.8	4.3	12.7
Queensland <sup>(b)</sup>	1,724	4,310	6,034	27.5	4.5	5.9	6.1
Western Australia	978	1,393	2,371	31.6	2.9	4.7	10.7
South Australia	405	1,273	1,678	34.0	3.8	4.8	9.0
Tasmania <sup>(c)</sup>	113	554	667	13.7	5.1	5.7	2.7
Australian Capital Territory <sup>(d)</sup>	89	310	399	46.4	4.1	5.2	11.2
Northern Territory	268	129	397	10.8	3.5	6.4	3.1
<b>Australia</b>	<b>7,892</b>	<b>20,549</b>	<b>28,441</b>	<b>36.1</b>	<b>4.4</b>	<b>5.8</b>	<b>8.3</b>

(a) Because of new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable to previous years data. See AIHW (2008) for more information.

(b) 2006–07 data for Queensland are interim and will be revised in 2008.

(c) The number of children in out-of-home care as at 30 June 2007 is not comparable to that reported for previous years for Tasmania because of exclusion of a cohort of children who did not meet the definition of out-of-home care.

(d) Additional systems have been put in place to tackle the Indigenous status recording issue, including quarterly monitoring.

### Notes

1. 'Other children' includes those children whose Indigenous status is unknown. This includes 200 children whose Indigenous status was recorded as unknown.
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 2008.

## 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.

It is important to note that the Aboriginal Child Placement Principle is just one of the many considerations taken into account when making decisions on placements for Indigenous children. As such, placement in accordance with the Principle is not always the best for a child's safety and wellbeing. In cases where children are not placed in accordance with the Principle, this decision has been made only after extensive consultation with Indigenous individuals or organisations.

- As at 30 June 2007, except for Tasmania, the proportion of Aboriginal and Torres Strait Islander children who were placed with either an Indigenous carer or a relative was at least 56%. For example, in New South Wales, 86% of Indigenous children were placed with Indigenous caregivers or in Indigenous residential care (Table 2.15.11).

**Table 2.15.11: Aboriginal and Torres Strait Islander children in out-of-home care: Indigenous status and relationship of carer, by state/territory, at 30 June 2007**

Relationship	NSW	Vic <sup>(a)</sup>	Qld <sup>(b)</sup>	WA <sup>(c)</sup>	SA	Tas <sup>(d)</sup>	ACT	NT
	<b>Number</b>							
Indigenous relative/kin	2,233	125	463	512	140	9	29	89
Other Indigenous caregiver	637	103	403	156	136	16	16	61
Other relative/kin <sup>(e)</sup>	293	102	186	82	40	15	14	—
Indigenous residential care	12	19	3	21	—	—	2	—
<i>Total placed with relative/kin, other Indigenous caregivers or Indigenous residential care</i>	<i>3,175</i>	<i>349</i>	<i>1,055</i>	<i>771</i>	<i>316</i>	<i>40</i>	<i>61</i>	<i>150</i>
Other caregiver	470	199	643	133	63	58	20	118
Other residential care	31	16	26	62	18	10	8	—
<i>Total not placed with relative/kin, other Indigenous caregivers or Indigenous residential care</i>	<i>501</i>	<i>215</i>	<i>669</i>	<i>195</i>	<i>81</i>	<i>68</i>	<i>28</i>	<i>118</i>
<b>Total</b>	<b>3,676</b>	<b>564</b>	<b>1,724</b>	<b>966</b>	<b>397</b>	<b>108</b>	<b>89</b>	<b>268</b>
	<b>Per cent</b>							
Indigenous relative/kin	60.7	22.2	26.9	53.0	35.3	8.3	32.6	33.2
Other Indigenous caregiver	17.3	18.3	23.4	16.1	34.3	14.8	18.0	22.8
Other relative/kin	8.0	18.1	10.8	8.5	10.1	13.9	15.7	—
Indigenous residential care	0.3	3.4	0.2	2.2	—	—	2.2	—
<i>Total placed with relative/kin, other Indigenous caregivers or Indigenous residential care</i>	<i>86.4</i>	<i>61.9</i>	<i>61.2</i>	<i>79.8</i>	<i>79.6</i>	<i>37.0</i>	<i>68.5</i>	<i>56.0</i>
Other caregiver	12.8	35.3	37.3	13.8	15.9	53.7	22.5	44.0
Other residential care	0.8	2.8	1.5	6.4	4.5	9.3	9.0	—
<i>Total not placed with relative/kin, other Indigenous caregivers or Indigenous residential care</i>	<i>13.6</i>	<i>38.1</i>	<i>38.8</i>	<i>20.2</i>	<i>20.4</i>	<i>63.0</i>	<i>31.5</i>	<i>44.0</i>
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(a) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable to previous years data. See AIHW (2008) for more information.

(b) 2006–07 for Queensland are interim and will be revised in 2008.

(c) A small number of children are placed with externally managed foster carers who are also their relative and have been recorded in the foster care category.

(d) The number of children in out-of-home care at 30 June 2007 is not comparable to that reported for previous years for Tasmania because of exclusion of a cohort of children on orders who did not meet the definition of out-of-home care.

(e) In the Northern Territory, children placed with family members have all been included in the 'Indigenous relative/kin' category.

*Notes*

1. This table does not include Indigenous children who were living independently or whose living arrangements were unknown.
2. Percentages in tables may not add to 100 due to rounding.
3. 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 2008.

## **Data quality issues**

### **Child protection data**

*Reported rates for Aboriginal and Torres Strait Islander children in the child protection system for 2004–05 to 2006–07 cannot be compared directly with those from previous years in earlier AIHW Child protection in Australia publications. In previous years, rates were calculated using ABS Indigenous population data from the 1996 Census; the later projections are based on the data from the 2001 Census. For time series analyses 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) because 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, because 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'.*

*(continued)*

### **Data quality issues (continued)**

*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.*

*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.*

## **References**

AIHW (Australian Institute of Health and Welfare) 1999. Child protection in Australia 1997–1998. Cat. no. CWS 8. Canberra: AIHW.

AIHW 2000. Child protection in Australia 1998–1999. Child welfare series no. 25. Cat. no. CWS 11. Canberra: AIHW.

AIHW 2001. Child protection in Australia 1999–2000. Child welfare series no. 27. Cat. no. CWS 13. Canberra: AIHW.

AIHW 2002. Child protection in Australia 2000–01. Child welfare series no. 29. Cat. no. CWS 16. Canberra: AIHW.

AIHW 2003. Child protection in Australia 2001–02. Child welfare series no. 32. Cat. no. CWS 20. Canberra: AIHW.

AIHW 2004. Child protection in Australia 2002–03. Child welfare series no. 34. Cat. no. CWS 22. Canberra: AIHW.

AIHW 2005. Child protection in Australia 2003–04. Child welfare series no. 36. Cat. no. CWS 24. Canberra: AIHW.

AIHW 2006. Child protection in Australia 2004–05. Child welfare series no. 38. Cat. no. CWS 26. Canberra: AIHW.

AIHW 2007. Child protection in Australia 2005–06. Child welfare series no. 40. Cat. no. CWS 28. Canberra: AIHW.

AIHW 2008. Child protection in Australia 2006–07. Child welfare series no. 43. Cat. no. CWS 31. Canberra: AIHW.

HREOC (Human Rights and Equal Opportunity Commission) 1997. Bringing them home: report of the national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families. Sydney: HREOC.

Lock JA 1997. The Aboriginal Child Placement Principle: research project no. 7. Sydney: New South Wales Law Reform Commission.

VDHS (Victorian Department of Human Services) 2002. An integrated strategy for child protection and placement services. Melbourne: Community Care Division, VDHS.