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Contents

- Acknowledgments..... v**
- Abbreviations..... vi**
- Summaryvii**
- 1 Introduction.....1**
 - 1.1 Child protection overview and processes.....1
 - 1.2 Developments in child protection policies and practices.....5
 - 1.3 Child protection data collections9
 - 1.4 Future directions for the national data collections.....11
 - 1.5 Structure of this report11
- 2 Notifications, investigations and substantiations12**
 - 2.1 Overview12
 - 2.2 Numbers of notifications, investigations and substantiations14
 - 2.3 Characteristics of children22
 - 2.4 Aboriginal and Torres Strait Islander children.....28
- 3 Care and protection orders30**
 - 3.1 Overview30
 - 3.2 Numbers of care and protection orders.....32
 - 3.3 Characteristics of children on orders33
 - 3.4 Aboriginal and Torres Strait Islander children.....43
- 4 Out-of-home care.....44**
 - 4.1 Overview44
 - 4.2 Characteristics of children in out-of-home care.....46
 - 4.3 Aboriginal and Torres Strait Islander children.....54
- 5 Foster carers57**
 - 5.1 Overview57
 - 5.2 Foster carer households.....58
- 6 Intensive family support services62**
 - 6.1 Overview62
 - 6.2 Children commencing intensive family support services.....63
- Appendix 1: Detailed tables67**
 - Notifications, investigations and substantiations.....67
 - Care and protection orders76
 - Out-of-home care82
 - Population data86

Appendix 2: Technical notes	89
Calculation of rates	89
Identification of Indigenous status	90
Appendix 3: Mandatory reporting requirements	91
Appendix 4: Legislation	95
Child protection legislation	95
Legislative definition of ‘in need of care and protection’	96
Appendix 5: Policy and practice differences in states and territories	103
Appendix 6: Recent state and territory policy changes	108
Appendix 7: Jurisdictions’ data systems	119
Key differences between jurisdictions’ data systems	119
Relevant changes in data systems	119
Appendix 8: Inquiries into child protection services	123
Glossary	124
General definitions	124
Definitions for child protection notifications, investigations and substantiations	124
Definitions for care and protection orders	129
Definitions for out-of-home care	132
Definitions for foster carers	134
Definitions for intensive family support services	134
References	137
List of tables	140
List of figures	143

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Abbreviations

ABS	Australian Bureau of Statistics
AIHW	Australian Institute of Health and Welfare
CPO	Care and Protection Orders
CDSMAC	Community and Disability Services Ministerial Advisory Committee
CDSMC	Community and Disability Services Ministers' Conference
COAG	Council of Australian Governments
FC	Foster Carers
IFSS	Intensive Family Support Services
ISPCAN- WGCMDC	International Society for the Prevention of Child Abuse and Neglect Working Group on Child Maltreatment Data Collection
ISWG	Information Sharing Working Group
NFIWG	National Framework Implementation Working Group
NIS	Notifications, Investigations and Substantiations
OOHC	Out-of-Home Care
PDWG	Performance and Data Working Group
RKC	Relative/Kinship Carers

Symbols used in tables

..	not applicable
n.a.	not available
–	rounded to zero
0	legitimate zero

Technical notes

1. Percentages in tables may exclude unknowns
2. Percentages in tables may not add to 100 due to rounding.
3. All tables in this report use data provided by state and territory child protection and support services.
4. Tables with the prefix 'A' in the title are located in Appendixes.

Summary

Child Protection Australia 2009–10 is the fourteenth annual comprehensive report on child protection. The report provides detailed statistical information on state and territory child protection and support services, and some of the characteristics of the children receiving these services. In Australia, child protection is a state and territory government responsibility, and there are significant differences in how each deals with and reports child protection issues. Statistical comparisons between states and territories should therefore be treated with caution.

Main findings

Nationally this report shows that:

1. The number of children subject to a notification of child abuse or neglect and the number subject to a substantiation of a notification have decreased over the past year.
2. The number of children under care and protection orders and the number in out-of-home care are rising.
3. Aboriginal and Torres Strait Islander children are over-represented in all of these areas of the child protection system.

Notifications, investigations and substantiations

- In the last 12 months:
 - The number of children subject to a notification decreased by 10% from 207,462 to 187,314.
 - The number of children subject to a substantiation of a notification decreased by 4% from 32,641 to 31,295 (from 6.5 to 6.1 per 1,000 children).
- From 2004–05 to 2009–10, the number of children subject to a substantiation of a notification decreased by 8% from 34,046 to 31,295 (7.1 to 6.1 per 1,000 children).

Children on care and protection orders

- In the last 12 months, the number of children on care and protection orders increased by 7% from 35,409 to 37,730 (7.0 to 7.4 per 1,000 children).
- Since 2005, the number of children on care and protection orders increased by 57% from 24,075 to 37,730 (5.0 to 7.4 per 1,000 children).
- Over the past 6 years, the number of children admitted to orders has increased by 27% from 11,492 to 14,564. However, between 2008–09 and 2009–10 the number of children admitted to orders decreased by 6% from 15,509 to 14,564.

Children in out-of-home care

- In the last 12 months, the number of children in out-of-home care increased by 5% from 34,069 to 35,895. Since 2005, the number of children in out-of-home care rose by 51% from 23,695 to 35,895 in 2010 (4.9 to 7.0 per 1,000 children).
- Across Australia, 46% of children in out-of-home care were in foster care, 46% were in relative or kinship care and 5% were in residential care. This is consistent with the distribution observed over the last 6 years.
- From 2004–05 to 2006–07 the number of children admitted to out-of-home care increased by 3% from 12,531 to 12,906. Between 2007–08 and 2009–10 the number of children admitted to out-of-home care decreased by 7% from 12,891 to 12,002, with a 6% decrease observed in the last 12 months.

Foster carers

- At 30 June 2010, there were 8,049 foster carer households with one or more children placed in the household.
- At 30 June 2010, 48% of all foster carer households with a placement had one foster child placed with them, 47% had between two to four foster children placed and 5% had five or more children.

Aboriginal and Torres Strait Islander Children

In 2009–10:

- Indigenous children were almost eight times as likely to be the subject of substantiations as non-Indigenous children (rates of 35.3 and 4.6 per 1,000 children, respectively)

At 30 June 2010:

- The rate of Indigenous children on care and protection orders was nine times the rate of non-Indigenous children (rates of 48.3 and 5.4 per 1,000 children, respectively).
- The rate of Aboriginal and Torres Strait Islander children in out-of-home care was almost 10 times the rate of non-Indigenous children (rate of 48.4 and 5.0 per 1,000 children, respectively).

Intensive family support services

In 2009–10:

- 207 intensive family support services were delivered across 244 locations.
- Just over half (51%) of the children who commenced a support service were aged less than 5 years when they commenced the service.
- In most jurisdictions, the majority of children who commenced an intensive family support service were living with their parents.

1 Introduction

Child protection Australia 2009–10 provides comprehensive statistical information on state and territory child protection and support services, and some of the characteristics of the children within these systems. This report also describes trends in child protection notifications, investigations and substantiations, children on care and protection orders and children in out-of-home care.

This introduction provides an overview of child protection processes and policy developments across Australia, including the *National Framework for Protecting Australia's Children 2009–2020* (COAG 2009a) and future directions for the development of the national child protection data collection.

1.1 Child protection overview and processes

In Australia, statutory child protection is the responsibility of state and territory governments. Each state and territory department responsible for child protection provides assistance to vulnerable children who are suspected of being abused, neglected, harmed, or whose parents are unable to provide adequate care or protection.

Assistance is provided to children and their families through the provision of, or referral to, a wide range of services. Some of these services are directed towards children and families who are in need of protection, while others are available to a wider section of the population and attempt to address a broad range of issues.

Although the processes in state and territory child protection systems are broadly similar (Bromfield & Higgins 2005), each jurisdiction has its own legislation, policies and practices governing child protection, and there are significant differences in how jurisdictions deal with and report child protection issues.

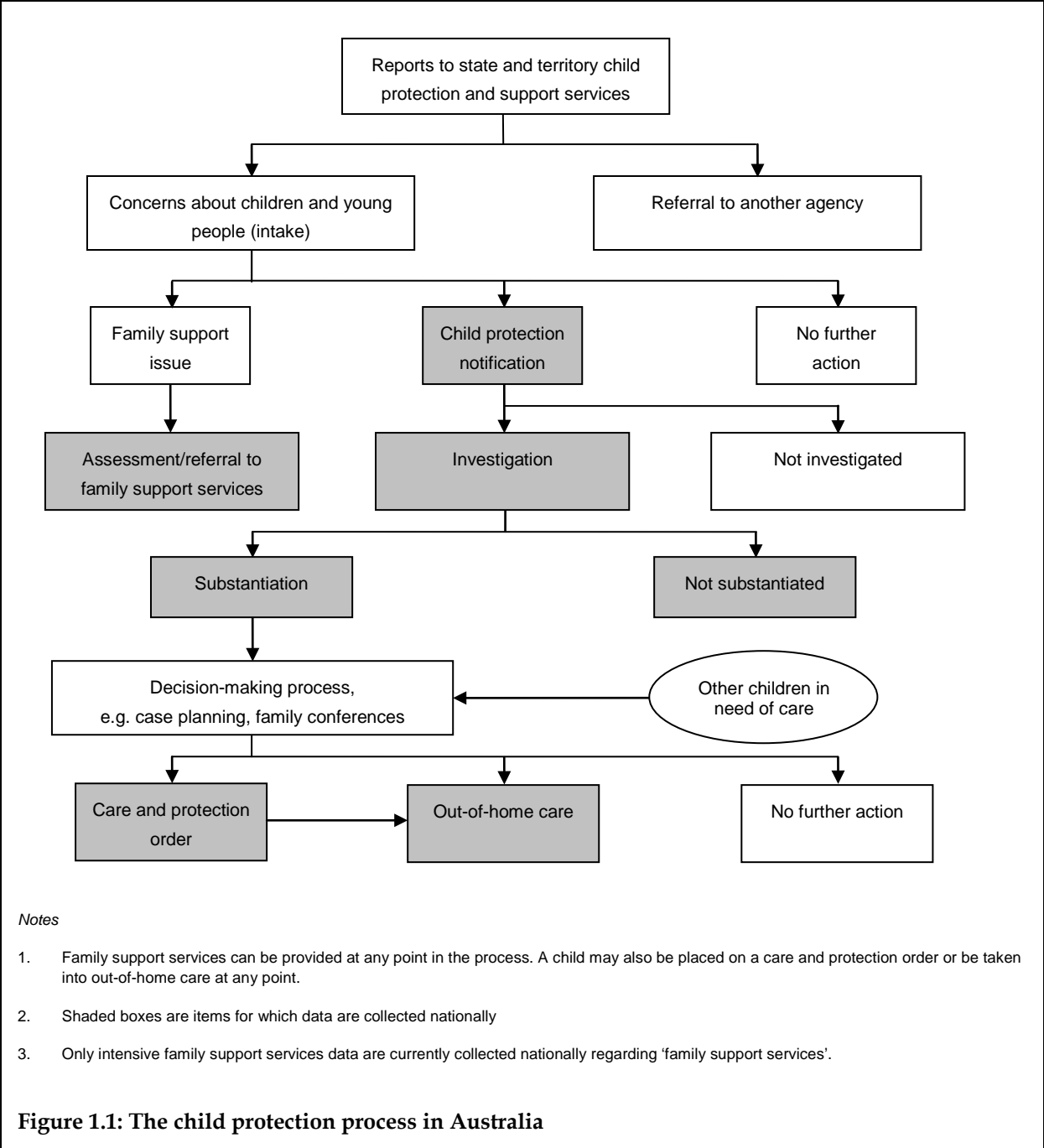
All jurisdictions have legislative requirements governing the reporting of suspected child abuse. In some jurisdictions, only those in selected professions are mandated to report suspected child abuse or neglect, whereas in other jurisdictions anyone who suspects child abuse or neglect is legally obliged to report it to the appropriate authority. Commonwealth legislation (*Family Law Act 1975*) also contains provisions mandating certain court personnel to report suspected incidences of child abuse. Further details about mandatory reporting requirements in each state and territory are provided in Appendix 3. Broader legislative and policy differences between jurisdictions are presented in Appendixes 4 and 5, respectively.

Although some national data (for example, the trends in children in out-of-home care) appear to indicate a rise in the number of children needing protection, changes in child protection policies and practices may have contributed to this rise to some degree (Bromfield & Holzer 2008a).

On the other hand, many jurisdictions have introduced alternative early intervention responses for less serious incidents (for example, family support services). The implementation of the *National Framework for Protecting Australia's Children 2009–2020* (COAG 2009a) has also increased the national focus on prevention and early intervention. These systemic changes may have helped limit rises in the number of notifications, investigations and substantiations in recent years.

Across Australia in 2009–10, recurrent expenditure on child protection and out-of-home care services was approximately \$2.5 billion, a real increase of \$296.3 million (13%) from 2008–09 (SCRGSP forthcoming).

A simplified version of the main processes used in child protection systems across Australia is shown in Figure 1.1. These processes are outlined in more detail below.



Reports to the department

Children in need of protection can come into contact with departments responsible for child protection through a number of avenues. These include reports of concern about a child

made by community members, professionals, organisations, the child themselves, their parent(s) or another relative. These reports may relate to abuse and neglect or to broader family concerns such as economic problems or social isolation.

Child protection intake services across states and territories screen incoming reports to determine whether further action is required. The defined threshold for intervention varies across jurisdictions and this can lead to jurisdictional differences in the responses taken to initial reports. Reports that are deemed to require further action are generally classified as either a 'family support issue' or a 'child protection notification'. Reports classified as requiring family support are further assessed and may be referred to support services. Child protection notifications are dealt with through a separate process. The national child protection data collections are focused primarily on reports classified as child protection notifications, although work is underway to develop national data on treatment and support services.

Notifications, investigations and substantiations

What constitutes a notification may vary across jurisdictions. For example, in some jurisdictions notifications are 'caller-defined'; that is, all contacts to the authorised department regarding concerns for children (and child protection reports) are considered to be a notification. In other jurisdictions notifications are 'agency-defined'. In these cases the initial report is subject to an assessment and considered a notification only when the information received suggests that a child needs care or protection.

Departments responsible for child protection assess a child protection notification to determine whether it requires an investigation, whether it should be dealt with by other means, such as referral to other organisations or to family support services, or whether no further protective action is necessary (or possible).

An investigation is the process whereby the department responsible for child protection obtains more detailed information about a child who is the subject of a notification, and makes an assessment of the degree of harm, or risk of harm, for the child. After an investigation is completed, a notification will either be 'substantiated' or 'not substantiated'.

A notification will be substantiated where it is concluded (after investigation) that the child has been, is being, or is likely to be, abused, neglected or otherwise harmed. All jurisdictions substantiate situations where children have experienced significant harm from abuse or neglect through the actions of parents. Some jurisdictions also substantiate on the basis of the occurrence of abuse or neglect, independent of whether the child was harmed. In some jurisdictions, substantiations are also made on the basis of the child being at risk of harm. More information on notifications, investigations and substantiations is available in Chapter 2 of this report.

Care and protection orders

Care and protection orders are legal orders or arrangements that give child protection departments some responsibility for a child's welfare. At any point in the child protection process (from notification, through investigation to substantiation), the department responsible for child protection can apply to the relevant court to place a child on a care and protection order. Such action is usually taken only as a last resort in situations where the department believes that continued involvement with the child is warranted. This may

occur in situations where the family resists supervision and counselling, where other avenues for resolution of the situation have been exhausted, or where removal of a child into out-of-home care requires legal authorisation.

The scope of departmental involvement mandated by a care and protection order is dependent on the type of order, and can include:

- responsibility for overseeing the actions of the person or authority caring for the child
- reporting or giving consideration to the child's welfare (for example, regarding the child's education, health, religion, accommodation and financial matters).

Jurisdictions can also engage in administrative arrangements: interventions where an agreement is reached with families to meet the care and protection needs of the child without going through the courts.

Each state or territory has legislation that specifies the types of orders that child protection departments may obtain. For national reporting, these local order types are aggregated into more generalised order types. These national order types are: finalised guardianship or custody orders; finalised third-party parental responsibility orders; finalised supervisory orders; interim and temporary orders; and administrative arrangements. More information on care and protection orders is available in Chapter 3 of this report.

Out-of-home care

Out-of-home care is overnight care for children aged 0–17 years who are unable to live with their parents. This includes all placements where the department responsible for child protection funds, provides the placement or offers financial payment to the carer, but this is declined.

The current emphasis in policy and practice is to keep children with their families wherever possible. However, out-of-home care is provided in cases where it is deemed in the child's best interest. In most cases, children in out-of-home care are also on a care and protection order.

There are numerous types of out-of-home care placements that can be used to accommodate children and young people who are unable to live with their parents. The following categories are used in the national data collection:

- Residential care – where placement is in a residential building whose purpose is to provide placements for children and where there are paid staff.
- Family group homes – provide care to children in a departmentally or community sector agency provided home. These homes have live-in, non-salaried carers who are reimbursed and/or subsidised for the provision of care.
- Home-based care – where placement is in the home of a carer who is reimbursed (or who has been offered but declined reimbursement) for expenses for the care of the child. This is broken down into the three subcategories:
 - relative/kinship care – includes family members (other than parents) or a person well known to the child and/or family (based on a pre-existing relationship) who is reimbursed (or who has been offered but declined reimbursement) by the state/territory for the care of the child.

- foster care – where the care is authorised and carers are reimbursed (or were offered but declined reimbursement) by the state/territory and supported by an approved agency. There are varying degrees of reimbursement made to foster carers.
- other – home-based care which does not fall into either of the above two categories.
- Independent living – including private board and lead tenant households.
- Other – includes placements that do not fit into the above categories and unknown living arrangements. This includes boarding schools, hospitals, hotels/motels and defence force.

More information on out-of-home care is available in Chapter 4 of this report. Further information regarding foster carer households is available in Chapter 5.

Family support services

‘Family support services’ refer to a broad range of support available in the community that aim to create ideal conditions for the safety and wellbeing of children. A public health model assumes that protecting children requires the ‘right services at the right time’ so that vulnerable families can be supported, child maltreatment can be prevented and the effects of trauma can be reduced. Family support services can include programs that seek to prevent the occurrence of family dysfunction and child maltreatment, the provision of treatment, support and advice to families, and more intensive programs to assist the most vulnerable families (COAG 2009a). At any point in the child protection process, departments may choose to divert children and their families into family support services. Family support services may be used instead of, or as a complementary service to, a statutory child protection response. Information on intensive family support services (one type of treatment and/or support) is available in Chapter 6 of this report.

1.2 Developments in child protection policies and practices

Australian developments

In Australia, child protection policies and practices are under continual development. In recent years there has been increasing national focus on early intervention and family support services to assist in preventing families entering or re-entering the child protection system and to help minimise the need for more intrusive interventions (Bromfield & Holzer 2008b).

Cross-departmental strategies have also been introduced in a number of jurisdictions. These strategies attempt to assist families in a more holistic way, by coordinating service delivery and providing better access to different types of child and family services.

The definition of what constitutes child abuse and neglect has also changed and broadened over time (Bromfield & Holzer 2008a). Broadening of the definition of child abuse and neglect is likely to result in increasing notifications and substantiations. The focus of child protection in many jurisdictions has shifted away from the identification and investigation

of narrowly defined incidents of child abuse and neglect towards a broader assessment of whether a child or young person has suffered, or is likely to suffer, harm.

These changes are likely to have had an impact on the number of children in the child protection system in different ways. As a result, trends in child protection numbers should be interpreted carefully. Detailed information on recent policy and practice changes in each state and territory is located in Appendix 6.

The National Framework for Protecting Australia's Children 2009–2020

In response to the increasing rates of reported child abuse and neglect, members of the Community and Disability Services Ministers' Conference (CDSMC) recognised that child protection required a comprehensive national approach.

Through a dedicated working group, the Community and Disability Services Ministerial Advisory Committee (CDSMAC) worked closely with the states and territories, the non-government sector, academics, carers and young people to develop the *National Framework for Protecting Australia's Children (2009–2020)* (COAG 2009a). The *National Framework* was endorsed by the Council of Australian Governments (COAG) on 30 April 2009, demonstrating all governments' commitment to achieving a substantial and sustained reduction in child abuse and neglect in Australia.

Framework principles

The *National Framework* is underpinned by the principles of the United Nations Convention on the Rights of the Child, including the right of all children to grow up in an environment free from neglect and abuse (OHCHR 1989). Under the *National Framework*, state and territory governments retain responsibility for statutory child protection; that is, those aspects authorised by law. However, the *National Framework* also recognises that protecting children is a shared responsibility, within families, and across communities, professions, services, and all levels of government.

The *National Framework* also advocates a 'public health model', which focuses on providing early intervention and support to families to prevent abuse and neglect from occurring. Specialist support services, however, remain essential for the most vulnerable families and children.

To tackle the over-representation of Indigenous children in the child protection system, the *National Framework* outlines specific strategies to support Indigenous children, families and communities. These strategies aim to promote safe, strong, and thriving Indigenous families and communities and culturally appropriate support for those children and families in child protection systems.

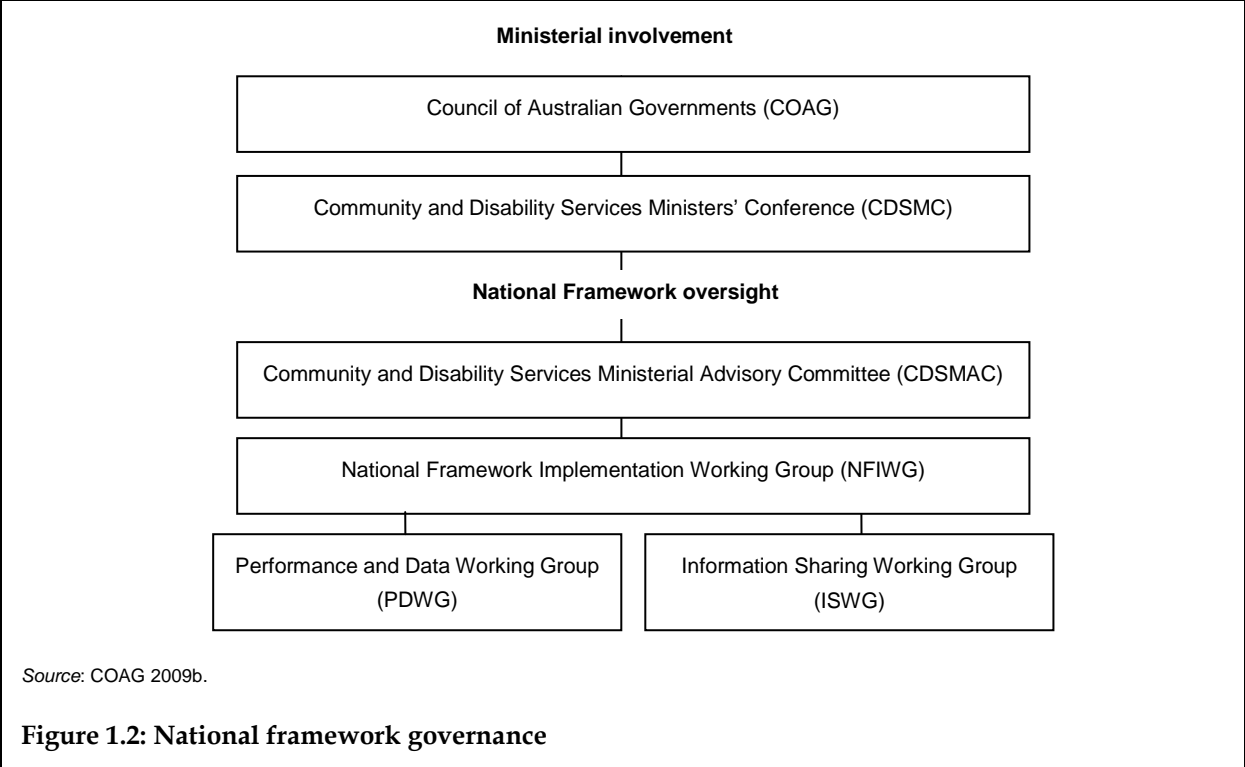
Framework governance

The Council of Australian Governments (COAG) oversees the *National Framework* and monitors progress against all actions. State and territory ministers on CDSMC make decisions about the overall direction of the *National Framework*, and are supported in the management of the *National Framework* by senior government ministers on CDSMAC.

The National Framework Implementation Working Group (NFIWG) was established to progress the first 3-year action plan (COAG 2009b) of the *National Framework* on behalf of CDSMC. The NFIWG includes representatives from the Commonwealth, state and territory governments and non-government representatives from the Coalition of Organisations

Committed to the Safety and Wellbeing of Australia’s Children (the Coalition). NFIWG play an active role in the implementation and delivery of the *National Framework* through consultation with external stakeholders and other working groups.

Under the NFIWG, the Performance and Data Working Group (PDWG) includes representatives from each state and territory, non-government representatives from the Coalition and the AIHW. The PDWG works to enhance the evidence base, is involved in the monitoring and reporting of the performance indicators and undertakes related data development work under the *National Framework* on behalf of the NFIWG. The PDWG also contributes to the development of the indicators of change and complete additional data projects on behalf of CDSMC. An Information Sharing Working Group (ISWG) was also established to explore relevant information-sharing protocols to facilitate the protection of children. Figure 1.2 summarises the governance arrangements under the *National Framework*.



Framework reporting

The aim of the *National Framework* is to ensure that Australia’s children and young people are safe and well. As a measure of this outcome a *substantial and sustained reduction in child abuse and neglect in Australia over time* has been set as a target. There are six broad supporting outcome areas under the *National Framework*:

- Children live in safe and supportive communities.
- Children and families access adequate support to promote safety and intervene early.
- Risk factors for child abuse and neglect are addressed.
- Children who have been abused or neglected receive the support and care they need for their safety and wellbeing.
- Indigenous children are supported and safe in their families and communities.
- Child sexual abuse and exploitation is prevented and survivors receive adequate support.

These supporting outcomes focus effort and actions in order to reach the high-level outcome. Twenty-nine indicators of change are incorporated to measure the extent to which the supporting outcomes are being achieved. Some of the indicators rely on data that are currently collected, while others will require data development before robust data are available for reporting.

For the duration of the first action plan, COAG will receive an annual report card from CDSMAC containing high-level information on the status of each action under the *National Framework*. This information will be released publicly to ensure the Australian community can also track the progress of these actions.

International snapshot

The collection, analysis and reporting of child protection data are recognised in many countries as essential to the development of policies and practices aimed at the prevention of child abuse and neglect. The key framework for international child protection is the United Nations Convention on the Rights of the Child (OHCHR 1989). Measuring the progress of the convention is undertaken through a series of key child protection indicators. These include information relating to: birth registration; child marriage; child labour; female genitalia mutilation; attitudes towards domestic violence; child discipline; and child disability (see UNICEF 2009 for further information).

According to an international survey of 23 countries across Africa, Asia, Europe, North America and Oceania, 14 countries have national child protection data collection programs, mostly operated by governmental agencies (ISPCAN 2010). Eight of the 23 countries reported an annual data collection procedure. These data collections were reported to vary considerably in their configuration, purpose, and allocation of responsibilities. Internationally, these data collections cut across a variety of sectors including social services, health services and the criminal, juvenile and family court systems. As a result, many countries report difficulties in the coordination and collaboration between different systems, services and organisations.

A snapshot of the number per 1,000 children in substantiations of maltreatment in six countries is presented in Table 1.1. However, international comparisons of child maltreatment data are difficult because the collection systems, definitions and population groups are not directly comparable. Further information on international child protection data is available in the 9th edition of *World Perspectives on Child Abuse* (ISPCAN 2010).

Table 1.1: Children in substantiations of maltreatment, Australia, United Kingdom, Netherlands, Israel, United States and Canada (number per 1,000 children)

Country	Number per 1,000 children
Australia	7.1 (2005)
United Kingdom	2.3 (2002)
Netherlands	3.8 (2005)
Israel	12.3 (2005)
United States	17.8 (2000)
Canada	21.7 (2003)

Note: Comparisons of prevalence figures should be interpreted with care as collection systems, definitions and population groups are not directly comparable.

Source: ISPCAN 2010.

The AIHW is a member of the International Society for the Prevention of Child Abuse and Neglect Working Group on Child Maltreatment data collection (ISPCAN WGCMD). The ISPCAN WGCMD contributes to publications including the *World Perspectives on Child Abuse and Neglect*, the most recent of which was launched in 2010 at the ISPCAN Congress. Several countries are represented on the working group including Australia, United States of America, England, New Zealand, Belgium, Canada, Philippines, and France. The ISPCAN WGCMD provides a forum for members to share information relating to child protection data development, collection, analysis and reporting. The group aims to promote the use of quality data in policy and practice decisions across the world and provides advice and support to countries that are developing a national data collection.

1.3 Child protection data collections

The data in this report were extracted from the administrative systems of the state and territory departments responsible for child protection, according to nationally agreed definitions and counting rules. The state and territory departments and the AIHW jointly fund the annual collation, analysis and publication of child protection data.

Data sources

All data within this report are drawn from state and territory child protection administrative data sets. The AIHW, in collaboration with states and territories, annually reviews the national counting rules and definitional materials associated with the collections. Any required changes are agreed to by the AIHW and the states and territories. The jurisdictions provide aggregate data to the AIHW for six national child protection collections:

- notifications, investigations and substantiations (NIS)
- care and protection orders (CPO)
- out-of-home care (OOHC)
- foster carers (FC)
- relative/kinship carers (RKC)
- intensive family support services (IFSS).

Data from five of these collections are analysed and published annually in *Child protection Australia* and some data are reported in the Productivity Commission's *Report on Government Services* (SCRGSP 2010).

The relative/kinship carers (RKC) data are in the preliminary stages of annual national collection and are therefore not included in this report. Jurisdictions and the AIHW are working to improve the quality of data for this collection, with the aim of publishing the data in future *Child protection Australia* reports. Data in relation to foster carers are presented for the first time in this report.

Data limitations

There are significant links and overlaps between the NIS, CPO and OOHC data collections included in this report. For example, children who are the subjects of substantiations may be placed on care and protection orders, and many children on care and protection orders are

also in out-of-home care. However, very limited national data are available on the movement of children through the child protection system or the overlaps between the separate data collections. For counts of children during the year, there may be some small double-counting of children due to inter-jurisdictional movement. Work is currently being undertaken to broaden the scope of the national data collection and to improve comparability of data across jurisdictions (see Section 1.4 for more information).

The practices used to identify and record the Indigenous status of children in the child protection system varies across states and territories. Over the last few years, several jurisdictions have introduced measures to improve the identification of Indigenous clients. However, in some jurisdictions, there is a significant proportion of children whose Indigenous status is unknown and this affects the quality of these data. Consequently, some data on Aboriginal and Torres Strait Islander children should be interpreted with care.

Key differences across state and territory collections

Although the processes used by each jurisdiction to protect children are broadly similar (Bromfield & Higgins 2005), there are some important differences between jurisdictions' child protection policies and practices that affect the data presented in this report. The data from jurisdictions are therefore not strictly comparable and should not generally be used to measure the performance of one jurisdiction relative to another.

One of the main differences between jurisdictions is the policy frameworks used in relation to notifications. The definition of a 'notification' varies across jurisdictions, which affects the comparability of all data related to notifications, including investigations and substantiations. Other notable differences between jurisdictions include:

- Reporting of unborn children – through legislation and policy some jurisdictions (for example, New South Wales, Queensland and Tasmania) are able to accept notifications in relation to unborn children. Other jurisdictions (such as South Australia) have no legislative mandate to receive notifications on unborn children, although notifications can be raised immediately before a child's birth when there are significant concerns for a child's safety. Finally, some jurisdictions (for example, Queensland) accept reports regarding unborn children but are unable to separately identify them in their data.
- Thresholds for what is substantiated – some jurisdictions substantiate the harm or risk of harm to the child, and others substantiate actions by parents or incidents that cause harm. In focusing on harm to the child, the focus of the child protection systems in many jurisdictions has shifted away from the actions of parents to the outcomes for the child.

Specific details of the jurisdictions' policies and practices are located in Appendix 5.

Changes in data systems

The data systems used by jurisdictions can undergo upgrades and changes between reporting cycles. Details regarding jurisdictions' data systems and any significant changes from the previous year can be found in Appendix 7.

1.4 Future directions for the national data collections

Unit record file development

Currently the child protection data for national reporting are provided to the AIHW in aggregate (tabular) format. However, using aggregate data, there is no way of determining the overlap between the NIS, CPO and OOHC collections, nor is there any way of determining how many children appear within the system on multiple occasions. To help overcome these and other limitations generated by reporting from aggregate data, the method of collecting national child protection data is undergoing significant change, and is moving to a unit record level collection, allowing data to be collected and analysed at the child level. There are also several other notable benefits of moving to a unit record level for child protection including:

- a wider range of policy-relevant data analysis (including longitudinal)
- collecting and reporting of data that more accurately reflect the level of service activity occurring over a period of time
- the opportunity to improve the comparability of data across jurisdictions.

All jurisdictions are committed to the development of a unit record data collection as a major project under the *National Framework*. Preparation of new data specifications to support this collection has progressed after a number of data development workshops and meetings of a unit record working group. Work continues, with states and territories and the AIHW to progress the national child protection unit record collection through a pilot test of the unit record data, being conducted during 2010–11. A unit record module relating to carers of children within the child protection system is also currently under development.

Treatment and support services development

Specifications are being developed for a national minimum data set in relation to treatment and support services in the context of child protection. This work should improve the availability of current information on the use of such services across Australia.

1.5 Structure of this report

The chapters of the current report present data from the five national child protection data collections:

- notifications, investigations and substantiations (Chapter 2)
- care and protection orders (Chapter 3)
- out-of-home care (Chapter 4)
- foster carers (Chapter 5) and
- intensive family support services (Chapter 6).

Detailed tables and information regarding state and territory legislation, policies and practices are included in the appendixes.

2 Notifications, investigations and substantiations

2.1 Overview

Scope

This chapter contains information on the number of notifications, investigations and substantiations that occurred and the number of children who were the subject of these. 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.

The data in this chapter on child protection notifications, investigations and substantiations relate to those notifications received by departments responsible for child protection between 1 July 2009 and 30 June 2010. 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 only included if these notifications were also referred to state and territory departments responsible for child protection.

Instances of alleged abuse or neglect by family members other than parents/guardians and non-family members are generally included in the count of notifications if the notification was referred to the state and territory departments responsible for child protection and support services. These cases are only included in counts of investigations and substantiations where there has been a finding or allegation of a failure to protect by the parent or guardian. State and territory practices differ regarding the type of abuse or neglect that is recorded in these instances (see Appendix 5 for discussion of state and territory differences).

Definitions

Child protection notifications

Notifications consist of contacts made to an authorised department by persons or other bodies making allegations of child abuse or neglect, child maltreatment or harm to a child. A notification can only involve one child. Where it is claimed that two children have been abused or neglected or harmed, this is counted as two notifications, even if the children are from one family. Where there is more than one notification about the same 'event', this is counted as one notification. Where there is more than one notification between 1 July 2009 and 30 June 2010, but relating to different events (for example, a different type of abuse or neglect or a different person believed responsible), these are counted as separate notifications.

Notifications are classified according to the 'type of action' taken by the department responsible for child protection to respond to them. The categories used are:

- Investigation – see definitions below.
- Dealt with by other means – a notification that was responded to by means other than an investigation, such as the provision of advice or referral to services. Notifications dealt with by other means are divided into:
 - *notifications in process* – notifications where the decision to investigate has not been reached
 - *notifications resolved without investigation* – notifications that were responded to by means other than an investigation such as provision of advice or referral to services.

Investigations

Investigations are the process whereby the relevant department obtains more detailed information about a child who is the subject of a notification received between 1 July 2009 and 30 June 2010. Departmental staff make an assessment about the harm or degree of harm to the child and their protective needs. An investigation includes the sighting or interviewing of the child where it is practical to do so. Investigations include a number of categories, outlined below:

- *Investigation in process* – a notification received between 1 July 2009 and 30 June 2010 which was investigated, but where the investigation was not completed and an investigation outcome was not recorded by 31 August 2010.
- *Investigation closed* – no outcome possible – a notification made between 1 July 2009 and 30 June 2010 which was investigated, but where the investigation was not able to be finalised in order to reach the outcome of substantiated or not substantiated and files were closed for administrative purposes. This may happen, for example, in cases where the family have relocated. These investigations would be completed between 1 July 2009 and 30 June 2010.
- *Finalised investigation* – a notification received between 1 July 2009 and 30 June 2010 which was investigated, and where the investigation was completed and an outcome recorded by 31 August 2010. The cut-off point of 31 August is applied to allow time for investigating notifications made close to the end of the financial year.

The 'outcomes of finalised investigations' are classified as follows:

- *Substantiated* – a notification received between 1 July 2009 and 30 June 2010 which was investigated and where 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 (see definition of substantiations of notifications below).
- *Not substantiated* – a notification received between 1 July 2009 and 30 June 2010 where an investigation concluded that there was no reasonable cause to suspect prior, current or future abuse, neglect or harm to the child.

Substantiations of notifications

Substantiations of notifications received during the current reporting year refer to child protection notifications made to relevant authorities during the year ended 30 June 2010, which were investigated and the investigation was finalised by 31 August 2010, and it was

concluded that there was reasonable cause to believe that the child had been, was being, or was likely to be, abused, neglected or otherwise harmed. Substantiations may also include cases where there is no suitable caregiver, such as children who have been abandoned or whose parents are deceased. Definitions of other terms used in this chapter are provided in the Glossary.

Interpretation of the data

This chapter includes national data on child protection notifications, investigations and substantiations, with a focus on the 2009–10 financial year. The legislation, policies and procedures of each state and territory should be taken into account when interpreting these data. It is important to note that substantiations as reported here (that is, substantiations of notifications received during the year) are an undercount of the actual number of substantiations made during the year. This count of substantiations does not include substantiations of notifications that were made in the previous year. This will affect both the rates and numbers of substantiations presented in this report, particularly for jurisdictions that have a large proportion of ‘investigations in process’ at 31 August each year.

Important differences between the jurisdictions must be considered when interpreting the data:

- New South Wales figures are not comparable with those of other jurisdictions. New South Wales has a differential investigation response whereby an investigation can be undertaken at two levels of intensity. Only the more serious cases, which receive the higher level response, may lead to a recorded substantiation outcome. In accordance with the NSW *Keep Them Safe* reforms, the data reported for part of 2009–10 reflect legislative changes to the NSW *Children and Young Persons (Care and Protection) Act 1998*, proclaimed on 24 January 2010. This includes raising the reporting threshold from ‘risk of harm’ to the new ‘risk of significant harm’.
- In March 2010, Western Australia implemented a new client information system; however, the delivery of the associated reporting data warehouse has been delayed. The latest available data is from a March snapshot of data from Western Australia's previous reporting data warehouse and this data has been used as a proxy for the data reported.

2.2 Numbers of notifications, investigations and substantiations

Notifications and investigations

The number of finalised investigations for each state and territory is shown in Table 2.1. Across Australia, 131,689 investigations (46%) were finalised. The proportion of notifications that were investigated (total investigations) ranged from 17% in the Australian Capital Territory to 100% in Queensland (Table 2.1). This range reflects differences in the way in which jurisdictions both define and deal with notifications and investigations. For example, New South Wales have a differential investigation response whereby an investigation can be undertaken at two levels of intensity depending on the risk of harm to the child. Queensland considers investigations in the ‘investigation closed – no outcome possible’ category to be finalised, while other jurisdictions do not.

Table 2.1: Notifications, by type of action, states and territories, 2009–10

Type of action	NSW ^(a)	Vic	Qld ^(b)	WA ^(c)	SA	Tas	ACT	NT	Total
	Number								
Investigations finalised ^(d)	88,101	12,239	17,351	4,039	4,442	1,605	1,552	2,360	131,689
Investigation closed—no outcome possible	18,257	..	674	155	0	88	224	380	19,778
<i>Total closed investigations</i>	106,358	12,239	18,025	4,194	4,442	1,693	1,776	2,740	151,467
Investigations in process ^(e)	3,747	1,577	3,860	322	263	140	4	941	10,854
<i>Total investigations</i>	110,105	13,816	21,885	4,516	4,705	1,833	1,780	3,681	162,321
Notifications in process	0	53	..	1,141	0	6	0	0	1,200
Notifications resolved without investigation	0	34,500	..	6,503	15,593	8,056	9,000	2,904	76,556
<i>Total dealt with by other means^(f)</i>	46,360	34,553	..	7,644	15,593	8,062	9,000	2,904	124,116
Total notifications	156,465	48,369	21,885	12,160	20,298	9,895	10,780	6,585	286,437
	Per cent								
Investigations finalised ^(d)	56.3	25.3	79.3	33.2	21.9	16.2	14.4	35.8	46.0
Investigation closed—no outcome possible	11.7	..	3.1	1.3	0.0	0.9	2.1	5.8	6.9
<i>Total closed investigations</i>	68.0	25.3	82.4	34.5	21.9	17.1	16.5	41.6	52.9
Investigations in process ^(e)	2.4	3.3	17.6	2.6	1.3	1.4	—	14.3	3.8
<i>Total investigations</i>	70.4	28.6	100.0	37.1	23.2	18.5	16.5	55.9	56.7
Notifications in process	0.0	0.1	..	9.4	0.0	0.1	0.0	0.0	0.4
Notifications resolved without investigation	0.0	71.3	..	53.5	76.8	81.4	83.5	44.1	26.7
<i>Total dealt with by other means^(f)</i>	29.6	71.4	..	62.9	76.8	81.5	83.5	44.1	43.3
Total notifications	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— rounded to zero

.. not applicable

(a) New South Wales figures are not comparable with those of other jurisdictions. See Section 2.1 for further details. NSW is unable to provide separate categories for 'Dealt with by other means' for 2009–10.

(b) In Queensland, actions in 'Investigation closed—no outcome possible' are considered to be finalised investigations. This category includes notifications where there was insufficient information to enable an assessment outcome of substantiated or unsubstantiated to be determined. This may occur in circumstances where a family was unable to be identified, located or has moved overseas and the investigation is therefore finalised and closed.

(c) Western Australia introduced a new client information system in March 2010. See Section 2.1 for further information.

(d) 'Investigations finalised' are investigations that were completed and an outcome of substantiated or not substantiated recorded by 31 August 2010.

(e) 'Investigations in process' are investigations that were begun but not completed by 31 August 2010.

(f) 'Total dealt with by other means' includes notifications that were responded to by means other than an investigation, such as referral to police, referral to family services or provision of advice. 'Dealt with by other means' also includes some cases that were previously reported as 'no investigation possible/no action'.

Note: Percentages in table may not add to 100 due to rounding.

Source: AIHW Child Protection Data Collections 2010.

Recent trends in notifications

In Australia, the number of child protection notifications decreased by 16% from 339,454 in 2008–09 to 286,437 in 2009–10 (Table 2.2). The largest reported decrease in notifications was in New South Wales (27%) where the threshold for mandatory reporting was raised from including children deemed at ‘risk of harm’ to the new ‘risk of significant harm’. Tasmania, Queensland and South Australia also had decreases in the number of notifications (decreases of 4%, 7% and 13%, respectively).

Victoria, Western Australia, the Australian Capital Territory and the Northern Territory showed an increase in notifications, which may be due to enhanced public awareness as a result of legislative changes, public awareness campaigns or inquiries into child protection processes. Appendix 8 provides details on the various inquiries into state and territory child protection services that may have impacted on public awareness. Similarly, Appendix 4 provides details of specific child protection legislation in jurisdictions that may have had an impact on the number of notifications received during 2009–10.

Table 2.2: Number of notifications, states and territories, 2004–05 to 2009–10

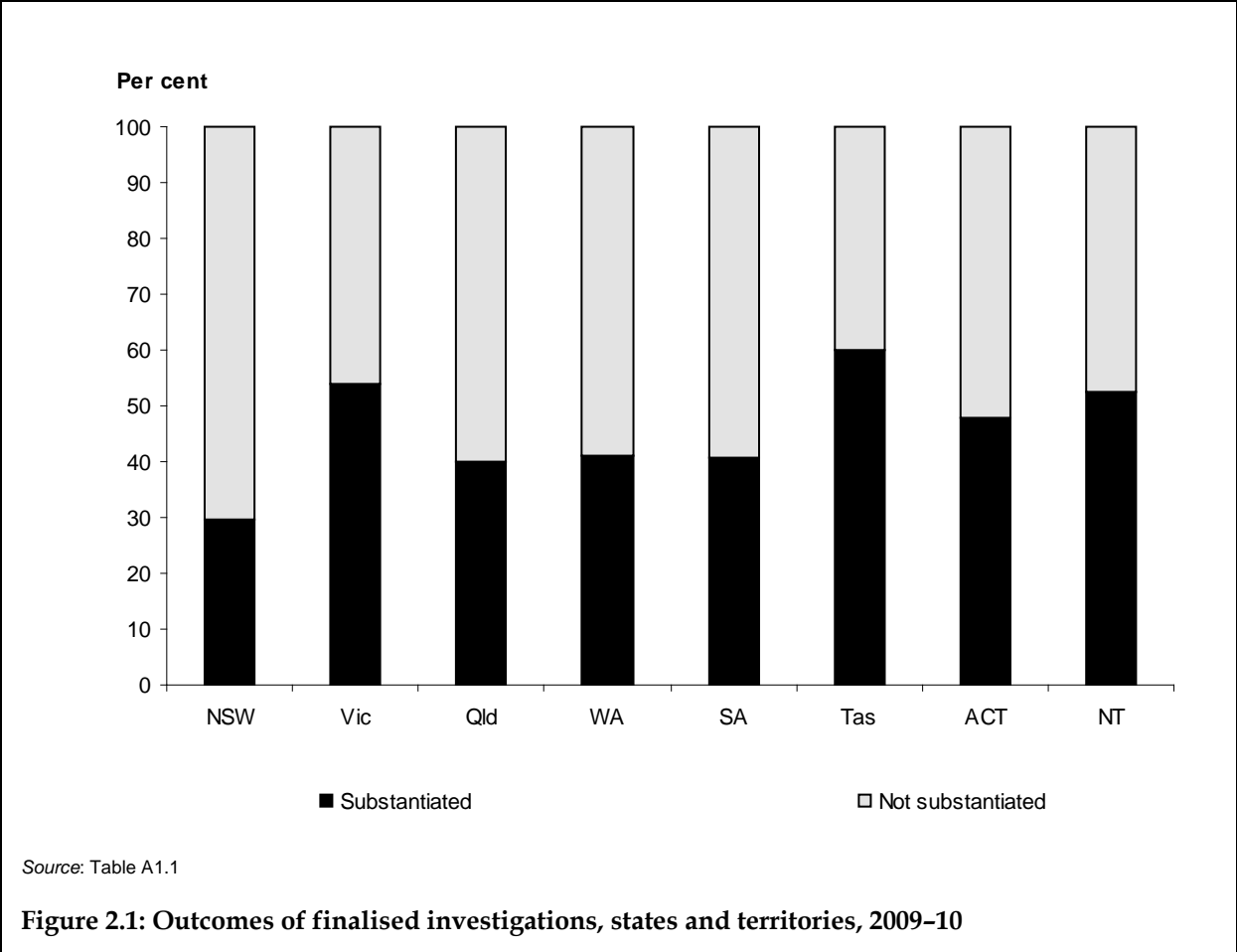
Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
2004–05	133,636	37,523	40,829 ^(a)	3,206	17,473	10,788 ^(b)	7,275	2,101	252,831
2005–06	152,806	37,987	33,612	3,315	15,069	13,029	8,064	2,863	266,745
2006–07	189,928	38,675 ^(c)	28,511 ^(d)	7,700 ^(e)	18,434	14,498	8,710	2,992	309,448
2007–08	195,599	41,607	25,003	8,977	20,847	12,863	8,970	3,660	317,526
2008–09	213,686	42,851	23,408	10,159	23,221	10,345 ^(f)	9,595	6,189	339,454
2009–10	156,465 ^(g)	48,369	21,885	12,160 ^(h)	20,298 ⁽ⁱ⁾	9,895	10,780	6,585	286,437

- (a) In Queensland, from March 2005, all notifications recorded by the department require an investigation to be undertaken. In previous financial years, not all notifications were required to be investigated. This was because reports that could be responded to by way of protective advice (rather than investigation) were also recorded as notifications. This practice ceased from March 2005, and reports dealt with by way of protective advice are now recorded as Child Concern Reports.
- (b) The introduction of the *Family Violence Act 2004* included an amendment to the *Children, Young Persons and Their Families Act 1997*, which extended the definition of abuse and neglect to include a child affected by family violence. As a consequence, there has been a significant increase in notifications from the Department of Police and Emergency Management about children affected by family violence.
- (c) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 onwards may not be fully comparable with previous years' data.
- (d) From 2006–07, notification figures recorded 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.
- (e) The number of notifications for Western Australia increased between 2005–06 and 2006–07 because all Concern for Child Wellbeing reports were counted as a notification for the first time. Previously, only those that were followed by an investigation were counted as a notification.
- (f) In Tasmania, from February 2008, there was a change in the processes for recording notifications. New contacts made about similar concerns during an open notification/investigation period, within the first 6 weeks, were added to the notification as a ‘case note’. Case notes are not included in the count of notifications, hence comparison between values from 2007–08 to 2008–09 should be interpreted with caution.
- (g) New South Wales figures are not comparable with those of other jurisdictions. See Section 2.1 for further details.
- (h) Western Australia introduced a new client information system in March 2010. See Section 2.1 for further information.
- (i) During 2009–10, South Australia implemented a new client information system and this was accompanied by policy and practice changes. Therefore data for this year are not fully comparable to previous years' data.

Source: AIHW Child Protection Collections 2010.

Outcomes of finalised investigations

Overall 35% of all finalised investigations had an outcome of substantiated. Almost 30% of finalised investigations were substantiated in New South Wales, but these data are not comparable to the other jurisdictions. The proportion of investigations that were substantiated varied across the other jurisdictions from 40% in Queensland to 60% in Tasmania (Figure 2.1 and Table A1.1).



Source of notifications for finalised investigations

Notifications to departments responsible for child protection come from a range of sources. Data on the sources of notifications for finalised investigations show that overall the most common source of notifications in 2009-10 was police (26%). In the Australian Capital Territory, school personnel were the most common source (20%), closely followed by police (19%). Nationally, the second most common source of notifications was school personnel, but this varied across the jurisdictions. For example, in New South Wales and Western Australia school personnel were the second most common, but in South Australia and Tasmania social workers were the second most common source of notifications (Table 2.3).

Differences in mandatory reporting requirements across the states and territories should be taken into account when interpreting these data (See Appendix 3 for further details).

Table 2.3: Investigations, by source of notification, states and territories, 2009–10 (per cent)

Source of notification	NSW ^(a)	Vic	Qld ^(b)	WA ^(c)	SA	Tas ^(d)	ACT	NT	Total
Police	25.1	31.0	28.8	24.9	22.7	33.1	19.0	25.1	26.0
School personnel	12.8	13.3	14.3	13.5	14.6	13.0	19.6	13.1	13.2
Hospital/health centre	12.0	6.1	..	11.8	1.5	1.7	9.6	18.7	9.6
Parent/guardian	7.5	6.2	6.8	7.3	4.2	3.1	6.0	3.0	7.1
Non-government organisation	7.5	8.9	3.2	2.3	3.1	0.5	11.3	5.6	6.7
Sibling/other relative	6.0	6.6	5.8	9.0	7.4	6.0	6.6	6.0	6.2
Other	5.8	13.5	4.9	8.1	2.8	3.5	6.8	3.9	6.2
Anonymous	6.1	0.0	2.7	2.5	2.7	0.9	2.0	2.1	4.8
Friend/neighbour	4.1	4.7	5.8	4.1	4.1	6.3	4.8	4.0	4.4
Social worker	5.2	0.2	..	0.0	16.2	13.6	0.6	1.6	4.2
Medical practitioner	1.1	3.4	17.9	3.3	11.4	2.4	1.7	2.8	4.0
Departmental officer	2.2	0.2	8.0	10.8	1.9	11.1	9.0	10.9	3.4
Other health personnel	2.6	6.0	..	0.7	4.8	4.0	1.7	2.7	2.5
Childcare personnel	1.8	0.0	0.9	0.7	2.1	0.7	0.8	0.4	1.4
Subject child	0.3	0.0	0.8	1.1	0.8	0.0	0.5	0.1	0.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number of Investigations	110,105	12,174	21,822	4,511	4,555	1,561	1,780	3,675	160,183

.. not applicable.

- (a) New South Wales figures are not comparable with those of other jurisdictions. See Section 2.1 for further details. In 2009–10, NSW has implemented classification changes to the source of notification to support the legislative changes and improve data capture, specifically to make a distinction between contactor role and organisation.
- (b) With the introduction of the Integrated Client Management System in March 2007, the primary source categories of social worker, hospital/health centre and other health personnel were discontinued. From March 2007, social workers are primarily recorded in the departmental officer or non-government organisation categories, and health sources are primarily recorded in the medical practitioner category.
- (c) Western Australia introduced a new client information system in March 2010. See Section 2.1 for further information.
- (d) Data reported for Tasmania aligns with the national counting rules except in the case of notifications received from departmental officers that could also be classified in another category (for example, social worker). Notifications from departmental officers were assigned to the category of departmental officer regardless of whether the source of notification could be classified in other categories.

Notes

- Investigations include 'investigations finalised', 'investigations in process' and 'investigations closed—no outcome possible'.
- Refer to Table A1.6 for numbers for this table.
- Numbers and percentages exclude cases where the source of notification was not stated.
- Percentages in table may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Substantiations and type of abuse and neglect

Substantiations of notifications

In 2009–10, the total number of substantiations of notifications received during the year fell by 8,434 (15%) from the previous year (Table 2.4). The largest decrease was observed in South Australia (25%); however, changes to policy and practice associated with the introduction of a new client information system has impacted on the number of substantiations and the comparability with data from the previous year.

Substantiations also decreased in New South Wales (23%), Tasmania (19%), the Australian Capital Territory (17%) and Queensland (5%). All other jurisdictions recorded increases in the number of substantiations, ranging from a 4% increase in Victoria to a 45% increase in the Northern Territory.

Table 2.4: Number of substantiations of notifications received during the relevant year, states and territories, 2004–05 to 2009–10

Year	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT	Total
2004–05	15,493	7,398	17,307	1,104	2,384	782	1,213	473	46,154
2005–06	29,809	7,563	13,184	960	1,855	793 ^(b)	1,277	480	55,921
2006–07	37,094	6,828 ^(c)	10,108 ^(d)	1,233	2,242	1,252	852 ^(e)	621	60,230
2007–08	34,135	6,365	8,028	1,464	2,331	1,214	827	756	55,120
2008–09	34,078	6,344	7,315	1,523	2,419	1,188	896	858	54,621
2009–10	26,248 ^(f)	6,603	6,922	1,652 ^(g)	1,815	963	741	1,243	46,187

(a) The increase in substantiations in Tasmania is considered to be in part due to increased application of the Tasmanian Risk Framework as well as greater adherence to the definition of 'substantiation' published by the AIHW.

(b) Data relating to substantiations for Tasmania for 2005–06 and 2006–07 should be interpreted carefully due to the high proportion of investigations still in process by 31 August 2007.

(c) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 onwards may not be fully comparable with previous years' data.

(d) From 2006–07, substantiation figures recorded 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. As each notification must have an associated assessment outcome (e.g. substantiated), the recording change whereby new concerns are now recorded within the original notification has therefore also affected the substantiation count.

(e) The decrease in the number of substantiated investigations 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.

(f) New South Wales figures are not comparable with those of other jurisdictions. See Section 2.1 for further details.

(g) Western Australia introduced a new client information system in March 2010. See Section 2.1 for further information.

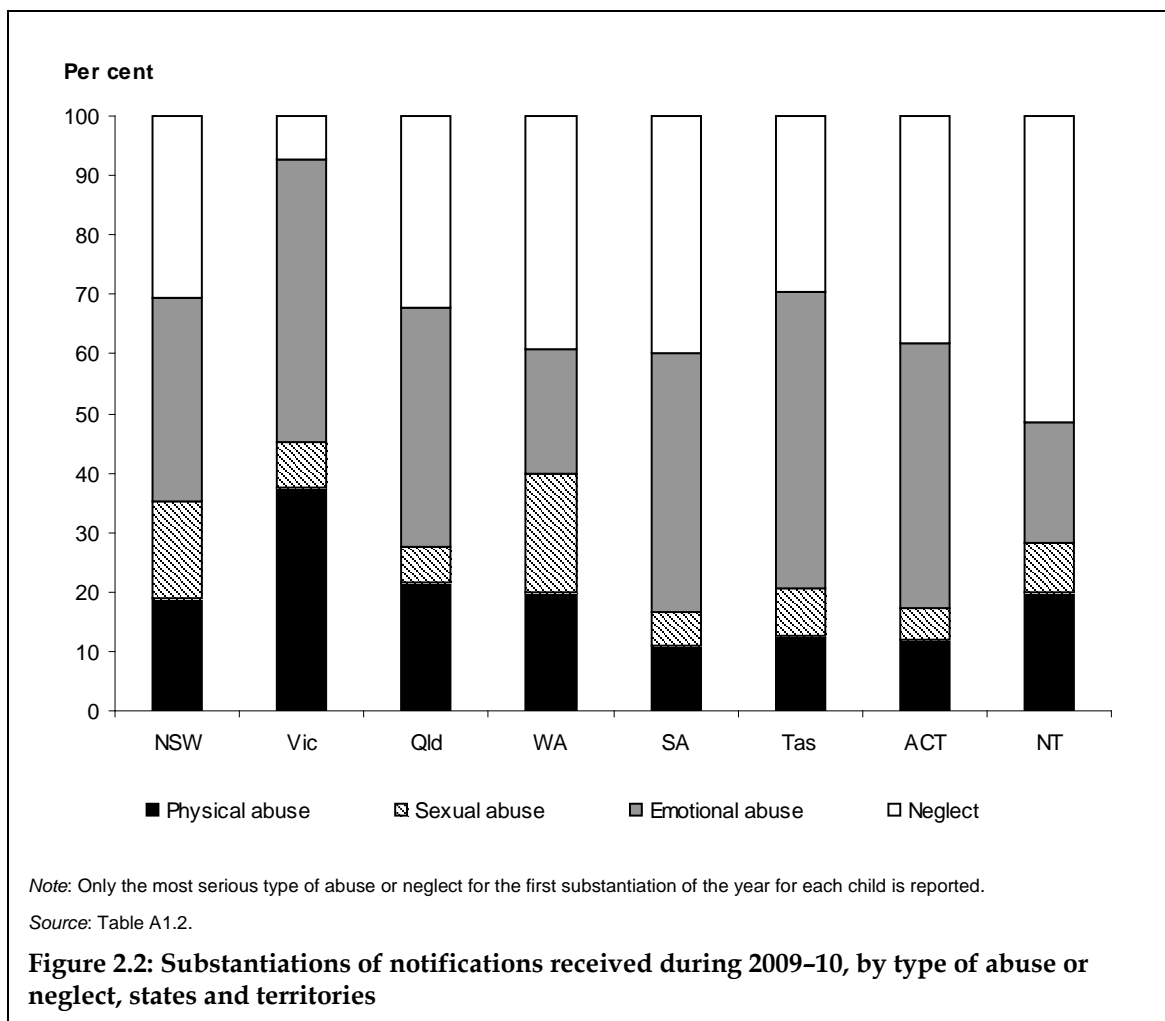
Source: AIHW Child Protection Collections 2010.

Types of abuse or neglect

Substantiations of notifications received during the year are classified into one of the following four categories depending on the main type of abuse or neglect that has occurred: physical abuse, sexual abuse, emotional abuse or neglect. If a child was the subject of more than one type of abuse or neglect as part of the same notification, the abuse or neglect reported is the one considered by the child protection workers to cause the most harm to the child. Where a child was the subject of more than one substantiation during the year, the type of abuse reported was the one associated with the first substantiation decision during the year. Therefore, it is currently difficult to analyse the overall patterns of types of abuse or neglect that each child may experience.

In all jurisdictions except Western Australia and the Northern Territory, the most common type of substantiated abuse was emotional, ranging from 34% in New South Wales to 50% in Tasmania. The relatively high proportion of substantiations of emotional abuse may be partially attributed to the broadening legislative definition of emotional abuse. In Western Australia and the Northern Territory, the most common type of substantiated abuse was neglect (39% and 51%, respectively) (Figure 2.2 and Table A1.2).

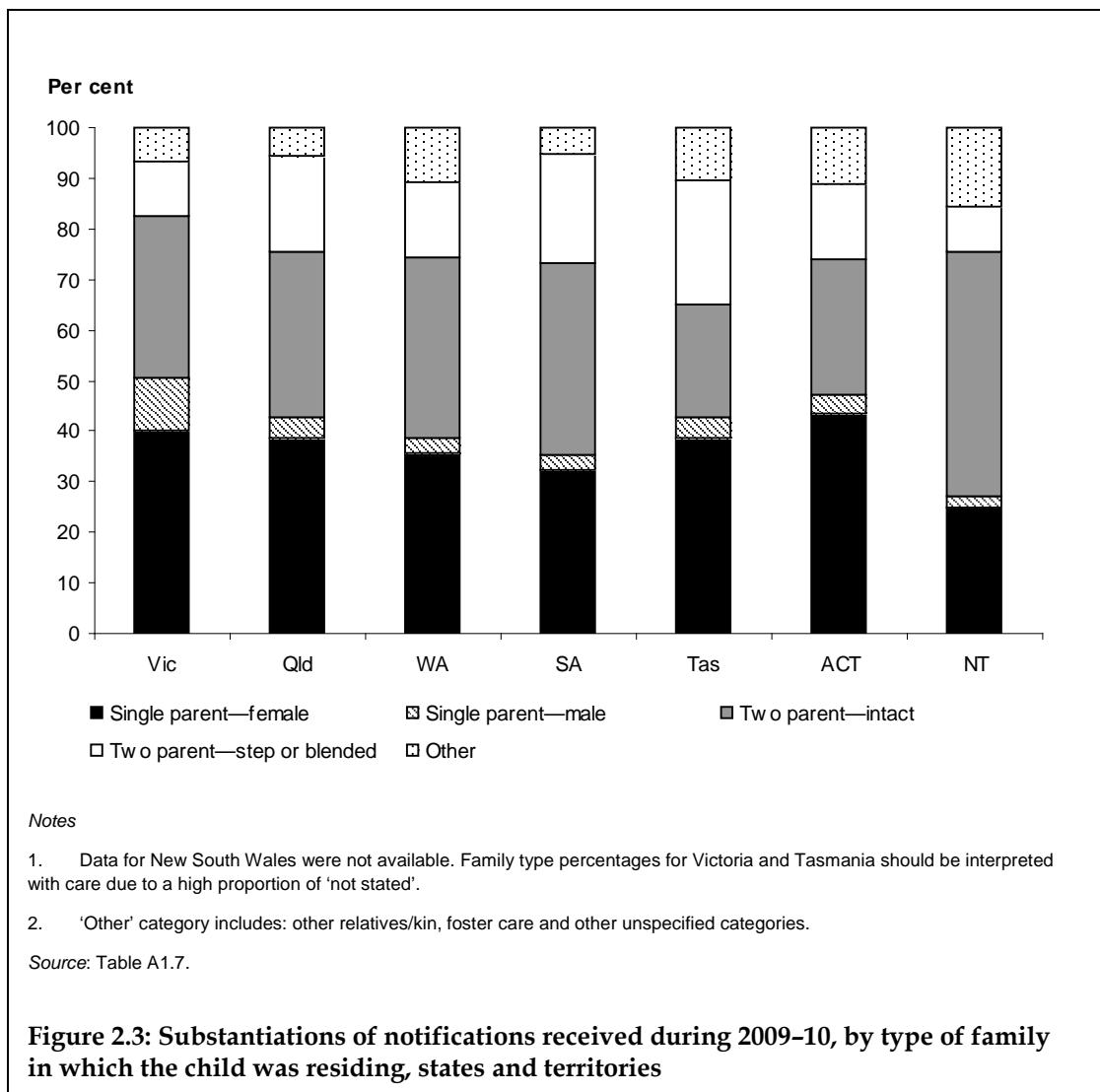
The proportion of substantiations that related to sexual abuse ranged from 5% in the Australian Capital Territory to 20% in Western Australia. Differences may be partially due to the varying mandatory reporting requirements across jurisdictions (see Appendix 3). There was also variation across jurisdictions regarding the proportion of substantiations that related to physical abuse. Proportions ranged from 11% in South Australia to 37% in Victoria. Appendix 4 includes information on how these four types of maltreatment are defined in each jurisdiction.



Family type

Single parent (female) and intact two-parent families had the highest proportions of substantiations across most jurisdictions with available data (Figure 2.3 and Table A1.7). In Tasmania, single parent (female) and two-parent (step or blended) families had the highest proportions of substantiations. In comparison, 2007 population data show that 73% of families with children aged 0-17 years were in intact families, 20% were one-parent families and 7% were step or blended families (ABS 2008).

Female single parent families may be more likely to be over-represented in substantiations because they are more likely to have low incomes and be financially stressed (Saunders & Adelman 2006) and suffer from social isolation (Loman 2006; Saunders & Adelman 2006). These factors have all been associated with child abuse and neglect (Black et al. 2001; Cooney 1996). Further, family type is recorded at different times during the child protection process across jurisdictions, which may affect the comparability of data.



2.3 Characteristics of children

Number of children

Across Australia, there were 187,314 children who were the subject of a notification, compared with 286,437 notifications, and 31,295 children who were the subject of a substantiation compared with 46,187 substantiations (Table 2.5). Although these data suggest that a number of children across Australia were the subject of more than one notification and/or substantiation during 2009-10, the current available data do not allow the calculation of the exact proportion of children who were the subject of more than one notification or substantiation in any given year.

Over the last 12 months, the number of children subject to a notification decreased by 10% from 207,462 to 187,314. The number of children subject to a substantiation of a notification decreased by 4% from 32,641 to 31,295 (Table 2.5 and AIHW 2010).

Between 2004–05 and 2009–10, the number of children subject to a notification in Australia increased by 16% (from 161,930 to 187,314).

The number of children who were the subject of a substantiation of a notification in Australia decreased by 8% over the same time period (from 34,046 to 31,295) (Table 2.5 and AIHW 2010).

Table 2.5: Number of notifications, substantiations of notifications and number of children who were the subject of a notification and/or substantiation of a notification, 2009–10, states and territories

	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT	Total
Children in notifications	88,596	37,761	19,636	10,533	13,573	6,977	5,519	4,719	187,314
Total notifications	156,465	48,369	21,885	12,160	20,298	9,895	10,780	6,585	286,437
Children in substantiations	13,136	6,403	6,218	1,557	1,507	880	550	1,044	31,295
Total substantiations	26,248	6,603	6,922	1,652	1,815	963	741	1,243	46,187

(a) New South Wales figures are not comparable with those of other jurisdictions. See Section 2.1 for further details.

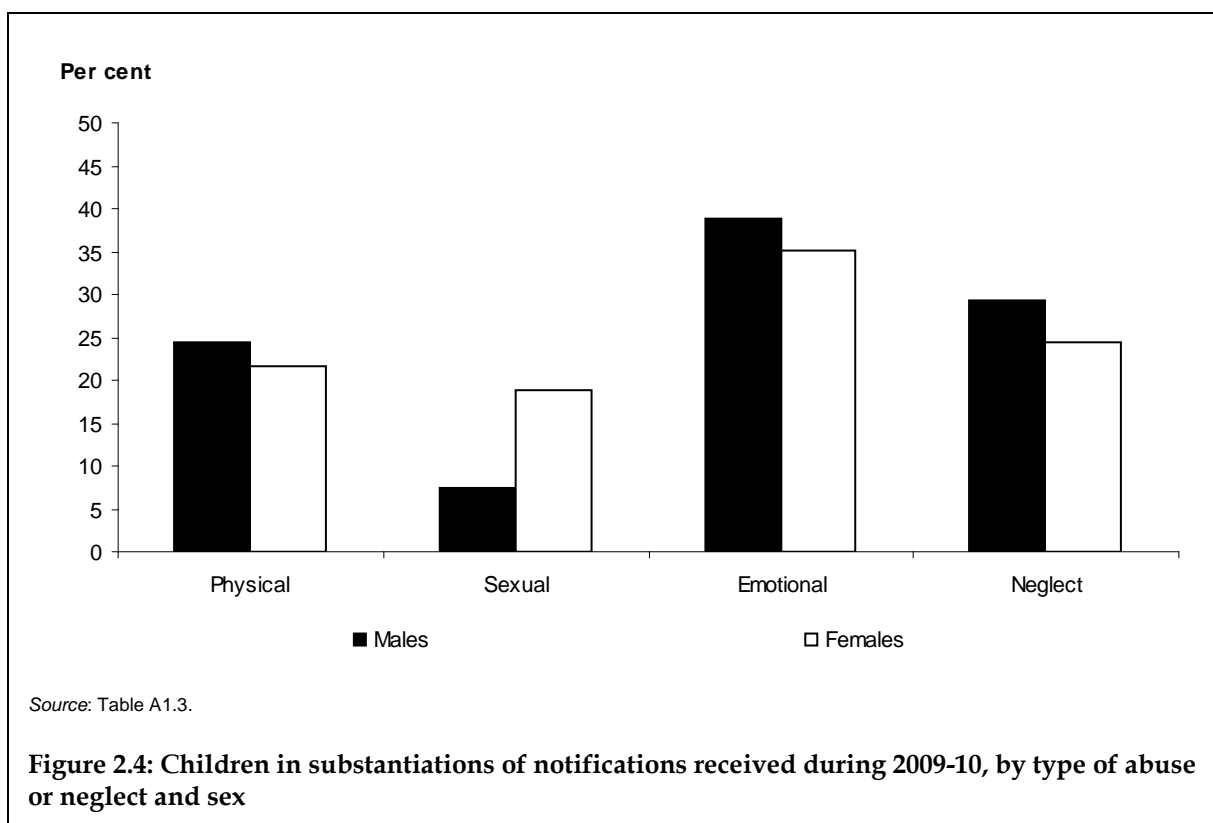
(b) Western Australia introduced a new client information system in March 2010. See Section 2.1 for further information.

Note: Includes children aged 0–17 years and children of unknown age.

Source: AIHW Child Protection Collections 2010.

Rates by sex of child

The type of abuse or neglect most commonly reported differed for males and females across jurisdictions. In all jurisdictions, females were more likely to be the subject of a substantiation of sexual abuse than males (Figure 2.4 and Table A1.3). This is consistent with victimisation studies of sexual assault (Carmody & Carrington 2000; Cook et al. 2001). In contrast, males were slightly more likely to be the subject of a substantiation of physical abuse than females in all jurisdictions except the Australian Capital Territory and the Northern Territory.



Rates by age of child

Across Australia, children aged less than 1 year were most likely to be the subject of a substantiation (13 per 1,000 children) and children aged 15–17 years were least likely to be the subject of a substantiation (2.7 per 1,000 children). This pattern was consistent across all jurisdictions (Table 2.6). The number per 1,000 children aged less than 1 year ranged from 5.9 in Western Australia to 43.3 in the Northern Territory.

Age is one of the factors that child protection workers take into consideration when determining the time taken to respond to a notification, the type of response and whether a notification will be substantiated. Younger children are regarded as the most vulnerable, and most jurisdictions have specific policies and procedures in place to protect younger children. There has also been an increased focus nationally on early intervention and the provision of services early in a child’s life to improve long-term outcomes and reduce the negative impacts of trauma and harm (COAG 2009a).

Table 2.6: Children aged 0–17 years in substantiations of notifications received 2009–10, by age, states and territories (number per 1,000 children)

Age (years)	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT	Total
<1 year	13.5	13.6	13.6	5.9	11.9	14.1	13.2	43.3	13.0
1–4 years	9.0	5.8	6.3	3.2	5.4	9.9	7.4	19.9	6.9
5–9 years	7.6	4.9	6.1	3.1	4.6	8.0	6.7	15.2	6.0
10–14 years	7.9	5.1	5.5	2.7	3.4	6.2	7.7	15.0	5.9
15–17 years	4.0	2.4	2.2	1.2	1.2	2.4	3.2	6.9	2.7
0–17 years	7.7	5.2	5.7	2.9	4.2	7.3	6.9	16.6	6.0
All children^(c)	8.0	5.2	5.7	2.9	4.2	7.4	7.0	16.6	6.1

(a) New South Wales figures are not comparable with those of other jurisdictions. See Section 2.1 for further details.

(b) Western Australia introduced a new client information system in March 2010. See Section 2.1 for further information.

(c) Includes children of unknown age

Notes

1. Refer to Table A1.4 for numbers for this table.
2. Children of unknown age are excluded from age groups.
3. Refer to Table A1.21 for the population used in the calculation of rates.

Source: AIHW Child Protection Collections 2010.

Types of abuse and neglect

Patterns of substantiated abuse and neglect are shown in Table 2.7. Overall, emotional abuse was the most common type of substantiated abuse in all jurisdictions except Western Australia and the Northern Territory, where neglect was the most common type. Sexual abuse was the least common substantiation in all jurisdictions except Victoria, where neglect was the least common, and New South Wales, where physical abuse was the least common.

Table 2.7: Children who were the subject of a substantiation of a notification received during 2009–10, by type of abuse or neglect, states and territories (per cent)

Type of abuse or neglect	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT	Total
Physical abuse	18.9	37.8	21.9	20.4	11.9	13.4	14.0	20.7	22.9
Sexual abuse	20.2	8.2	6.1	20.0	6.2	8.2	6.5	8.0	13.3
Emotional abuse	31.6	46.9	40.4	21.3	42.6	50.6	45.1	21.2	36.9
Neglect	29.4	7.2	31.5	38.3	39.2	27.8	34.4	50.1	26.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) New South Wales figures are not comparable with those of other jurisdictions. See Section 2.1 for further details.

(b) Western Australia introduced a new client information system in March 2010. See Section 2.1 for further information.

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. Refer to Table A1.5 for numbers for this table.
3. Percentages in table may not add to 100 due to rounding.

Source: AIHW Child Protection Collection 2010.

Recent trends regarding children in substantiations

In 2009–10, 6.1 per 1,000 children were the subject of a substantiation of a notification received during the year. However, there were considerable differences between states and territories; the Northern Territory had the highest rate (16.6 per 1,000 children) and Western Australia the lowest (2.9 per 1,000 children) (Table 2.8). Variation in the rates across jurisdictions is partly due to differences in policies and approaches to child protection matters.

Overall, the rate of children subject to a substantiated notification decreased from the previous year. Decreases in the rate of children subject to a substantiated notification were observed across all jurisdictions except Victoria, Western Australia and the Northern Territory.

Across Australia since 2004–05, the rate of children subject to a substantiated notification has decreased from 7.1 to 6.1 per 1,000 children in 2009–10. Over the past 6 years, rates have increased for New South Wales, Tasmania and the Northern Territory, decreased for Queensland and the Australian Capital Territory and remained relatively stable for the remaining jurisdictions.

These trend data need to be interpreted with caution because fluctuations may be the result of a number of factors, including the number of children requiring a child protection response, community awareness and/or willingness to report problems. These data also reflect the activity of the departments responsible for child protection and, as such, are sensitive to changes in child protection legislation, departmental policies and practices.

Table 2.8: Rates of children 0–17 years who were the subject of substantiation of a notification received during the relevant year, states and territories, 2004–05 to 2009–10 (number per 1,000 children)

Year	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT	Total
2004–05	5.8	6.0	13.4	2.1	5.2	5.4	11.4	7.6	7.1
2005–06	8.0	6.3	10.4	1.9	4.2	5.6	11.4	7.8	7.2
2006–07	8.5	5.6 ^(b)	8.7	2.3	5.0	6.8	7.4 ^(c)	8.8	6.9
2007–08	8.2	5.1	7.1	2.7	5.2	7.9	7.1	11.4	6.5
2008–09	8.7	5.0	6.3	2.8	5.4	9.1	7.8	12.3	6.5
2009–10	8.0 ^(d)	5.2	5.7	2.9 ^(e)	4.2 ^(f)	7.4	7.0	16.6	6.1

- (a) The increase in the rate of children who were the subject of a substantiation in Tasmania is considered to be due in part to increased application of the Tasmanian Risk Framework as well as greater adherence to the definition of 'substantiation' published by the AIHW. It should also be noted that data relating to Tasmanian substantiations for 2005–06 and 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007.
- (b) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 onwards may not be fully comparable with previous years' data.
- (c) The decrease in the number of substantiated investigations 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.
- (d) New South Wales figures are not comparable with those of other jurisdictions. See Section 2.1 for further details.
- (e) Western Australia introduced a new client information system in March 2010. See Section 2.1 for further information.
- (f) During 2009–10, South Australia implemented a new client information system and this was accompanied by policy and practice changes. Therefore data for this year are not fully comparable to previous years' data.

Notes

1. Children may have been the subject of more than one substantiation.
2. Legislation and practice differs across jurisdictions in relation to children aged 17 years. In some jurisdictions, children aged 17 years are not substantiated and this means the number per 1,000 children who were the subject of a substantiation may be lower for those jurisdictions.
3. Refer to Table A1.18 for the population used in the calculation of rates for 2009–10. Population estimates were updated in 2009 and this may have an impact on the rate comparison over time.

Source: AIHW Child Protection Collections 2010.

2.4 Aboriginal and Torres Strait Islander children

Children in substantiations

Aboriginal and Torres Strait Islander children were more likely to be the subjects of a substantiation of a notification received during the year than non-Indigenous children. In 2009–10, in all jurisdictions, the substantiation rate for Indigenous children was higher than the rate for non-Indigenous children. Across Australia, Indigenous children were 7.7 times as likely as non-Indigenous children to be the subject of substantiation (Table 2.9).

Table 2.9: Children aged 0–17 years who were the subjects of substantiations of notifications received during 2009–10, by Indigenous status, states and territories (number and number per 1,000 children)

State/ territory	Number of children					Number per 1,000 children			
	Indigenous	Non-Indigenous	Unknown	Unknown (per cent)	All children	Indigenous	Non-Indigenous	All children	Rate ratio Indigenous/ non-Indigenous
NSW ^(a)	3,707	9,408	21	0.2	13,136	52.6	6.0	8.0	8.7
Vic	710	5,690	3	—	6,403	46.9	4.7	5.2	10.0
Qld	1,780	4,227	211	3.4	6,218	25.6	4.2	5.7	6.1
WA ^(b)	642	818	97	6.2	1,557	20.7	1.6	2.9	12.7
SA	379	1,029	99	6.6	1,507	30.2	3.0	4.2	10.1
Tas	130	614	136	15.5	880	15.7	5.6	7.4	2.8
ACT	118	380	52	9.5	550	61.5	4.9	7.0	12.5
NT	868	169	7	0.7	1,044	31.9	4.7	16.6	6.7
Australia	8,334	22,335	626	2.0	31,295	35.3	4.6	6.1	7.7

— rounded to zero

(a) New South Wales figures are not comparable with those of other jurisdictions. See Section 2.1 for further details.

(b) Western Australia introduced a new client information system in March 2010. See Section 2.1 for further information.

Notes

1. Refer to Table A1.18 for the populations used in the calculation of rates.
2. Legislation and practice differs across jurisdictions in relation to children aged 17 years. In some jurisdictions, children aged 17 years are not substantiated and this means the number per 1,000 children who were the subject of a substantiation may be lower for those jurisdictions.
3. Rate ratios are calculated by dividing the un-rounded rate of Indigenous children who were the subject of substantiations by the un-rounded rate of non-Indigenous children who were the subject of substantiations. The resulting number is a measure of how many Indigenous children were the subjects of substantiation for every non-Indigenous child who was the subject of substantiation.
4. Percentage of unknown is the percentage of 'All children' in each state/territory.

Source: AIHW Child Protection Collection 2010.

The reasons for the over-representation of Aboriginal and Torres Strait Islander children in child protection substantiations are complex. Research suggests that intergenerational cycles of poverty, violence and drug and alcohol misuse are associated with heightened risk of child abuse and neglect (Berlyn & Bromfield 2009).

The *Bringing them home* report (HREOC 1997) also 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 some Aboriginal children from their families
- intergenerational effects of previous separations from family and culture
- poor socioeconomic status
- perceptions arising from cultural differences in child-rearing practices.

Types of abuse and neglect

For Indigenous children across Australia, the most common type of abuse was neglect. However, in Victoria, South Australia and Tasmania, the most common type of abuse for Indigenous children was emotional abuse (Table A1.5).

For non-Indigenous children across most jurisdictions, the most common type of abuse was emotional abuse. However, in Western Australia and South Australia the most common type of abuse for non-Indigenous children was neglect and in the Northern Territory it was physical abuse.

Sexual abuse was the least common type of abuse for Indigenous children across all jurisdictions. Sexual abuse was also the least common type of abuse for non-Indigenous children in most jurisdictions except New South Wales, Victoria and Western Australia (where physical abuse, neglect and emotional abuse were least common, respectively).

3 Care and protection orders

3.1 Overview

Scope

Care and protection orders are legal orders or arrangements that give child protection departments some responsibility for a child's welfare. This chapter focuses on data relating to: children admitted to, and discharged from, care and protection orders for the 2009–10 financial year; orders issued during 2009–10; characteristics of children on orders at 30 June 2010; and trend data. Children are counted only once, even if they were admitted to or discharged from more than one order, or were on more than one order at 30 June 2010. If a child was on more than one order at 30 June 2010, then the child is counted as being on the order that implies the highest level of intervention by the department (with finalised guardianship or custody orders being the most interventionist, and interim and temporary orders the least).

Definitions

Children who are in need of care and protection

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 the family resists supervision and counselling, where other avenues for resolution of the situation have been exhausted, or where removal of the child to out-of-home care requires legal authorisation.

In most jurisdictions, the relevant department makes applications for care and protection orders to the Children's Court. In South Australia, applications are made to the Youth Court and in the Northern Territory to the Family Matters Court. A small number of applications may also be brought before the Family Court, or the state or territory Supreme Court, but orders granted by these courts are only included for some jurisdictions. Not all applications for an order will be granted. The term 'care and protection order' in this publication 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.

State and territory child protection and support services may also need to assume responsibility for children and place them on a care and protection order for reasons other than a child protection substantiation. This may occur in situations where there is family conflict and 'time out' is needed, where there is an irretrievable breakdown in the relationship between the child and his or her parents, or where the parents are unwilling or

unable to adequately care for the child. Each state and territory has its own legislation that provides a definition of 'in need of care and protection'. See Appendix 4 for details.

Types of care and protection orders

There are several different types of care and protection orders and these can be grouped at a national level into five general categories. Relevant jurisdictional differences are detailed in Appendix 5.

Finalised guardianship or custody orders

Guardianship orders involve the transfer of legal guardianship to the relevant state or territory department or non-government agency. These orders involve considerable intervention in the child's life and that of their family, and are sought only as a last resort. Guardianship orders convey responsibility for the welfare of the child to the guardian (for example, regarding the child's education, health, religion, accommodation and financial matters). They do not necessarily grant the right to the daily care and control of the child, or the right to make decisions about the daily care and control of the child, which are granted under custody orders.

Custody orders generally refer to orders that place children in the custody of the state or territory, or department responsible for child protection or non-government agency. These orders usually involve the child protection department being responsible for the daily care and requirements of the child, while the parent retains legal guardianship. Custody alone does not bestow any responsibility regarding the long-term welfare of the child.

Finalised third-party parental responsibility

Third-party parental responsibility orders transfer all duties, powers, responsibilities and authority that parents are entitled to by law to a nominated person(s) considered appropriate by the court. The nominated person may be an individual such as a relative or an officer of the state or territory department. Third-party parental responsibility may be ordered in the event that a parent is unable to care for a child and, as such, parental responsibility is transferred to a relative. 'Permanent care orders' are an example of a third-party parental responsibility order and involve transfer of guardianship to a third-party carer. It can also be applied to the achievement of a stable arrangement under a long-term guardianship order to 18 years without guardianships being transferred to a third party. These orders are only applicable in some jurisdictions.

Finalised supervisory orders

Finalised supervisory orders give the department responsible for child protection some responsibility for a child's welfare. Under these orders, the department supervises and/or directs the level and type of care that is to be provided to the child. Children under supervisory orders are generally under the responsibility of their parents and the guardianship or custody of the child is unaffected.

Supervisory and other finalised orders are therefore less interventionist than guardianship or custody orders but require the child's parent or guardian to meet specified conditions, such as medical care of the child.

Interim and temporary orders

Interim and temporary orders generally cover the provisions of a limited period of supervision and/or placement of a child. Parental responsibility under these orders may reside with the parents or with the department responsible for child protection. Unfinalised orders (such as applications to the court for care and protection orders) are also included in this category, unless another finalised order is in place.

Administrative arrangements

Administrative arrangements are agreements with the child protection departments, which have the same effect as a court order of transferring custody or guardianship. These arrangements can also allow a child to be placed in out-of-home care without going through the courts.

Interpretation of the data

This section includes data on admissions to, and discharges from, care and protection orders, orders issued during 2009–10, and data on the characteristics of children who were on care and protection orders at 30 June 2010. The differences between states and territories in legislation, policies and practices in relation to care and protection orders should be taken into account when interpreting the data; details of these differences are located in Appendixes 4 and 5.

Important differences between the jurisdictions must be considered when interpreting the data. As noted in previous chapters, in March 2010, Western Australia implemented a new client information system; however, the delivery of the associated reporting data warehouse has been delayed. The latest available data is from a March snapshot of data from Western Australia's previous reporting data warehouse and this data has been used as a proxy for the data reported.

3.2 Numbers of care and protection orders

Orders issued

Across Australia 25,463 care and protection orders were issued in 2009–10; almost half (47%) of the orders issued were interim and temporary orders and 35% were finalised guardianship or custody orders (Table 3.1). The types of care and protection orders issued varied across jurisdictions, reflecting both the different types of orders available and the different policies and practices.

In Victoria, finalised supervisory orders were the most commonly issued type of order (46%). In all other jurisdictions, interim and temporary orders were the most commonly issued type of order (47% across Australia). In Western Australia, interim orders actually refer to care applications, which generally become a guardianship/custody order.

Table 3.1: Care and protection orders issued, by type of order, states and territories, 2009–10

Type of order	NSW	Vic	Qld	WA ^(a)	SA	Tas ^(b)	ACT	NT	Total
Number									
Finalised guardianship or custody orders	1,817	1,182	3,091	667	729	502	124	841	8,953
Finalised third-party parental responsibility orders	403	0	148	41	20	n.a.	17	0	629
Finalised supervisory orders	n.a.	1,625	641	108	373	30	42	6	2,825
Interim and temporary orders	2,628	718	3,425	1,077	1,621	893	319	1,165	11,846
Administrative arrangements	597	0	..	..	246	34	80	253	1,210
Total	5,445	3,525	7,305	1,893	2,989	1,459	582	2,265	25,463
Per cent									
Finalised guardianship or custody orders	33.4	33.5	42.3	..	24.4	34.4	21.3	37.1	35.2
Finalised third-party parental responsibility orders	7.4	0.0	2.0	..	0.7	..	2.9	0.0	2.5
Finalised supervisory orders	..	46.1	8.8	..	12.5	2.1	7.2	0.3	11.1
Interim and temporary orders	48.3	20.4	46.9	..	54.2	61.2	54.8	51.4	46.5
Administrative arrangements	11.0	0.0	..	..	8.2	2.3	13.7	11.2	4.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. not applicable

n.a. not available

(a) Western Australia introduced a new client information system in March 2010. See Section 3.1 for further information. In Western Australia, 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 valid to compare the number of orders by a percentage basis.

(b) Tasmania is not able to separately identify children under 'Finalised third-party parental responsibility orders'. These children are included under the 'Finalised guardianship or custody orders' category.

Note: Percentages in table may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

3.3 Characteristics of children on orders

Children admitted to, and discharged from, orders

Across Australia in 2009–10, more children were admitted to care and protection orders (14,564) than discharged from orders (7,791) (Table 3.2). This pattern was consistent across all jurisdictions and is consistent with data from previous years. The number of children admitted to care and protection orders during 2009–10 ranges from 331 in the Australian Capital Territory to 4,318 in Queensland.

The majority of children admitted to orders in 2009–10 across Australia had not previously been admitted to a care and protection order (56%). The proportion of children admitted to orders for the first time ranged from 37% in Queensland to 82% in New South Wales.

Children may be admitted (or re-admitted) to a care and protection order for a number of reasons including substantiated abuse, irretrievable breakdown in the relationship between

the child and their parents, or where parents were unwilling or unable to adequately care for the child. A re-admission to a care and protection order can also reflect a change in order type; for example, from a temporary order to a longer-term order to ensure a child's continuing safety. Data may therefore partly reflect differences in states and territories policy and practice in this area.

Table 3.2: Children admitted to, and discharged from, care and protection orders, states and territories, 2009–10

	NSW	Vic	Qld ^(a)	WA ^(b)	SA	Tas	ACT	NT	Total
Children admitted to orders	3,381	3,057	4,318	1,364	1,095	622	331	396	14,564
Children admitted for the first time	2,786	1,688	1,579	781	600	262	161	311	8,168
<i>Percentage of all admissions</i>	<i>82.4</i>	<i>55.2</i>	<i>36.6</i>	<i>57.3</i>	<i>54.8</i>	<i>42.1</i>	<i>48.6</i>	<i>78.5</i>	<i>56.1</i>
Children discharged from orders	2,003	1,663	2,363	627	495	188	160	292	7,791

(a) Previous admissions to care and protection orders in other jurisdictions could not be counted.

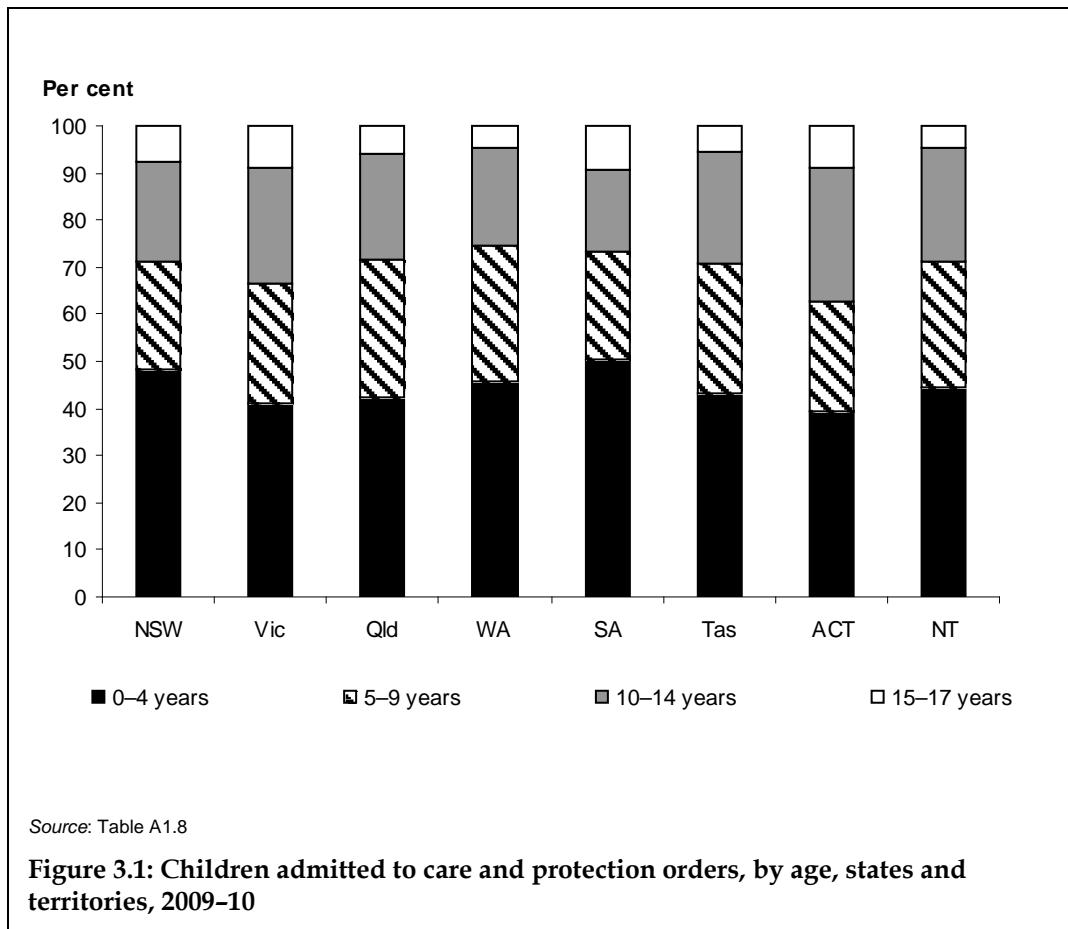
(b) Western Australia introduced a new client information system in March 2010. See Section 3.1 for further information.

Notes

1. Data may include children who were discharged around the age of 18 years.
2. If a new care and protection order is applied within 5 days of discharge, then a discharge is not counted.
3. A renewal of an existing order is not counted as an admission. However, a change to an order is counted as an admission.
4. 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.
5. Each child is counted for one admission and/or one discharge for the year.

Source: AIHW Child Protection Collections 2010.

Across Australia, 44% of children admitted to orders in 2009–10 were aged between 0 and 4 years; this ranged from 40% in the Australian Capital Territory to 51% in South Australia (Figure 3.1). Across Australia, 26% of children admitted to orders were aged 5 to 9 years, 22% were aged 10 to 14 years and 7% were aged 15 to 17 years (Table A1.8).



Across Australia, nearly three in five children (58%) who were discharged had been continuously on an order for 1 year or more (Table 3.3). This pattern was consistent across most jurisdictions, except in South Australia, the Australian Capital Territory and the Northern Territory where over half of all children discharged had been continuously on an order for less than 1 year.

Across Australia, 24% of children who were discharged had been on an order continuously for less than 3 months; this ranged from 1% of children discharged in Victoria to 64% of children discharged in the Northern Territory. Some of these children may be on interim or temporary orders and later have more permanent order arrangements applied.

Overall, 9% of children across Australia who were discharged from an order had been continuously on an order over the long term (for 8 years or more).

Table 3.3: Children discharged from care and protection orders, by length of time on an order, states and territories, 2009–10

State/territory	Length of time continually on an order at time of discharge							Total
	Months			Years				
	<3	3 to <6	6 to <12	1 to <2	2 to <4	4 to <8	8 or more	
	Number							
New South Wales	691	101	138	254	309	192	318	2,003
Victoria	18	180	228	432	512	202	91	1,663
Queensland	531	92	383	428	508	248	173	2,363
Western Australia ^(a)	149	38	36	92	202	56	54	627
South Australia	156	71	37	77	50	45	59	495
Tasmania	74	10	5	33	28	23	15	188
Australian Capital Territory	51	20	13	12	27	28	9	160
Northern Territory	187	24	5	34	23	14	5	292
Total	1,857	536	845	1,362	1,659	808	724	7,791
	Per cent							
New South Wales	34.5	5.0	6.9	12.7	15.4	9.6	15.9	100.0
Victoria	1.1	10.8	13.7	26.0	30.8	12.1	5.5	100.0
Queensland	22.5	3.9	16.2	18.1	21.5	10.5	7.3	100.0
Western Australia ^(a)	23.8	6.1	5.7	14.7	32.2	8.9	8.6	100.0
South Australia	31.5	14.3	7.5	15.6	10.1	9.1	11.9	100.0
Tasmania	39.4	5.3	2.7	17.6	14.9	12.2	8.0	100.0
Australian Capital Territory	31.9	12.5	8.1	7.5	16.9	17.5	5.6	100.0
Northern Territory	64.0	8.2	1.7	11.6	7.9	4.8	1.7	100.0
Total	23.8	6.9	10.8	17.5	21.3	10.4	9.3	100.0

(a) Western Australia introduced a new client information system in March 2010. See Section 3.1 for further information.

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. The 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 table may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Recent trends in children admitted to orders

Across Australia over the past 6 years, the number of children admitted to orders has increased by 27%; increases occurred in all jurisdictions except Victoria, which had a slight decrease of almost 1% (Table 3.4). However, between 2008–09 and 2009–10, the number of children admitted to orders decreased by 6%. All jurisdictions except Western Australia, South Australia and the Northern Territory had a decrease in children admitted to orders over the past year (AIHW 2010).

Table 3.4: Children admitted to care and protection orders, states and territories, 2004–05 to 2009–10

Year	NSW	Vic	Qld ^(a)	WA	SA	Tas	ACT	NT	Total
2004–05	2,537	3,080	3,705	513	746	361	194	356	11,492
2005–06	2,977	3,058	4,072	753	790	573	256	331	12,810
2006–07	3,495	2,934	3,998	1,362	888	582	261	304	13,824
2007–08	3,614	3,289	4,312	1,568	1,162	573	241	321	15,080
2008–09	3,827	3,241	4,647	1,355	1,087	627	381	344	15,509
2009–10	3,381	3,057	4,318	1,364 ^(b)	1,095	622	331	396	14,564

(a) Previous admissions to care and protection orders in other jurisdictions could not be counted.

(b) Western Australia introduced a new client information system in March 2010. See Section 3.1 for further information.

Notes

1. A renewal of an existing order is not counted as an admission. However, a change to an order is counted as an admission.
2. Each child is counted for one admission for the year.

Source: AIHW Child Protection Collections 2010.

Types of orders

Across Australia, 37,730 children were on a care and protection order at 30 June 2010. Nearly three-quarters (73%) of children who were on care and protection orders at 30 June 2010 were on finalised guardianship or custody orders (Table 3.5). There was some variation among the jurisdictions; for example, in New South Wales, 21% of children were on finalised third-party parental responsibility arrangements compared with 2% in South Australia. In Victoria, 23% of children were on finalised supervisory orders compared with 0.2% in South Australia. In Tasmania, 16% of children were on interim or temporary orders compared with 3% in the Victoria. Overall, only a small proportion (0.5%) of children was on administrative arrangements that do not require intervention by the courts.

Table 3.5: Children on care and protection orders, by type of order, states and territories, 30 June 2010

Type of order	NSW	Vic	Qld	WA ^(a)	SA	Tas ^(b)	ACT	NT	Total
Number									
Finalised guardianship or custody orders	9,713	4,836	6,073	2,734	2,302	912	461	572	27,603
Finalised third-party parental responsibility orders	3,006	0	764	114	53	n.a.	32	0	3,969
Finalised supervisory orders	n.a.	1,502	406	145	4	24	55	3	2,139
Interim and temporary orders	1,869	177	847	439	135	172	93	81	3,813
Administrative arrangements	101	0	..	..	49	4	12	40	206
Total	14,689	6,515	8,090	3,432	2,543	1,112	653	696	37,730
Per cent									
Finalised guardianship or custody orders	66.1	74.2	75.1	..	90.5	82.0	70.6	82.2	73.2
Finalised third-party parental responsibility orders	20.5	0.0	9.4	..	2.1	..	4.9	0.0	10.5
Finalised supervisory orders	..	23.1	5.0	..	0.2	2.2	8.4	0.4	5.7
Interim and temporary orders	12.7	2.7	10.5	..	5.3	15.5	14.2	11.6	10.1
Administrative arrangements	0.7	0.0	..	..	1.9	0.4	1.8	5.7	0.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. not applicable

n.a. not available

(a) Western Australia introduced a new client information system in March 2010. See Section 3.1 for further information. In Western Australia, 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 valid to compare the number of orders by a percentage basis.

(b) Tasmania is not able to separately identify children under 'Finalised third-party parental responsibility' orders. These children are included under the 'Finalised guardianship or custody orders' category.

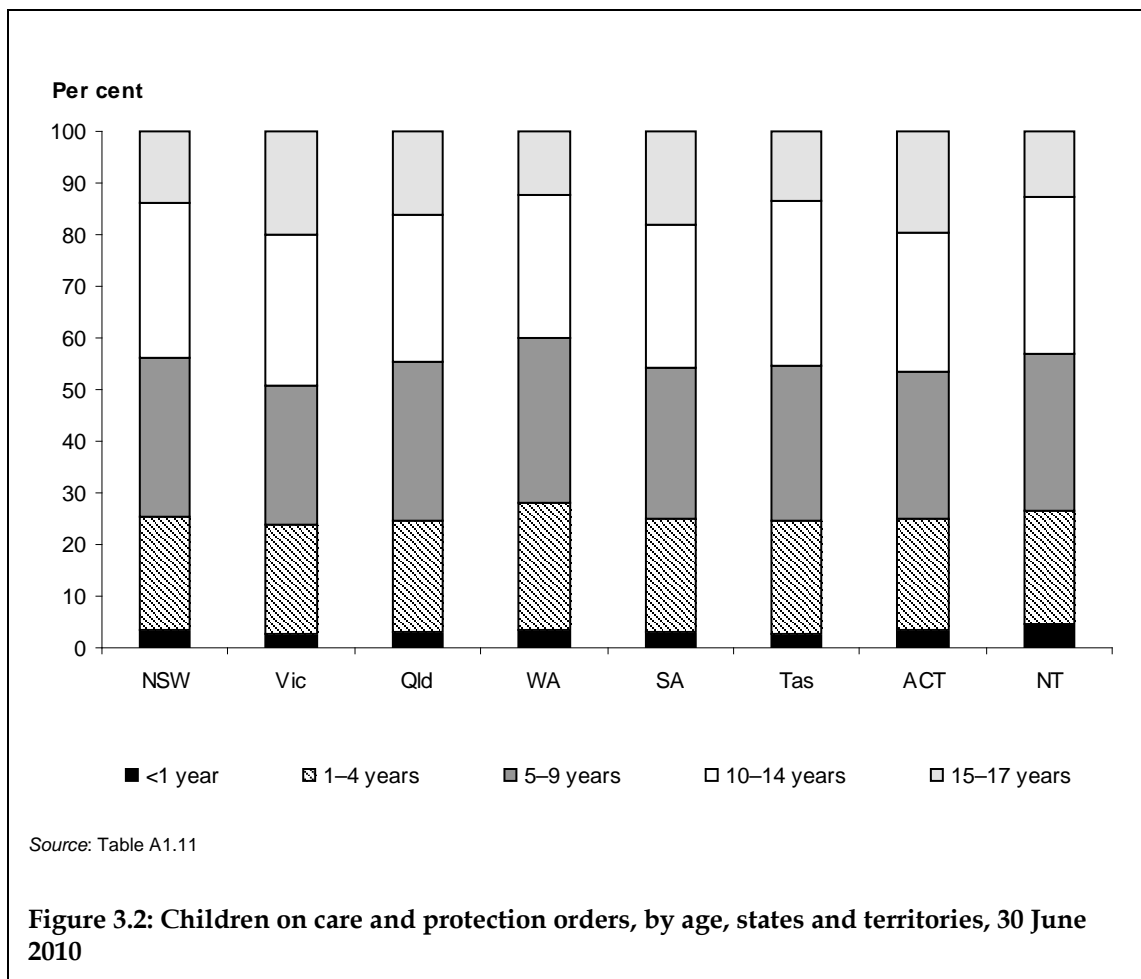
Note: Percentages in table may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Age and sex of children

The age profile of children on orders was similar across the jurisdictions (Figure 3.2). The proportion of children on orders who were aged less than 5 years ranged from 24% in Victoria to 28% in Western Australia. The proportion of children in the older 15-17 year age group ranged from 12% in Western Australia to 20% in Victoria (Table A1.11).

Across Australia, there were slightly more males (52%) than females (48%) on care and protection orders (Table A1.10). This pattern was consistent across all jurisdictions except the Northern Territory where there were slightly more females (52%) than males.

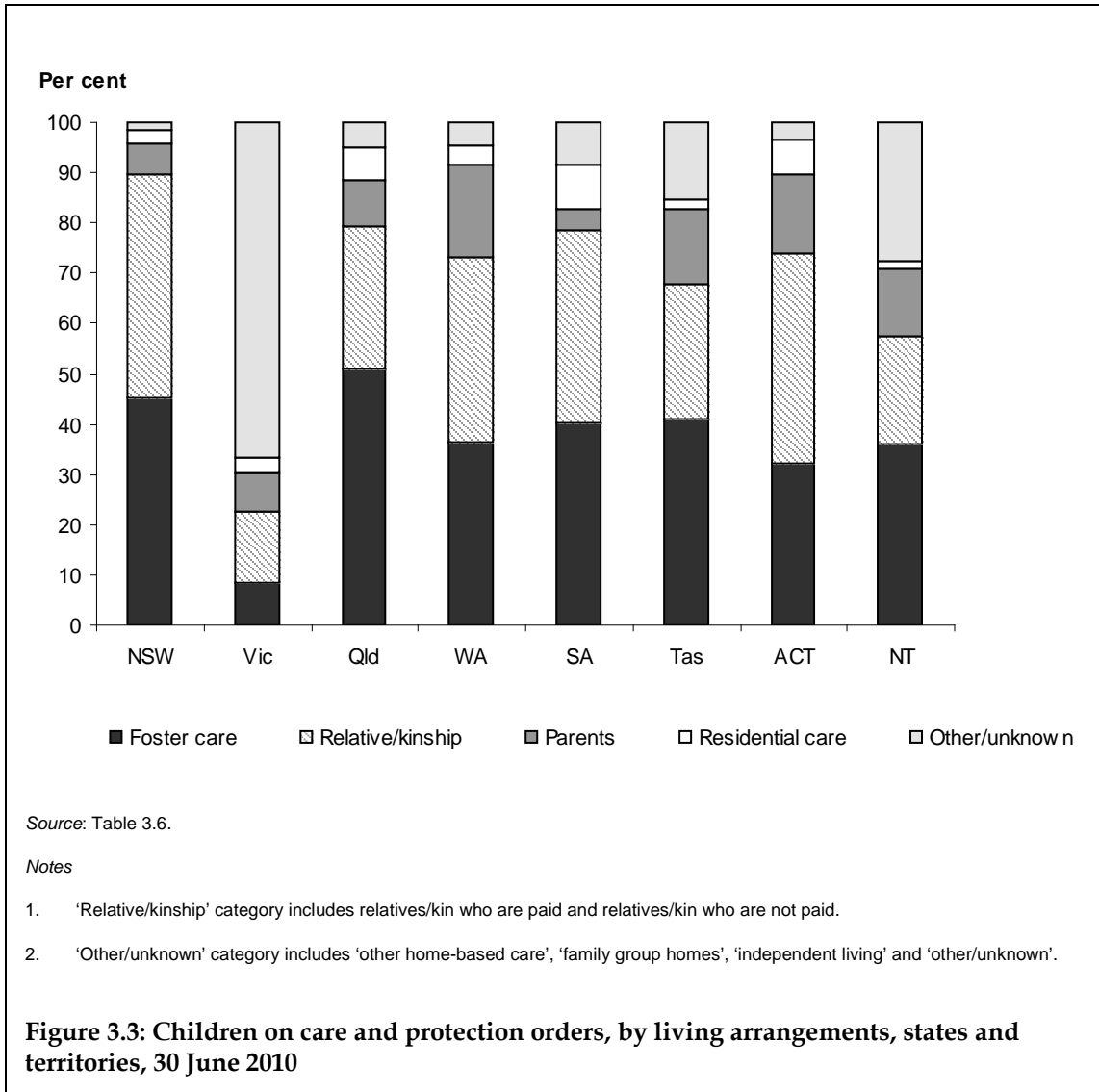


The age distribution of children admitted to orders during 2009-10 is considerably younger than that for children who were on orders at 30 June 2010. Those on orders at 30 June 2010 include those admitted during previous years and not yet discharged (Tables A1.8 and A1.11).

Living arrangements

Across Australia, almost three-quarters (71%) of children on care and protection orders lived in foster care or relative/kinship care. This was consistent across most jurisdictions except Victoria where the majority of children were living in other/unknown living arrangements.

There were several other notable variations among jurisdictions in the distribution of living arrangements (Figure 3.3 and Table 3.6). For example, the proportion of children on orders who live with at least one of their parents ranged from 4% in South Australia to 18% in Western Australia. The proportion of children on orders living in residential care ranged from 2% in the Northern Territory to 9% in South Australia.



Living arrangements of children on orders also varied slightly with the age of the child (Table A1.12). Across Australia, almost 9 in 10 children on orders living independently (89%) were aged 15–17 years. Approximately 86% of children on orders aged less than 5 years lived in family care or home-based care.

Table 3.6: Children on care and protection orders, by living arrangements, states and territories, 30 June 2010

Living arrangements	NSW	Vic	Qld	WA ^(a)	SA	Tas	ACT	NT	Total
Number									
Parents	864	518	733	632	104	167	103	93	3,214
Relatives/kin ^(b)	0	0	..	28	154	13	10	26	231
<i>Total family care</i>	<i>864</i>	<i>518</i>	<i>733</i>	<i>660</i>	<i>258</i>	<i>180</i>	<i>113</i>	<i>119</i>	<i>3,445</i>
Foster care ^(c)	6,648	539	4,107	1,255	1,020	454	210	250	14,483
Relatives/kin ^{(c) (d)}	6,533	923	2,305	1,224	823	286	263	125	12,482
Other	0	613	..	0	2	84	0	102	801
<i>Total home-based care</i>	<i>13,181</i>	<i>2,075</i>	<i>6,412</i>	<i>2,479</i>	<i>1,845</i>	<i>824</i>	<i>473</i>	<i>477</i>	<i>27,766</i>
Residential care	446	183	536	136	227	20	45	11	1,604
Family group homes	0	0	..	64	0	19	0	30	113
Independent living ^(e)	198	13	71	25	101	15	7	4	434
Other/unknown	0	3,726	338	68	112	54	15	55	4,368
Total	14,689	6,515	8,090	3,432	2,543	1,112	653	696	37,730
Per cent									
Parents	5.9	8.0	9.1	18.4	4.1	15.0	15.8	13.4	8.5
Relatives/kin	0.0	0.0	..	0.8	6.1	1.2	1.5	3.7	0.6
<i>Total family care</i>	<i>5.9</i>	<i>8.0</i>	<i>9.1</i>	<i>19.2</i>	<i>10.1</i>	<i>16.2</i>	<i>17.3</i>	<i>17.1</i>	<i>9.1</i>
Foster care	45.3	8.3	50.8	36.6	40.1	40.8	32.2	35.9	38.4
Relatives/kin	44.5	14.2	28.5	35.7	32.4	25.7	40.3	18.0	33.1
Other	0.0	9.4	..	0.0	0.1	7.6	0.0	14.7	2.1
<i>Total home-based care</i>	<i>89.7</i>	<i>31.8</i>	<i>79.3</i>	<i>72.2</i>	<i>72.6</i>	<i>74.1</i>	<i>72.4</i>	<i>68.5</i>	<i>73.6</i>
Residential care	3.0	2.8	6.6	4.0	8.9	1.8	6.9	1.6	4.3
Family group homes	0.0	0.0	..	1.9	0.0	1.7	0.0	4.3	0.3
Independent living	1.3	0.2	0.9	0.7	4.0	1.3	1.1	0.6	1.2
Other/unknown	0.0	57.2	4.2	2.0	4.4	4.9	2.3	7.9	11.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. not applicable

(a) Western Australia introduced a new client information system in March 2010. See Section 3.1 for further information.

(b) This category includes relatives/kin, other than parents, who were not reimbursed.

(c) Some foster carers may be relatives of the child being cared for and some relative carers may actually be fully assessed as registered foster carers.

(d) This category includes relatives/kin, other than parents, who were reimbursed.

(e) This category includes private board.

Notes

1. New South Wales data are not available for 'Finalised supervisory orders'.
2. Northern Territory data on 'Finalised third-party parental responsibility' orders are not available.
3. Percentages include children on care and protection orders in 'other home-based care'.
4. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Recent trends regarding children on care and protection orders

At 30 June 2010, there were more children on care and protection orders than the previous year, with an overall increase of 7% from 30 June 2009 (from 35,409 to 37,730) (Table 3.7). Increases ranged from 2% in Queensland to 21% in the Northern Territory. Since 2005, the number of children on care and protection orders across Australia has increased from 24,075 to 37,730 in 2010 (an increase of 57%).

From 30 June 2005 to 30 June 2010, the rate of children aged 0–17 years on orders in Australia increased from 5.0 to 7.4 per 1,000. A similar pattern of increase was found across all jurisdictions, although the rates at June 2010 varied, ranging from 5.3 per 1,000 in Victoria to 11.1 in the Northern Territory. Some of the variation is likely due to the different orders available and differences in policies and practices across jurisdictions. The increase in the number of children on care and protection orders may be also be attributed to a flow-on effect from greater awareness of child abuse and neglect, and 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. Research indicates that children are being admitted to orders for increasingly complex factors, including parental substance abuse, mental health and family violence (COAG 2009a).

Table 3.7: Trends in children on care and protection orders, states and territories, 30 June 2005 to 30 June 2010

Year	NSW	Vic ^(a)	Qld	WA	SA	Tas	ACT	NT	Total
Number									
2005	8,620	4,668	5,857	1,783	1,553	716	464	414	24,075
2006	9,213	5,011	6,446	2,046 ^(b)	1,671	833	558	437	26,215
2007	10,639	5,492	6,391	2,629	1,881	897	574	451	28,954
2008	12,086	6,239	7,040	3,094	2,197 ^(c)	914	552	520	32,642
2009	13,491	6,100	7,942	3,337	2,361	991	610	577	35,409
2010	14,689	6,515	8,090	3,432 ^(d)	2,543	1,112	653	696	37,730
Number per 1,000 children									
2005	5.4	4.0	6.0	3.7	4.5	6.1	6.1	7.0	5.0
2006	5.8	4.3	6.5	4.2 ^(b)	4.8	7.1	7.4	7.3	5.4
2007	6.6	4.6	6.3	5.2	5.4	7.6	7.5	7.3	5.9
2008	7.5	5.2	6.8	6.0	6.2 ^(c)	7.8	7.1	8.4	6.6
2009	8.3	5.0	7.4	6.3	6.7	8.4	7.8	9.2	7.0
2010	9.0	5.3	7.4	6.4 ^(d)	7.1	9.4	8.2	11.1	7.4

(a) The data for Victoria for previous years were updated in 2009. This data may not match that published in previous publications of *Child protection Australia*. Note that this has also affected the 'Totals'.

(b) 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.

(c) South Australia has included, for the first time in this collection, the number of children who were placed on third-party parental responsibility orders and administrative arrangements. Therefore these data are not comparable to previous years.

(d) Western Australia introduced a new client information system in March 2010. See Section 3.1 for further information.

Notes

- Some rates may not match those published in previous *Child protection Australia* publications due to retrospective updates to data.
- New South Wales data do not include children on finalised supervisory orders.
- Refer to Table A1.19 for the population used in the calculation of rates for 2010.

Source: AIHW Child Protection Collections 2010.

3.4 Aboriginal and Torres Strait Islander children

Children on orders

Across Australia, the rate of Indigenous children on orders was nine times higher than that of non-Indigenous children (Table 3.8). In all jurisdictions, the rate of Indigenous children on orders was higher than the rate for non-Indigenous children. Some of the reasons for the over-representation of Indigenous children in the child protection system are outlined in the previous chapter (see section 2.4 on 'Aboriginal and Torres Strait Islander children'). The rate ratio of Aboriginal and Torres Strait Islander children compared with non-Indigenous children ranged from 2.2 in Tasmania to 13.7 in Victoria.

Table 3.8: Children on care and protection orders, by number and number per 1,000 children aged 0–17 years and Indigenous status, states and territories, 30 June 2010

State/ territory	Number of children			Number per 1,000 children			Rate ratio Indigenous/ non- Indigenous
	Indigenous	Non- Indigenous	All Children ^(a)	Indigenous	Non- Indigenous	All children	
NSW	4,555	10,132	14,689	64.4	6.5	9.0	10.0
Vic	948	5,549	6,515	62.4	4.6	5.3	13.7
Qld	2,969	5,118	8,090	42.4	5.0	7.4	8.4
WA ^(b)	1,525	1,906	3,432	49.1	3.8	6.4	13.0
SA	631	1,877	2,543	50.1	5.5	7.1	9.2
Tas	157	955	1,112	18.9	8.6	9.4	2.2
ACT	159	492	653	82.5	6.3	8.2	13.0
NT	507	186	696	18.6	5.2	11.1	3.6
Australia	11,451	26,215	37,730	48.3	5.4	7.4	9.0

(a) Includes 64 children whose Indigenous status was unknown.

(b) Western Australia introduced a new client information system in March 2010. See Section 3.1 for further information.

Notes

1. Refer to Table A1.19 for the populations used in the calculation of rates.
2. Rate ratios are calculated by dividing the un-rounded rate of Indigenous children who were on a care and protection order by the un-rounded rate of non-Indigenous 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 non-Indigenous child who was on a care and protection order.

Source: AIHW Child Protection Collections 2010.

Types of orders

Of those Indigenous children on orders, nearly three-quarters (73%) were on finalised guardianship and custody orders (Table A1.13). This is consistent with the proportion of all children on finalised guardianship or custody orders (Table 3.5). Indigenous and non-Indigenous children were generally on similar types of orders; however, Indigenous children were generally less likely to be on finalised supervisory orders than non-Indigenous children (4% and 7%, respectively) (Table A1.13).

4 Out-of-home care

4.1 Overview

Scope

Data in this section relate to children admitted to, and discharged from, out-of-home care during 2009–10 and children who were in out-of-home care for the night of 30 June 2010. These data also include information relating to carers who were offered financial reimbursement but declined to accept a financial payment by a state or territory. These data also include placements with relatives (other than parents), but do not generally include placements solely funded by disability services, medical or psychiatric services, juvenile justice facilities, overnight child care services or supported accommodation assistance placements. The data exclude children in placements with parents where the jurisdiction makes a financial payment.

Definitions

Out-of-home care (OOHC) is one of a range of programs provided to children and young people under 18 years of age who are in need of care and protection. This program provides alternative overnight accommodation for 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.

Some children are placed in out-of-home care because they were 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. However, there are no national data available on the reasons children are placed in out-of-home care. This is expected to change with the introduction of the unit record collection, which is currently being developed (see Section 1.4).

Out-of-home care is considered an intervention of last resort, with the current emphasis being to keep children with their families wherever possible. Where children, for various reasons, need to be placed in out-of-home care, the practice is to attempt to reunite children with their families. If it is necessary to remove a child from his or her family, then placement within the wider family or community is preferred. This is particularly the case with Aboriginal and Torres Strait Islander children in order to be consistent with the Aboriginal Child Placement Principle – see Section 4.3 ‘Aboriginal and Torres Strait Islander Children’.

Types of placements

Children in out-of-home care can be placed in a variety of living arrangements. In this collection, the following categories have been used:

- *Home-based care* – where placement is in the home of a carer who is reimbursed for expenses incurred in caring for the child. This category includes:
 - relative/kinship care, where the caregiver is a family member or a person with a pre-existing relationship to the child
 - foster or community care
 - other home-based arrangements.
- *Family group homes* – where placement is in a residential building which is owned by the jurisdiction, is typically run like a family home and has a limited number of children who are cared for around-the-clock by resident substitute parents.
- *Residential care* – where placement is in a residential building whose purpose is to provide placements for children and where there is paid staff. This category includes facilities where there are rostered staff and where staff are off-site (for example, a lead-tenant or supported-residence arrangement), as well as other facility-based arrangements.
- *Independent living* – such as private boarding arrangements.
- *Other* – where the placement type does not fit into the above categories or is unknown.

Children can be placed in out-of-home care voluntarily or through some type of court order. Such orders include care and protection orders, including formal administrative arrangements, and other legal orders, such as juvenile justice orders. There is considerable variation between the policies and practices in each jurisdiction; these differences are outlined in Appendix 5.

Interpretation of the data

This section includes data on admissions to, and discharges from, out-of-home care, and the number of children in out-of-home care during 2009–10. The characteristics of children who were in out-of-home care at 30 June 2010 are also described.

The differences between states and territories in legislation, policies and practices in relation to out-of-home care should be taken into account when interpreting the data (see Appendixes 4 and 5 for further details). For example, some children in foster care are placed with relatives who are registered to provide foster care to any child. Western Australia reports these children in the ‘foster carer’ category but Queensland and South Australia report these children as being placed with a ‘relative/kin’.

As noted in previous chapters, in March 2010, Western Australia implemented a new client information system; however, the delivery of the associated reporting data warehouse has been delayed. The latest available data is from a March snapshot of data from Western Australia's previous reporting data warehouse and this data has been used as a proxy for the data reported.

4.2 Characteristics of children in out-of-home care

Children admitted to, and discharged from, out-of-home care

Overall, there was a decrease (6%) in the number of children admitted to out-of-home care from the previous year, from 12,833 in 2008–09 to 12,002 in 2009–10 (Table 4.1). Decreases in the number of children admitted to out-of-home care occurred in all jurisdictions except Victoria, Western Australia and the Northern Territory where the numbers increased over the past year (Table 4.1).

Across Australia over the past 6 years, the number of children admitted to out-of-home care decreased by 4%, from 12,531 in 2004–05 to 12,002 in 2009–10. However, trends over the past 6 years varied across jurisdictions. For example, the number of children admitted to out-of-home care decreased in Victoria, Queensland, South Australia and the Australian Capital Territory. All other jurisdictions had increases from 2004–05 to 2009–10, ranging from a 5% increase in Western Australia to a 28% increase in the Northern Territory.

Table 4.1: Trends in the number of children admitted to out-of-home care, states and territories, 2004–05 to 2009–10

Year	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT	Total
2004–05	3,105	3,301	3,198	795	1,257	293	297	285	12,531
2005–06	3,309	3,166	3,129	713	1,271	426	269	263	12,546
2006–07	4,334	2,994	2,897	990	728	372	207	384	12,906
2007–08	4,467	3,027	3,146	855	652	301	167	276	12,891
2008–09	4,564	2,936	3,015	797	660	349	194	318	12,833
2009–10	3,922	3,112	2,618	838 ^(b)	644	334	168	366	12,002

(a) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.

(b) Western Australia introduced a new client information system in March 2010. See Section 4.1 for further information.

Note: The table includes all children admitted to out-of-home care for the first time, as well as those children returning to care who had exited care more than 2 months previously. Children admitted to out-of-home care more than once during the year were only counted at the first admission.

Source: AIHW Child Protection Collections 2010.

Approximately 43% of all children admitted to out-of-home care were aged less than 5 years, with 17% aged under 1 year old and 26% between 1 and 4 years old. Almost one-quarter of children admitted to out-of-home care were aged between 5 and 9 years and a further quarter were aged between 10 and 14 years. Children aged 15–17 years represented 10% of all children admitted in 2009–10 (Table 4.2).

Table 4.2: Children admitted to out-of-home care, by age group, states and territories, 2009–10

Age (years)	NSW	Vic	Qld	WA ^(a)	SA	Tas ^(b)	ACT	NT	Total
Number									
<1	746	399	484	174	109	51	25	63	2,051
1–4	1,007	822	618	240	159	91	37	90	3,064
5–9	969	720	579	216	135	88	33	96	2,836
10–14	880	776	667	167	129	72	50	96	2,837
15–17	320	395	270	41	112	32	23	21	1,214
Total	3,922	3,112	2,618	838	644	334	168	366	12,002
Per cent									
<1	19.0	12.8	18.5	20.8	16.9	15.3	14.9	17.2	17.1
1–4	25.7	26.4	23.6	28.6	24.7	27.2	22.0	24.6	25.5
5–9	24.7	23.1	22.1	25.8	21.0	26.3	19.6	26.2	23.6
10–14	22.4	24.9	25.5	19.9	20.0	21.6	29.8	26.2	23.6
15–17	8.2	12.7	10.3	4.9	17.4	9.6	13.7	5.7	10.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Western Australia introduced a new client information system in March 2010. See Section 4.1 for further information.

(b) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.

Notes

1. The table includes all children admitted to out-of-home care for the first time, as well as those children returning to care who had exited care more than 2 months previously. Children admitted to out-of-home care more than once during the year were only counted at the first admission.
2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

In 2009–10, there were 2,672 fewer children discharged from care than admitted across Australia (Tables 4.2 and 4.3). This pattern was observed in all jurisdictions.

The age distribution of children discharged from care was considerably older than that of children admitted to out-of-home care. Nationally, 29% of those discharged from out-of-home-care were aged 15–17 years, compared with 10% admitted to out-of-home care.

Table 4.3: Children discharged from out-of-home care, by age group, states and territories, 2009–10

Age (years)	NSW	Vic	Qld	WA ^(a)	SA	Tas ^(b)	ACT	NT	Total
Number									
<1	149	213	89	33	13	16	4	31	548
1–4	499	730	358	188	74	59	6	70	1,984
5–9	536	687	357	194	56	45	8	68	1,951
10–14	743	676	358	144	78	59	24	70	2,152
15–17	1,054	666	496	142	184	67	50	36	2,695
Total	2,981	2,972	1,658	701	405	246	92	275	9,330
Per cent									
<1	5.0	7.2	5.4	4.7	3.2	6.5	4.3	11.3	5.9
1–4	16.7	24.6	21.6	26.8	18.3	24.0	6.5	25.5	21.3
5–9	18.0	23.1	21.5	27.7	13.8	18.3	8.7	24.7	20.9
10–14	24.9	22.7	21.6	20.5	19.3	24.0	26.1	25.5	23.1
15–17	35.4	22.4	29.9	20.3	45.4	27.2	54.3	13.1	28.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Western Australia introduced a new client information system in March 2010. See Section 4.1 for further information.

(b) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.

Notes

1. The data for children exiting care include those who left care and had not returned within 2 months. Where a child exits care more than once during the year, the last discharge is counted.
2. Percentages exclude children of unknown age.
3. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Types of placement

Nearly all children (94%) in out-of-home care at 30 June 2010 were in home-based care—46% in foster care, 46% in relative/kinship care and 2% in other types of home-based care (Table 4.4). The high proportion of children in home-based care reflects the trends in recent decades of increased use of placements with relatives and kin or foster carers, and decreased use of placements in residential care (Johnstone 2001).

The proportion of children in foster care ranged from 41% in Victoria to 60% in Queensland. Placement with relatives or kin varied across the jurisdictions from 23% in the Northern Territory to 56% in New South Wales. Across Australia, one in 20 children in out-of-home care was living in residential care. This ranged from 1% in Northern Territory to 10% in South Australia. Residential care is mainly used for children who have complex needs. However, in many jurisdictions, priority is given to keeping siblings together, which sometimes results in periods of residential care for larger family groups.

Table 4.4: Children in out-of-home care, by type of placement, states and territories, 30 June 2010

Type of placement	NSW	Vic	Qld	WA ^(a)	SA ^(b)	Tas ^(c)	ACT	NT	Total
Number									
Foster care ^(d)	6,720	2,234	4,393	1,267	1,013	454	219	251	16,551
Relatives/kin ^(d)	9,001	2,185	2,390	1,235	847	286	266	126	16,336
Other home-based care	0	572	..	0	4	84	0	102	762
<i>Total home-based care</i>	<i>15,721</i>	<i>4,991</i>	<i>6,783</i>	<i>2,502</i>	<i>1,864</i>	<i>824</i>	<i>485</i>	<i>479</i>	<i>33,649</i>
Family group homes	..	0	..	64	0	19	..	24	107
Residential care	378	454	567	144	216	20	47	6	1,832
Independent living	75	23	..	26	28	0	0	4	156
Other/unknown	1	1	..	1	80	30	0	38	151
Total	16,175	5,469	7,350	2,737	2,188	893	532	551	35,895
Per cent									
Foster care	41.5	40.8	59.8	46.3	46.3	50.8	41.2	45.6	46.1
Relatives/kin	55.6	40.0	32.5	45.1	38.7	32.0	50.0	22.9	45.5
Other home-based care	0.0	10.5	..	0.0	0.2	9.4	0.0	18.5	2.1
<i>Total home-based care</i>	<i>97.2</i>	<i>91.3</i>	<i>92.3</i>	<i>91.4</i>	<i>85.2</i>	<i>92.3</i>	<i>91.2</i>	<i>86.9</i>	<i>93.7</i>
Family group homes	..	0.0	..	2.3	0.0	2.1	..	4.4	0.3
Residential care	2.3	8.3	7.7	5.3	9.9	2.2	8.8	1.1	5.1
Independent living	0.5	0.4	..	0.9	1.3	0.0	0.0	0.7	0.4
Other/unknown	—	—	..	—	3.7	3.4	0.0	6.9	0.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. not applicable

— rounded to zero

(a) Western Australia introduced a new client information system in March 2010. See Section 4.1 for further information.

(b) South Australia can only provide the number of children in out-of-home care where the Department is making a financial contribution to the care of a child.

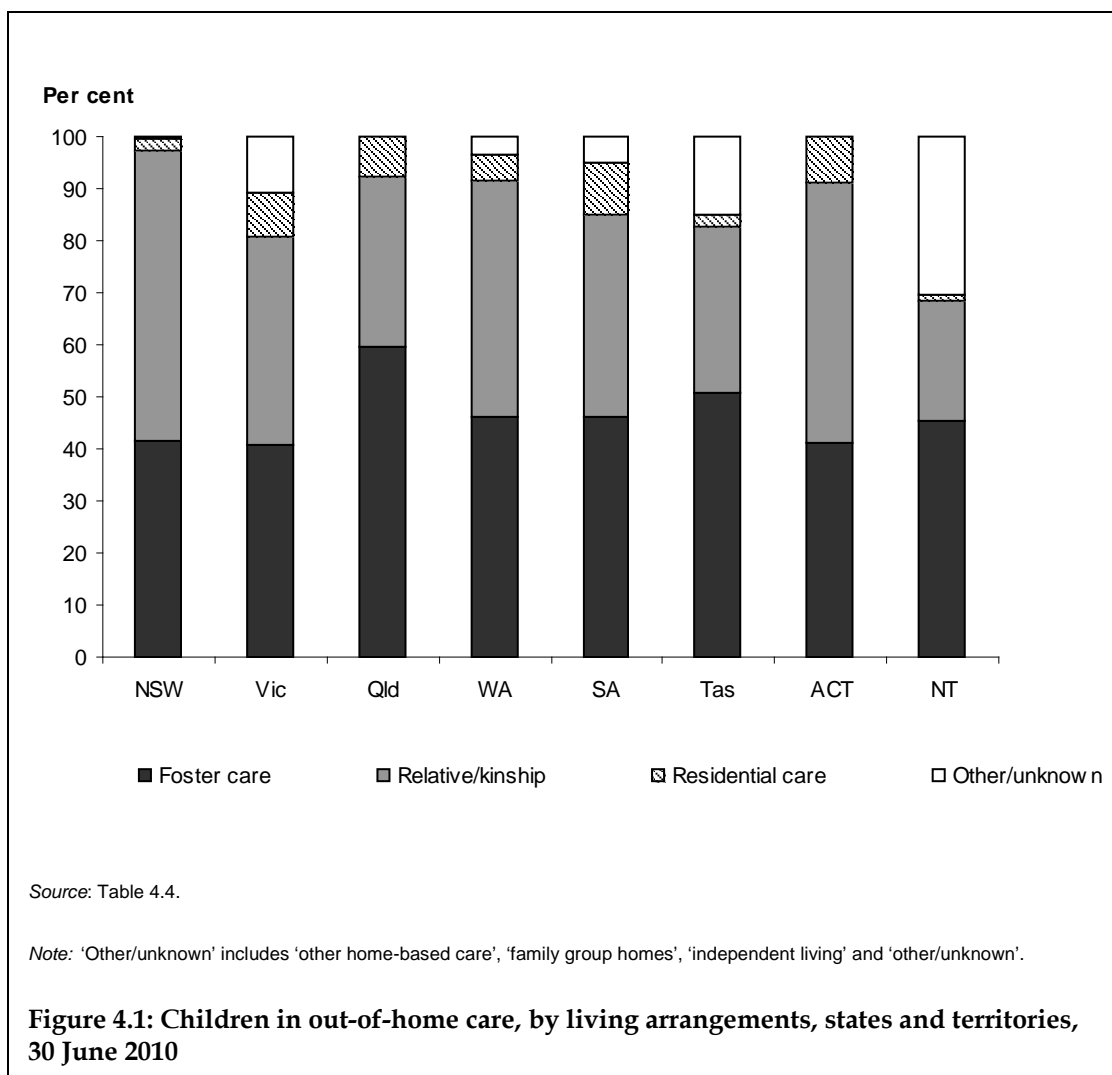
(c) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.

(d) Where a child is placed with a relative who is also fully registered to provide foster care for other children, they are counted in the foster care category for Victoria and Western Australia, whereas they are counted in the relatives/kin category in Queensland and South Australia. Relatives/kin in some jurisdictions undergo assessment, registration and review processes similar to foster carers under the national definition, and is considered as (relative) foster carers in local practice, policy and reporting.

Notes

1. Percentages include children with other/unknown living arrangements
2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.



Age and sex of children

Almost one-third (30%) of children in out-of-home care were aged 10–14 years and a further third (31%) were aged 5–9 years. Almost one quarter (24%) were aged less than 5 years and 15% were aged 15–17 years (Table A1.14). Just over half (52%) of all children in out-of-home care were males (Table A1.15).

Children in residential care were older than children in home-based care – 86% of children in residential care or family group homes were aged 10 years or older. The corresponding proportion of children aged over 10 years in home-based care was 42% (Table A1.16). Only 4% of children in residential care or family group homes in Australia were aged less than 5 years compared with 26% of those in home-based care.

Children on a care and protection order

Across Australia, 89% of children in out-of-home care were on a care and protection order. In the Northern Territory, all children in out-of-home care are required to be on care and protection orders. In other jurisdictions, the proportion of children in out-of-home care who

were on care and protection orders ranged from 82% in Victoria to almost 100% in Tasmania (Table 4.5). In South Australia and the Australian Capital Territory, a small proportion of children in out-of-home care were on orders other than care and protection orders (e.g. offence orders).

Table 4.5: Children in out-of-home care, order status, states and territories, 30 June 2010

Order status	NSW	Vic	Qld	WA ^(a)	SA ^(b)	Tas ^(c)	ACT	NT	Total
	Number								
On care and protection order	13,596	4,488	6,948	2,704	2,079	892	518	551	31,776
On another type of order	0	0	..	0	36	0	4	0	40
<i>Total children on orders</i>	<i>13,596</i>	<i>4,488</i>	<i>6,948</i>	<i>2,704</i>	<i>2,115</i>	<i>892</i>	<i>522</i>	<i>551</i>	<i>31,816</i>
Not on an order	2,579	981	402	33	73	1	10	0	4,079
Total	16,175	5,469	7,350	2,737	2,188	893	532	551	35,895
	Per cent								
On care and protection order	84.1	82.1	94.5	98.8	95.0	99.9	97.4	100.0	88.5
On another type of order	0.0	0.0	..	0.0	1.6	0.0	0.8	0.0	0.1
<i>Total children on orders</i>	<i>84.1</i>	<i>82.1</i>	<i>94.5</i>	<i>98.8</i>	<i>96.7</i>	<i>99.9</i>	<i>98.1</i>	<i>100.0</i>	<i>88.6</i>
Not on an order	15.9	17.9	5.5	1.2	3.3	0.1	1.9	0.0	11.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. not applicable

(a) Western Australia introduced a new client information system in March 2010. See Section 4.1 for further information.

(b) South Australia can only provide the number of children in out-of-home care where the Department is making a financial contribution to the care of a child.

(c) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.

Note: Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Length of time in continuous placement

Across Australia at 30 June 2010, four in five children (80%) had been in their current out-of-home care placements for more than 1 year (Table 4.6). This ranged from 64% of children in the Northern Territory to 87% in South Australia. Australia-wide, one-third of children had been in a continuous placement for 5 years or more.

Respite care refers to out-of-home care that is provided on a temporary basis for reasons other than child protection, for example, when parents are ill or unable to care for the child for short periods of time. Not all jurisdictions could identify whether children were in respite care. However, where it was known that children were in respite care, they were included in the 'less than 1 month' category.

Table 4.6: Children in out-of-home care, by length of time in continuous placement, states and territories, 30 June 2010

Time in continuous placement	NSW	Vic	Qld	WA^(a)	SA^(b)	Tas^(c)	ACT	NT	Total
Number									
<1 month ^(d)	296	141	184	68	7	22	15	32	765
1 month to <6 months	1,231	670	611	187	142	108	52	81	3,082
6 months to <1 year	1,419	602	747	263	127	101	52	83	3,394
1 year to <2 years	2,716	846	1,236	362	299	169	106	91	5,825
2 years to <5 years	5,247	1,403	2,253	967	227	267	162	140	10,666
5 years or more	5,266	1,774	2,319	890	1,386	226	145	124	12,130
Not stated/unknown	0	33	0	0	0	0	0	0	33
Total	16,175	5,469	7,350	2,737	2,188	893	532	551	35,895
Per cent									
<1 month	1.8	2.6	2.5	2.5	0.3	2.5	2.8	5.8	2.1
1 month to <6 months	7.6	12.3	8.3	6.8	6.5	12.1	9.8	14.7	8.6
6 months to <1 year	8.8	11.0	10.2	9.6	5.8	11.3	9.8	15.1	9.5
1 year to <2 years	16.8	15.5	16.8	13.2	13.7	18.9	19.9	16.5	16.2
2 years to <5 years	32.4	25.7	30.7	35.3	10.4	29.9	30.5	25.4	29.7
5 years or more	32.6	32.4	31.6	32.5	63.3	25.3	27.3	22.5	33.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Western Australia introduced a new client information system in March 2010. See Section 4.1 for further information.

(b) South Australia can only provide the number of children in out-of-home care where the Department is making a financial contribution to the care of a child.

(c) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.

(d) <1 month category can include respite and non-respite placements. However, Western Australia and Tasmania are not able to distinguish between respite and non-respite care. <1 month excludes respite care for Queensland as the data are not available.

Notes

1. If a child has a return home or unapproved break of two months or less before returning to the same or different placement they are considered to be continuously in care during this period.
2. Percentages exclude cases where the length of time in a continuous placement was not stated or unknown.
3. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Recent trends regarding children in out-of-home care

At 30 June 2010, there were 35,895 (7.0 per 1,000) children in out-of-home care in Australia (Table 4.7). This compares with 34,069 (6.7 per 1,000) children in out-of-home care at 30 June 2009 (an increase of 5%). In all jurisdictions, the number of children in out-of-home care was higher at 30 June 2010 when compared with 30 June 2009 (Table 4.7).

The rates of children in out-of-home care at 30 June 2010 ranged from 4.4 per 1,000 in Victoria to 9.9 in New South Wales. The reasons for this variation are likely to include differences in the policies and practices of the relevant departments in relation to early intervention and out-of-home care, as well as variations in the availability of appropriate care options for children in need of this service.

Nationally, the number of children in out-of-home care in Australia at 30 June has increased each year since 2005 when there were 23,695 (4.9 per 1,000) children in out-of-home care. Overall, 12,200 more children (an increase of 51%) were in out-of-home care at June 2010 when compared with June 2005. On average, the number of children in out-of-home care has increased by almost 9%, each year, over the past 6 years.

This increase reflects the cumulative impact of children being admitted to, and remaining in, out-of-home care. The data also suggests that more children are being admitted to care each year than are being discharged. Increases in the number of children in out-of-home care may also be related to the increasingly complex family situations of children associated with parental substance abuse, mental health and family violence (Dawe Harnett & Frye 2008c). Intergenerational cycles of abuse may also contribute to the growth the numbers of children in out-of-home care (Pears & Capaldi 2001). These factors also affect the length of time children remain in care.

Table 4.7: Trends in children aged 0–17 years in out-of-home care, states and territories, 30 June 2005 to 30 June 2010

Year	NSW	Vic	Qld	WA	SA ^(a)	Tas	ACT	NT	Total
Number									
2005	9,230	4,408	5,657	1,829	1,329	576	342	324	23,695
2006	9,896	4,794	5,876	1,968	1,497	683	388	352	25,454
2007	11,843	5,052 ^(b)	5,972	2,371	1,678	667 ^(c)	399	397	28,379
2008	13,566	5,056	6,670	2,546 ^(d)	1,841	664 ^(e)	425	398	31,166
2009	15,211	5,283	7,093	2,682	2,016	808	494	482	34,069
2010	16,175	5,469	7,350	2,737 ^(f)	2,188	893	532	551	35,895
Number per 1,000 children									
2005	5.8	3.8	5.8	3.8	3.9	4.9	4.5	5.5	4.9
2006	6.2	4.1	6.0	4.0	4.3	5.8	5.1	5.9	5.3
2007	7.3	4.3 ^(b)	5.8	4.7	4.8	5.7 ^(c)	5.2	6.4	5.8
2008	8.4	4.2	6.4	5.0 ^(d)	5.2	5.6 ^(e)	5.5	6.4	6.3
2009	9.4	4.3	6.7	5.1	5.7	6.8	6.3	7.7	6.7
2010	9.9	4.4	6.8	5.1 ^(f)	6.1	7.5	6.7	8.8	7.0

- (a) South Australia could only provide the number of children in out-of-home care where the Department is making a financial contribution to the care of a child.
- (b) Due to new service and data reporting arrangements, the Victorian child protection data for 2007 onwards may not be fully comparable with previous years' data.
- (c) The numbers of children in out-of-home care from 30 June 2007 onwards are not comparable to the numbers reported for previous years for Tasmania due to the exclusion of a cohort of children on orders who did not meet the definition of out-of-home care.
- (d) Data for 2008 onwards is not strictly comparable to earlier figures for Western Australia as they previously included children whose whereabouts were unknown or who were living with relatives who were not reimbursed.
- (e) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.
- (f) Western Australia introduced a new client information system in March 2010. See Section 4.1 for further information.

Notes

- Some rates may not match those published in previous publications of *Child protection Australia* due to retrospective updates to data.
- Refer to Table A1.19 for the population used in the calculation of rates for 2010.

Source: AIHW Child Protection Collections 2010.

4.3 Aboriginal and Torres Strait Islander children

Children in out-of-home care

At 30 June 2010, there were 11,468 Aboriginal and Torres Strait Islander children in out-of-home care, an increase of 956 children (9%) since 30 June 2009 (AIHW 2010). The number of non-Indigenous children in out-of-home care has also increased slightly (4%) over the same period.

The rate of Aboriginal and Torres Strait Islander children in out-of-home care at 30 June 2010 was 48.4 per 1,000 children. The rates of Indigenous children across jurisdictions ranged from 14.9 per 1,000 in the Northern Territory to 77.3 per 1,000 in New South Wales (Table 4.8).

The national rate of Indigenous children in out-of-home care was almost 10 times the rate for non-Indigenous children. In all jurisdictions, the rate of Aboriginal and Torres Strait Islander children in out-of-home care was higher than for non-Indigenous children, with rate ratios ranging from 2.4 in Tasmania to 14.3 in Victoria.

Table 4.8: Children in out-of-home care, by number and number per 1,000 children aged 0–17 years and Indigenous status, states and territories, 30 June 2010

State/ territory	Number of children			Number per 1,000 children			Rate ratio Indigenous/ non- Indigenous
	Indigenous	Non- Indigenous	All children ^(d)	Indigenous	Non- Indigenous	All children	
NSW	5,465	10,699	16,175	77.3	6.8	9.9	11.3
Vic	816	4,553	5,469	53.7	3.7	4.4	14.3
Qld	2,686	4,655	7,350	38.3	4.6	6.8	8.4
WA ^(a)	1,242	1,494	2,737	40.0	3.0	5.1	13.5
SA ^(b)	589	1,576	2,188	46.8	4.6	6.1	10.2
Tas ^(c)	138	755	893	16.6	6.8	7.5	2.4
ACT	125	405	532	64.8	5.2	6.7	12.4
NT	407	142	551	14.9	4.0	8.8	3.7
Australia	11,468	24,279	35,895	48.4	5.0	7.0	9.7

(a) Western Australia introduced a new client information system in March 2010. See Section 4.1 for further information.

(b) South Australia can only provide the number of children in out-of-home care where the Department is making a financial contribution to the care of a child.

(c) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.

(d) Includes 148 children whose Indigenous status was unknown.

Notes

1. For details on the calculation of rates, see Appendix 2.
2. Refer to Table A1.19 for the populations used in the calculation of rates.
3. Rate ratios are calculated by dividing the un-rounded rate of Indigenous children who were in out-of-home care by the un-rounded rate of non-Indigenous children who were in out-of-home care. The resulting number is a measure of how many Indigenous children were in out-of-home care for every one non-Indigenous child who was in out-of-home care.

Source: AIHW Child Protection Collections 2010.

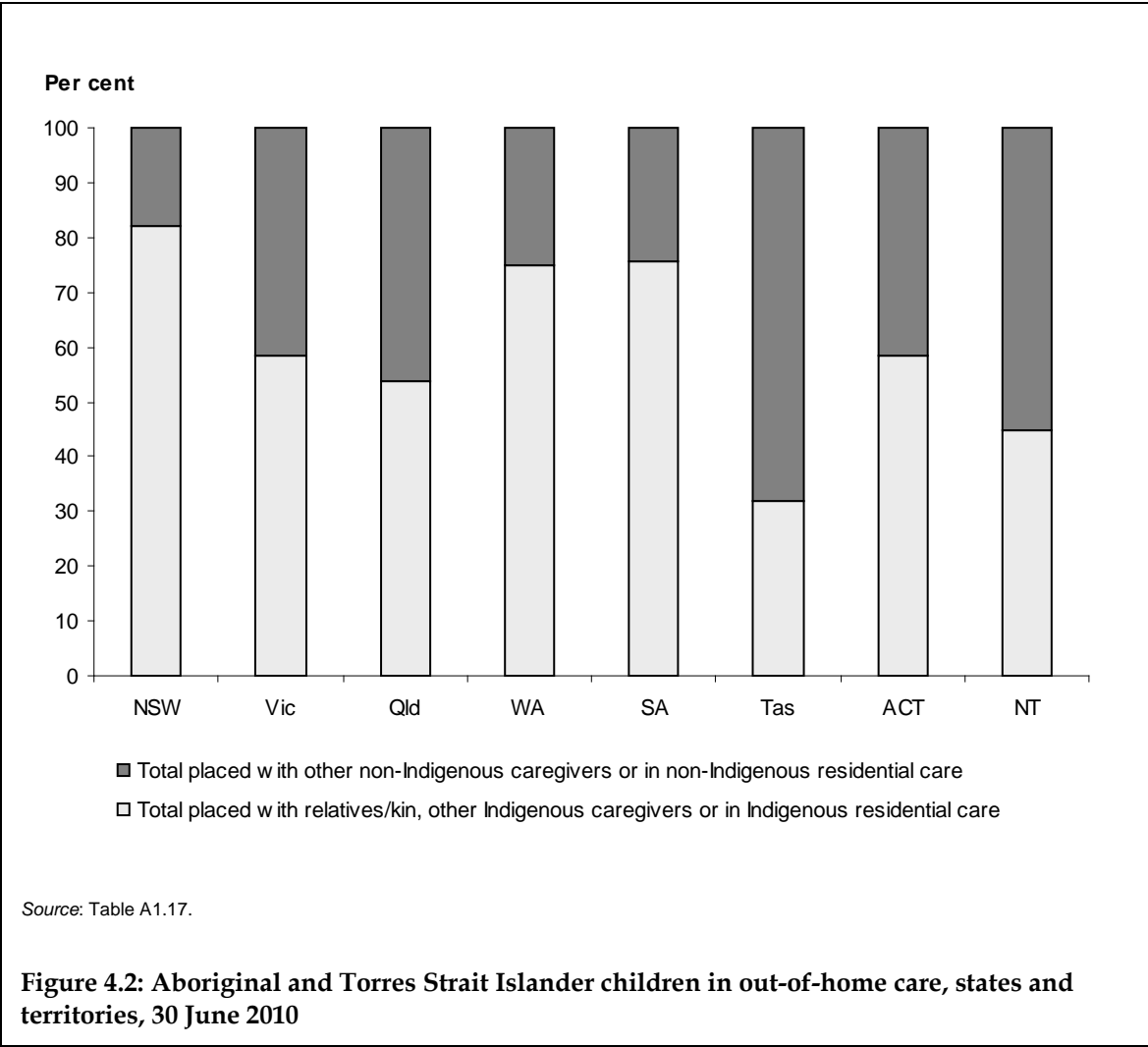
The Aboriginal Child Placement Principle

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 in legislation and 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 (Figure 4.2). Across Australia, 71% of Indigenous children were placed with relatives/kin, other Indigenous caregivers or in Indigenous residential care (Table A1.17).



It is important to note that the Principle is just one of the many considerations taken into account when making decisions on placements for Indigenous children. Where placement options outlined in the Principle are not optimal for a child’s safety and wellbeing the child may be placed in an alternative care arrangement; this is usually only done after extensive consultation with Indigenous individuals and/or organisations.

5 Foster carers

5.1 Overview

Across Australia, a large proportion of children in out-of-home care are placed in home-based care with foster carers or with relatives/kin (Table 4.4). However, limited data to date have been available regarding the carers of these children. In response to this, AIHW and the jurisdictions have developed a national data collection on foster carers.

Scope and definitions

Foster care is one form of out-of-home care; it is overnight care provided by one or more adults in a private household to a child who is living apart from his/her natural or adoptive parent(s) – these substitute parents are generally called ‘foster carers’.

A ‘**foster carer household**’ is a private household containing one or more foster carers:

- who have undergone the relevant screening/selection and approval process
- who have received authorisation from the relevant department or agency to enable a child to be placed in their care
- for whom reimbursement is available from the state or territory government for expenses incurred in caring for the child (there are varying degrees of reimbursement made to foster carers)
- who are part of an ongoing review process.

The authorised department or non-government organisation provides training to the foster carer before a child is placed with the family, and continuing supervision or support while the child remains in their care.

A selected sub-group of relative/kinship carers are also included in the scope of this collection. **Relative/kinship carers** are family members other than parents, or a person well known to the child and/or family (based on a pre-existing relationship). Some relative/kinship carers may also be authorised to provide general foster care, which may require additional training and approval processes. Only relative/kinship carers who have completed the relevant screening and approval process and have received authorisation as a general foster carer are included in the scope of this collection.

More comprehensive relative/kinship data are in the preliminary stages of annual national collection. Jurisdictions and the AIHW are working to improve the quality of data for this collection, with the aim of publishing the data in future *Child protection Australia* reports.

Carer households that have received authorisation to provide respite care only (and are not also authorised to provide general foster care) are excluded from the scope. Respite care is out-of-home care provided on a temporary basis to allow foster carers a short-term break from their care commitments – for example, when carers are ill, unable to care for the child on a short-term basis, or as a regular planned short-term break.

Interpretation of the data

This section includes data on foster carer households at 30 June 2010 and during 2009–10. State and territory differences in policies and practices in relation to foster care should be taken into account when interpreting the data. Notable differences include:

- There are varying degrees of reimbursement made to foster carers. For example, some carers are paid a wage beyond the reimbursement of expenses.
- In some jurisdictions, relative/kinship carers are not authorised to provide 'general foster care' but are instead registered as a distinct type of carer.
- In some jurisdictions, respite carers known to the department are registered as either general foster carers or relative carers and therefore may be included in the scope of this collection.

As noted in previous chapters, in March 2010, Western Australia implemented a new client information system; however, the delivery of the associated reporting data warehouse was delayed. The latest available data is from a March snapshot of data from Western Australia's previous reporting data warehouse and this data has been used as a proxy for the data reported.

5.2 Foster carer households

At 30 June 2010, there were 8,049 households with one or more foster care placements (Table 5.1). This includes all foster carer households that, as at 30 June 2010, had received authorisation (or provisional authorisation) from the relevant department or agency to enable a child (or children) to be placed in their care, and had at least one foster child placed in the household as at midnight on 30 June 2010.

Among those jurisdictions with available data, there were more foster carer households with a placement over the 2009–10 financial year compared with the number of households counted at 30 June 2010.

Table 5.1: Number of foster carer households with a placement, at 30 June 2010 and during 2009–10

Households	NSW	Vic	Qld ^(a)	WA ^(b)	SA	Tas ^(c)	ACT	NT	Total
Households with a placement at 30 June 2010	3,554	907	1,965	590	584	190	119	140	8,049
Household with a placement during 2009–10	n.a.	1,612	2,520	763	766	275	164	212	n.a.

n.a. not available

(a) Queensland data excludes provisionally approved carer households.

(b) Western Australia introduced a new client information system in March 2010. See Section 5.1 for further information.

(c) Tasmania is not able to distinguish foster carer households from individual foster carers. Therefore the number of foster carer households reported may be over inflated, although the number of foster carer households with more than one carer registered is likely to be very low. Delays in administrative processes can result in carers being maintained as approved in the system when they are no longer accepting child placements, also potentially contributing to a higher than actual result. Tasmania is not able to exclude carers providing respite placements only.

Source: AIHW Child Protection Collections 2010.

Among those jurisdictions with available data, 1,427 households commenced foster care and 1,151 exited foster care in 2009–10. In Victoria and South Australia, a greater number of households exited than commenced foster care (Table 5.2). In all other jurisdictions, a greater number of households commenced than exited foster care. Data were not available in Queensland for households commencing or exiting foster care. In New South Wales data were not available for households exiting foster care. With the need for foster carers increasing, the attraction and retention of appropriately skilled foster carers is a high priority across Australia (COAG 2009a).

Table 5.2: Number of households commencing and exiting foster care, 2009–10

Households	NSW	Vic	Qld	WA ^(b)	SA ^(c)	Tas ^(d)	ACT	NT	Total
Households commencing foster care	541 ^(a)	354	n.a.	182	90	64	58	138	1,427
Households exiting foster care	n.a.	495	n.a.	92	393	40	19	112	1,151 ^(e)

n.a. not available

- (a) New South Wales data include Community Services and non-government agency foster carer households. Counts of foster care households are understated as full information is not available for non-government agencies.
- (b) Western Australia introduced a new client information system in March 2010. See Section 5.1 for further information.
- (c) During 2009–10, South Australia undertook the exercise of not renewing the registration of a number of carer households who had not had a child placed in their care for some time. For this reason, the number of households exiting care is higher than usual.
- (d) Data reported for Tasmania represent individual foster carers commencing and exiting care, not foster carer households. Also, delays in administrative processes can result in carers being maintained as approved in the system when they are no longer accepting child placements, resulting in an undercount of the number of carers exiting foster care.
- (e) Data are not available for New South Wales and Queensland.

Source: AIHW Child Protection Collections 2010.

Almost half (48%) of all foster carer households with a placement had one foster child placed with them at 30 June 2010. The proportion of foster carer households with one child varied from 40% of all foster carer households in Queensland to 60% in the Northern Territory. Across Australia, 47% of households with a placement had between two and four foster children placed and 5% had five or more children (Table 5.3 and Figure 5.1).

Table 5.3: Foster carer households with a placement at 30 June 2010, by number of foster children placed

Number of foster children placed per household	NSW	Vic	Qld^(a)	WA^(b)	SA	Tas^(c)	ACT	NT	Total
	Number								
1 child	1,756	537	777	286	288	78	61	84	3,867
2 children	1,014	258	529	166	161	39	35	34	2,236
3 children	423	78	314	63	92	30	12	7	1,019
4 children	213	18	162	37	31	21	6	12	500
5–8 children	147	16	175	37	12	22	5	3	417
9+ children	1	0	8	1	0	0	0	0	10
Total households with a placement	3,554	907	1,965	590	584	190	119	140	8,049
	Per cent								
1 child	49.4	59.2	39.5	48.5	49.3	41.1	51.3	60.0	48.0
2 children	28.5	28.4	26.9	28.1	27.6	20.5	29.4	24.3	27.8
3 children	11.9	8.6	16.0	10.7	15.8	15.8	10.1	5.0	12.7
4 children	6.0	2.0	8.2	6.3	5.3	11.1	5.0	8.6	6.2
5–8 children	4.1	1.8	8.9	6.3	2.1	11.6	4.2	2.1	5.2
9+ children	—	0.0	0.4	0.2	0.0	0.0	0.0	0.0	0.1
Total households with a placement	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Rounded to zero.

(a) Queensland data excludes provisionally approved carer households.

(b) Western Australia introduced a new client information system in March 2010. See Section 5.1 for further information.

(c) Tasmania is not able to distinguish foster carer households from individual foster carers. The figures reported represent number of children per individual foster carer.

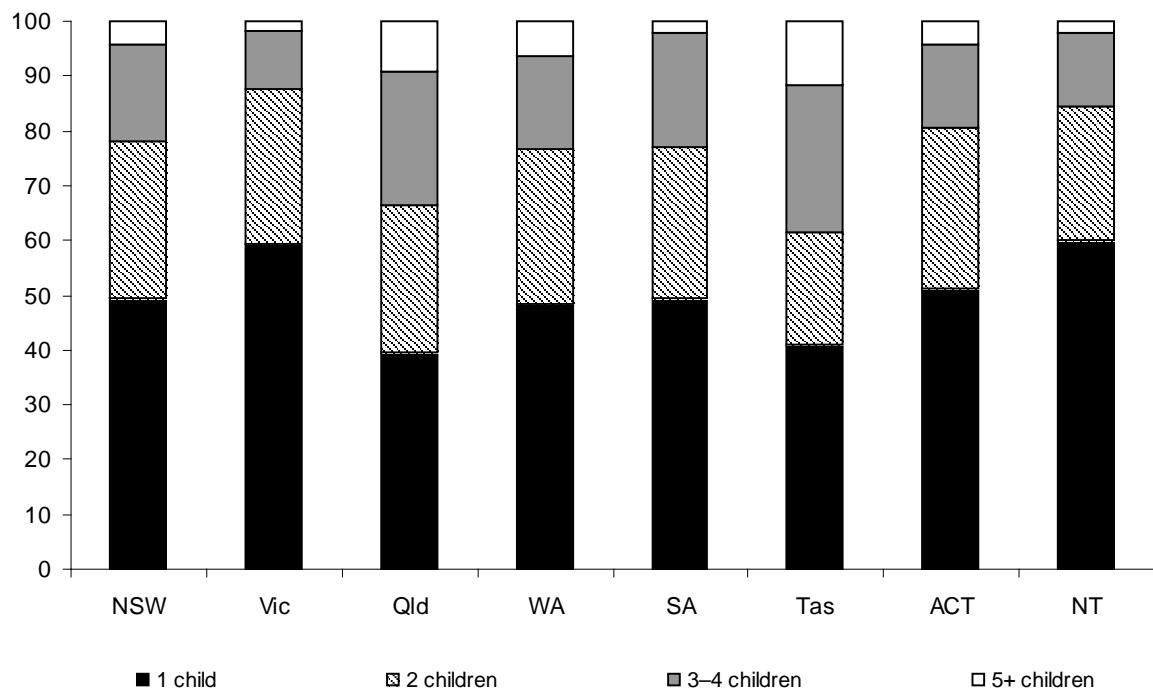
Notes

1. Percentages exclude households where the number of children placed was unknown.

2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Per cent



Source: Table 5.3.

Figure 5.1: Foster carer households with a placement at 30 June 2010, by number of foster children placed

6 Intensive family support services

6.1 Overview

Scope

This chapter includes data for 2009–10 on children commencing intensive family support services that are funded by the state and territory departments responsible for child protection. Some limited information about the services is also provided. Family support services seek to benefit families by improving their ability to care for children and to strengthen family relationships (AIHW 2001). Where notifications do not involve child maltreatment, children and their families are increasingly being referred to family support services rather than being investigated. In some states and territories, these cases are streamed into family support services instead of being recorded as a notification. Work is currently underway to potentially expand the scope of national reporting on family support services to include all treatment and support services in the context of child protection (see Section 1.4 for further information).

Definitions

Intensive family support services are defined as those services that aim to prevent imminent separation of children from their primary caregivers because of child protection concerns, and those services that aim to reunify families where separation has already occurred. This section specifically relates to family support services that are defined as being intensive in nature, which excludes other forms of treatment and support services. To be included in the intensive family support services data collection, services must meet all of the following criteria. They are:

- provided explicitly to work to prevent separation or to reunify families
- comprised of a range of services, making up part of an integrated strategy focusing on improving family functioning and skills, rather than just one type of service such as emergency or respite care
- intensive in nature, averaging at least 4 hours of service provision per week for a specified short-term period (usually less than 6 months).

Generally, referrals will come from the statutory agency and will have been identified through the child protection process. Most cases will have been the subject of a child protection substantiation.

The following categories are used to classify the living situation of the child/ren in the family at the time of case commencement:

- Family care – including:
 - child/ren living with parent(s)
 - child/ren living with other relatives/kin who are not reimbursed by the state for their care.

- Out-of-home care – out-of-home overnight care where the state makes a financial payment, or where a financial payment has been offered but has been declined by the carer. This includes placements with relatives or kin (other than parents) who are reimbursed (or who have been offered but declined reimbursement) by the state/territory for the care of the child, foster care and residential care.
- Child/ren in formal shared care – where a case plan exists for children to live in family care and to have regular planned periods in out-of-home care.
- Other – includes living situations that do not fit into the above categories and unknown living arrangements.

6.2 Children commencing intensive family support services

In 2009–10, there were 207 intensive family support services reported to the AIHW, a decrease of 47 services from 2008–09 (254 services) (AIHW 2010). However, data on the number of services in 2009–10 excludes the Australian Capital Territory because they were unable to provide intensive family support services data for the current financial year. Almost three-quarters of these services were aimed at both preventing the separation of the child from their family and assisting with the reunification of the child into the family. The 207 intensive family support services were delivered across 244 locations, most of which (89%) were in capital cities or other urban centres.

In those jurisdictions with available data, 15,432 children commenced intensive family support services. Approximately half (51%) of children commencing intensive family support services were aged less than 5 years (Table 6.1). However, the age distribution varied across jurisdictions. For example, the proportion of children aged 0–4 years commencing intensive family support services ranged from 21% in the Northern Territory to 62% in New South Wales.

Table 6.1: Number of children aged 0–17 years commencing intensive family support services, by age at commencement of service, states and territories, 2009–10

Age (years)	NSW	Vic	Qld	WA ^(a)	SA	Tas	ACT	NT	Total
Number									
0–4	4,151	2,040	1,119	230	n.a.	n.a.	n.a.	11	7,551
5–9	1,680	1,281	924	138	n.a.	n.a.	n.a.	21	4,044
10–17	833	1,584	828	96	n.a.	n.a.	n.a.	21	3,362
Total	6,665	4,976	2,945	482	311	n.a.	n.a.	53	15,432^(b)
Per cent									
0–4	62.3	41.6	39.0	49.6	..	..	..	20.8	50.5
5–9	25.2	26.1	32.2	29.7	..	..	..	39.6	27.0
10–17	12.5	32.3	28.8	20.7	..	..	..	39.6	22.5
Total	100.0	100.0	100.0	100.0	100.0	..	..	100.0	100.0

n.a. not available

.. not applicable

(a) In Western Australia, not all services are able to report on the age of the child when the child is over 12 years. These children are included in the 'unknown' category. Therefore the percentages should be interpreted carefully as it cannot be assumed that the 'unknowns' are evenly distributed among the age categories.

(b) The total includes 311 children from South Australia and 164 children of unknown age and, as such, will not equal the sum of the age groups.

Notes

1. Percentages exclude children of unknown age.
2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Across Australia, the majority of children (86%) who commenced an intensive family support service were living with their parents. However, some notable differences occurred across jurisdictions. For example, in South Australia, 72% of children commencing intensive family support services were in out-of-home care and 28% were living with their parents (Figure 6.1 and Table 6.2). In all other jurisdictions with available data, the majority of children commencing intensive family support services lived with their parents, ranging from 56% of children in Queensland to almost 100% in New South Wales.

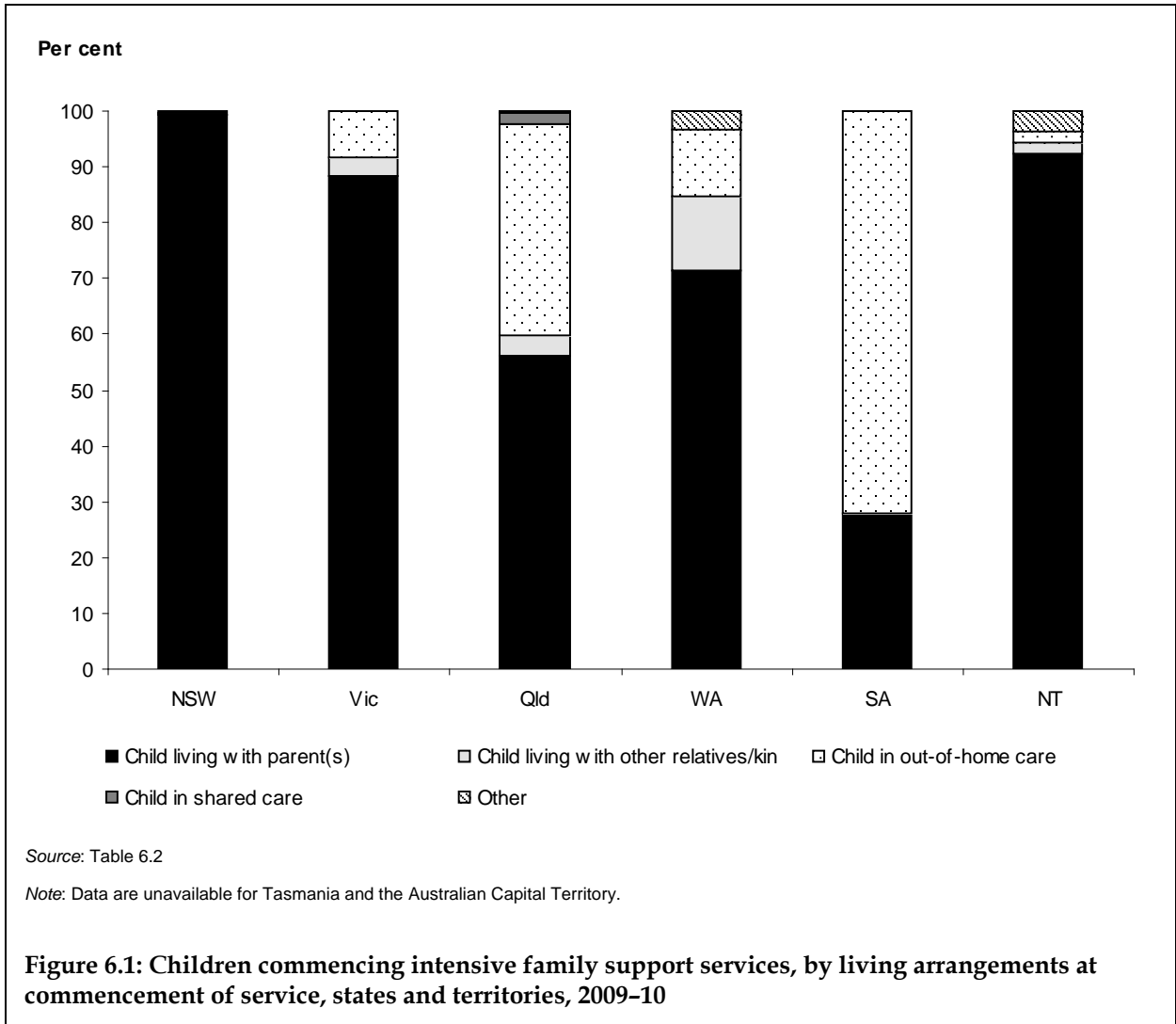


Table 6.2: Children commencing intensive family support services, by living arrangements at commencement of service, states and territories, 2009–10

Living situation	NSW	Vic	Qld	WA	SA	Tas	ACT ^(a)	NT	Total
Number									
Family care									
Child living with parent(s)	6,631	3,242	1,586	248	87	n.a.	n.a.	49	11,843
Child living with other relatives/kin	22	114	102	46	0	n.a.	n.a.	1	285
Child in out-of-home care	12	303	1,065	41	224	n.a.	n.a.	1	1,646
Child in shared care	0	0	58	0	0	n.a.	n.a.	0	58
Other	0	3	10	12	0	n.a.	n.a.	2	27
Not available	0	1,314	124	135	0	n.a.	n.a.	0	1,573
Total	6,665	4,976	2,945	482	311	n.a.	n.a.	53	15,432
Per cent									
Family care									
Child living with parent(s)	99.5	88.5	56.2	71.5	28.0	..	..	92.5	85.5
Child living with other relatives/kin	0.3	3.1	3.6	13.3	0.0	..	..	1.9	2.1
Child in out-of-home care	0.2	8.3	37.8	11.8	72.0	..	..	1.9	11.9
Child in shared care	0.0	0.0	2.1	0.0	0.0	..	..	0.0	0.4
Other	0.0	0.1	0.4	3.5	0.0	..	..	3.8	0.2
Total	100.0	100.0	100.0	100.0	100.0	..	..	100.0	100.0

.. not applicable

n.a. not available

(a) The ACT is unable to supply data for intensive family support due to a change in data systems during the counting period. Reporting on this indicator will resume next financial year.

Notes

1. Percentages exclude children for which the living arrangement was not available.
2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Appendix 1: Detailed tables

Notifications, investigations and substantiations

Table A1.1: Outcomes of finalised investigations, states and territories, 2009–10

	NSW ^(a)	Vic	Qld	WA ^(c)	SA	Tas	ACT	NT	Total
Substantiated	26,248	6,603	6,922	1,652	1,815	963	741	1,243	46,187
Not substantiated	61,853	5,636	10,429	2,387	2,627	642	811	1,117	85,502
Total finalised investigations	88,101	12,239	17,351	4,039	4,442	1,605	1,552	2,360	131,689
			<i>18,025^(b)</i>						
Substantiated	29.8	54.0	39.9	40.9	40.9	60.0	47.7	52.7	35.1
Not substantiated	70.2	46.0	60.1	59.1	59.1	40.0	52.3	47.3	64.9
Total finalised investigations	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

- (a) New South Wales figures are not comparable with those of other jurisdictions. New South Wales has a differential investigation response whereby an investigation can be undertaken at two levels of intensity. Only the more serious cases, which receive the higher level response, may lead to a recorded substantiation outcome. In accordance with the NSW *Keep Them Safe* reforms, the data reported for part of 2009–10 reflect legislative changes to the NSW *Children and Young Persons (Care and Protection) Act 1998*, proclaimed on 24 January 2010. This includes raising the reporting threshold from 'risk of harm' to the new 'risk of significant harm'.
- (b) For Queensland, the secondary total finalised investigations (18,025) includes 674 finalised investigations where there was an assessment outcome of 'No investigation and assessment outcome'. In Queensland, 'investigation closed—no outcome possible' is considered to be a finalised investigation. This category includes notifications where there was insufficient information to enable an assessment outcome of substantiated or unsubstantiated to be determined. This may occur in situations where the family was unable to be identified, located or has moved overseas and the investigation is therefore finalised and closed.
- (c) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data from the 2009 calendar year extracted as at the beginning of March from the legacy information system has been provided as a proxy for 2009–10 data, which is normally extracted at the beginning of September.

Notes

- 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 2010.
- Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Data Collections 2010.

Table A1.2: Substantiations of notifications received during 2009–10, by type of abuse or neglect, states and territories

Type of abuse or neglect	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT	Total
Number									
Physical abuse	4,980	2,468	1,505	330	200	122	89	246	9,940
Sexual abuse	4,285	526	414	330	101	77	40	107	5,880
Emotional abuse	8,984	3,137	2,773	346	793	478	330	251	17,092
Neglect	7,999	472	2,230	646	721	286	282	639	13,275
Total	26,248	6,603	6,922	1,652	1,815	963	741	1,243	46,187
Per cent									
Physical abuse	19.0	37.4	21.7	20.0	11.0	12.7	12.0	19.8	21.5
Sexual abuse	16.3	8.0	6.0	20.0	5.6	8.0	5.4	8.6	12.7
Emotional abuse	34.2	47.5	40.1	20.9	43.7	49.6	44.5	20.2	37.0
Neglect	30.5	7.1	32.2	39.1	39.7	29.7	38.1	51.4	28.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) In accordance with the NSW *Keep Them Safe* reforms, the data reported for part of 2009–10 reflect legislative changes to the NSW *Children and Young Persons (Care and Protection) Act 1998*, proclaimed on 24 January 2010. This includes raising the reporting threshold from 'risk of harm' to the new 'risk of significant harm'.

(b) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data from the 2009 calendar year extracted as at the beginning of March from the legacy information system has been provided as a proxy for 2009–10 data, which is normally extracted at the beginning of September.

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 2010.
2. 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.
3. Percentages in tables may not add to 100 due to rounding.
4. Includes children aged 0–17 years and children of unknown age.

Source: AIHW Child Protection Collections 2010.

Table A1.3: Children in substantiations of notifications received during 2009–10, by type of abuse or neglect and sex, states and territories

Type of abuse or neglect	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT	Total
Number									
Males									
Physical	1,285	1,201	688	180	101	62	40	95	3,652
Sexual	693	203	118	57	13	20	8	22	1,134
Emotional	2,074	1,515	1,267	162	325	232	139	109	5,823
Neglect	2,025	235	1,037	309	311	121	109	269	4,416
Total	6,077	3,154	3,110	708	750	435	296	495	15,025
Females									
Physical	1,175	1,210	661	137	78	54	37	121	3,473
Sexual	1,959	319	260	253	79	50	28	62	3,010
Emotional	2,028	1,483	1,243	169	311	204	109	111	5,658
Neglect	1,784	223	903	286	274	123	80	254	3,927
Total	6,946	3,235	3,067	845	742	431	254	548	16,068
All children									
Physical	2,478	2,419	1,364	317	180	118	77	216	7,169
Sexual	2,654	522	382	311	94	72	36	84	4,155
Emotional	4,146	3,003	2,512	332	642	445	248	221	11,549
Neglect	3,858	459	1,960	597	591	245	189	523	8,422
Total	13,136	6,403	6,218	1,557	1,507	880	550	1,044	31,295^(c)

Table A1.3 (continued): Children in substantiations of notifications received during 2009–10, by type of abuse or neglect and sex, states and territories

Type of abuse or neglect	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT	Total
Per cent									
Males									
Physical	21.1	38.1	22.1	25.4	13.5	14.3	13.5	19.2	24.3
Sexual	11.4	6.4	3.8	8.1	1.7	4.6	2.7	4.4	7.5
Emotional	34.1	48.0	40.7	22.9	43.3	53.3	47.0	22.0	38.8
Neglect	33.3	7.5	33.3	43.6	41.5	27.8	36.8	54.3	29.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Females									
Physical	16.9	37.4	21.6	16.2	10.5	12.5	14.6	22.1	21.6
Sexual	28.2	9.9	8.5	29.9	10.6	11.6	11.0	11.3	18.7
Emotional	29.2	45.8	40.5	20.0	41.9	47.3	42.9	20.3	35.2
Neglect	25.7	6.9	29.4	33.8	36.9	28.5	31.5	46.4	24.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All children									
Physical	18.9	37.8	21.9	20.4	11.9	13.4	14.0	20.7	22.9
Sexual	20.2	8.2	6.1	20.0	6.2	8.2	6.5	8.0	13.3
Emotional	31.6	46.9	40.4	21.3	42.6	50.6	45.1	21.2	36.9
Neglect	29.4	7.2	31.5	38.3	39.2	27.8	34.4	50.1	26.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) In accordance with the NSW *Keep Them Safe* reforms, the data reported for part of 2009–10 reflect legislative changes to the NSW *Children and Young Persons (Care and Protection) Act 1998*, proclaimed on 24 January 2010. This includes raising the reporting threshold from 'risk of harm' to the new 'risk of significant harm'.

(b) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data from the 2009 calendar year extracted as at the beginning of March from the legacy information system has been provided as a proxy for 2009–10 data which is normally extracted at the beginning of September.

(c) Total includes 202 children whose sex 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 2010.
2. 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.
3. Includes children aged 0–17 years and children of unknown age.
4. Percentages include children whose sex is unknown.

Source: AIHW Child Protection Collections 2010.

Table A1.4: Children in substantiations of notifications received during 2009–10, by age and Indigenous status, states and territories

Age group (years)	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT	Total
Indigenous children									
<1	390	157	341	94	72	12	14	147	1,227
1–4	1,040	213	458	181	107	38	34	257	2,328
5–9	982	150	471	182	106	41	34	213	2,179
10–14	884	151	421	138	79	30	27	197	1,927
15–17	242	39	89	30	13	7	9	54	483
Total^(c)	3,707	710	1,780	642	379	130	118	868	8,334
Non-Indigenous children									
<1	905	817	553	82	147	69	42	16	2,631
1–4	2,255	1,393	1,032	186	284	183	91	34	5,458
5–9	2,382	1,436	1,205	234	295	189	93	52	5,886
10–14	2,662	1,560	1,142	236	245	137	120	54	6,156
15–17	895	478	295	66	54	30	31	13	1,862
Total^(d)	9,408	5,690	4,227	818	1,029	614	380	169	22,335
All children									
<1	1,296	974	909	182	236	94	65	163	3,919
1–4	3,300	1,607	1,529	389	417	264	136	293	7,935
5–9	3,369	1,587	1,747	440	430	247	139	268	8,227
10–14	3,552	1,712	1,627	408	343	208	162	251	8,263
15–17	1,139	517	405	107	73	51	44	69	2,405
Total^(e)	13,136	6,403	6,218	1,557	1,507	880	550	1,044	31,295^(f)

(a) In accordance with the NSW *Keep Them Safe* reforms, the data reported for part of 2009–10 reflect legislative changes to the NSW *Children and Young Persons (Care and Protection) Act 1998*, proclaimed on 24 January 2010. This includes raising the reporting threshold from 'risk of harm' to the new 'risk of significant harm'.

(b) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data from the 2009 calendar year extracted as at the beginning of March from the legacy information system has been provided as a proxy for 2009–10 data, which is normally extracted at the beginning of September.

(c) Total across age groups includes 190 unborn children or children of unknown age.

(d) Total across age groups includes 342 unborn children or children of unknown age.

(e) Total across age groups includes 546 unborn children or children of unknown age.

(f) All children includes 626 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 2010.

2. Totals include unborn children and children of unknown age.

Source: AIHW Child Protection Collections 2010.

Table A1.5: Children aged 0–17 years who were the subject of a substantiation of a notification received during 2009–10, by type of abuse or neglect and Indigenous status, states and territories

Type of abuse or neglect	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT	Total
Number									
Indigenous children									
Physical	646	256	464	100	33	19	5	147	1,670
Sexual	480	20	67	81	13	9	3	59	732
Emotional	1,251	371	547	148	182	60	53	193	2,805
Neglect	1,330	63	702	313	151	42	57	469	3,127
Total	3,707	710	1,780	642	379	130	118	868	8,334
Non-Indigenous children									
Physical	1,827	2,161	853	192	137	86	67	67	5,390
Sexual	2,170	502	296	197	67	47	29	22	3,330
Emotional	2,889	2,631	1,856	161	402	310	170	26	8,445
Neglect	2,522	396	1,222	268	423	171	114	54	5,170
Total	9,408	5,690	4,227	818	1,029	614	380	169	22,335
All children^(c)									
Physical	2,478	2,419	1,364	317	180	118	77	216	7,169
Sexual	2,654	522	382	311	94	72	36	84	4,155
Emotional	4,146	3,003	2,512	332	642	445	248	221	11,549
Neglect	3,858	459	1,960	597	591	245	189	523	8,422
Total	13,136	6,403	6,218	1,557	1,507	880	550	1,044	31,295

Table A1.5 (continued): Children aged 0–17 years who were the subject of a substantiation of a notification received during 2009–10, by type of abuse or neglect and Indigenous status, states and territories

Type of abuse or neglect	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT	Total
Per cent									
Indigenous children									
Physical	17.4	36.1	26.1	15.6	8.7	14.6	4.2	16.9	20.0
Sexual	12.9	2.8	3.8	12.6	3.4	6.9	2.5	6.8	8.8
Emotional	33.7	52.3	30.7	23.1	48.0	46.2	44.9	22.2	33.7
Neglect	35.9	8.9	39.4	48.8	39.8	32.3	48.3	54.0	37.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Non-Indigenous children									
Physical	19.4	38.0	20.2	23.5	13.3	14.0	17.6	39.6	24.1
Sexual	23.1	8.8	7.0	24.1	6.5	7.7	7.6	13.0	14.9
Emotional	30.7	46.2	43.9	19.7	39.1	50.5	44.7	15.4	37.8
Neglect	26.8	7.0	28.9	32.8	41.1	27.9	30.0	32.0	23.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All children^(c)									
Physical	18.9	37.8	21.9	20.4	11.9	13.4	14.0	20.7	22.9
Sexual	20.2	8.2	6.1	20.0	6.2	8.2	6.5	8.0	13.3
Emotional	31.6	46.9	40.4	21.3	42.6	50.6	45.1	21.2	36.9
Neglect	29.4	7.2	31.5	38.3	39.2	27.8	34.4	50.1	26.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) In accordance with the NSW *Keep Them Safe* reforms, the data reported for part of 2009–10 reflect legislative changes to the NSW *Children and Young Persons (Care and Protection) Act 1998*, proclaimed on 24 January 2010. This includes raising the reporting threshold from 'risk of harm' to the new 'risk of significant harm'.

(b) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data from the 2009 calendar year extracted as at the beginning of March from the legacy information system has been provided as a proxy for 2009–10 data, which is normally extracted at the beginning of September.

(c) Includes 626 children whose Indigenous status was 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 2009.
2. 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.
3. In Tasmania and the Australian Capital Territory, the proportion of Indigenous children who were the subject of a substantiation should be interpreted with caution due to small numbers
4. Percentages include children whose Indigenous status was unknown.
5. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Table A1.6: Number of investigations, by source of notification, states and territories, 2009–10

Source of notification	NSW ^(a)	Vic	Qld ^(b)	WA ^(c)	SA	Tas ^(d)	ACT	NT	Total
Police	27,603	3,774	6,290	1,121	1,034	517	338	923	41,600
School personnel	14,082	1,615	3,126	608	666	203	348	483	21,131
Hospital/health centre	13,212	737	..	533	68	27	170	686	15,433
Parent/guardian	8,279	754	1,479	329	192	48	106	111	11,298
Non-government organisation	8,227	1,085	703	105	140	8	201	206	10,675
Sibling/other relative	6,636	800	1,276	404	335	93	118	220	9,882
Other ^(e)	6,339	1,642	1,073	365	126	54	121	142	9,862
Anonymous	6,718	0	586	111	122	14	36	78	7,665
Friend/neighbour	4,519	568	1,273	186	185	99	85	148	7,063
Social worker	5,678	28	..	0	736	213	11	57	6,723
Medical practitioner	1,250	420	3,910	150	518	38	31	102	6,419
Departmental officer	2,374	21	1,735	487	85	174	161	401	5,438
Other health personnel	2,879	730	..	32	218	62	30	100	4,051
Child care personnel	1,939	0	196	32	95	11	15	15	2,303
Subject child	370	0	175	48	35	0	9	3	640
Not stated	0	1,642	63	5	150	272	0	6	2,138
Total	110,105	13,816	21,885	4,516	4,705	1,833	1,780	3,681	162,321

.. not applicable

- (a) In accordance with the NSW *Keep Them Safe* reforms, the data reported for part of 2009/10 reflect legislative changes to the NSW *Children and Young Persons (Care and Protection) Act 1998*, proclaimed on 24 January 2010. This includes raising the reporting threshold from 'risk of harm' to the new 'risk of significant harm'. In 2009–10, NSW has implemented classification changes to the source of notification to support the legislative changes and improve data capture, specifically to make a distinction between contactor role and organisation.
- (b) With the introduction of the Integrated Client Management System in March 2007, the primary source categories of social worker, hospital/health centre and other health personnel were discontinued. From March 2007 social workers are primarily recorded in the departmental officer or non-government organisation categories, and health sources are primarily recorded in the medical practitioner category.
- (c) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data from the 2009 calendar year extracted as at the beginning of March from the legacy information system has been provided as a proxy for 2009–10 data, which is normally extracted at the beginning of September.
- (d) Data reported for Tasmania aligns with the national counting rules except in the case of notifications received from Departmental officers, which could also be classified in another category (for example, social worker). Notifications from Departmental officers were assigned to the category of Departmental officer regardless of whether the source of notification could be classified in other categories.
- (e) 'Other' category may include the person responsible.

Notes

- Investigations include 'Investigations finalised', 'Investigations in process' and 'Investigations closed—no outcome possible'.
- Includes children aged 0–17 years and children of unknown age.

Source: AIHW Child Protection Collections 2010.

Table A1.7: Substantiations of notifications received during 2009–10, by type of family in which the child was residing, states and territories

Family type	NSW ^(a)	Vic	Qld ^(b)	WA ^(c)	SA	Tas ^(d)	ACT	NT	Total
Number									
Two parent—intact	n.a.	1,202	2,278	581	608	89	189	508	5,455
Two parent—step or blended	n.a.	407	1,291	240	343	98	105	91	2,575
Single parent—female	n.a.	1,505	2,666	579	515	154	308	263	5,990
Single parent—male	n.a.	387	290	52	45	15	28	24	841
Other relatives/kin	n.a.	127	102	111	61	16	34	81	532
Foster	n.a.	0	..	33	2	5	19	5	64
Other	n.a.	121	295	34	18	20	27	80	595
Not stated	n.a.	2,854	0	22	223	566	31	191	3,887
Total	n.a.	6,603	6,922	1,652	1,815	963	741	1,243	19,939
Per cent									
Two parent—intact	..	32.1	32.9	35.6	38.2	22.4	26.6	48.3	34.0
Two parent—step or blended	..	10.9	18.7	14.7	21.5	24.7	14.8	8.7	16.0
Single parent—female	..	40.1	38.5	35.5	32.3	38.8	43.4	25.0	37.3
Single parent—male	..	10.3	4.2	3.2	2.8	3.8	3.9	2.3	5.2
Other relatives/kin	..	3.4	1.5	6.8	3.8	4.0	4.8	7.7	3.3
Foster	..	0.0	..	2.0	0.1	1.3	2.7	0.5	0.4
Other	..	3.2	4.3	2.1	1.1	5.0	3.8	7.6	3.7
Total	..	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. not applicable

n.a. not available

(a) New South Wales was not able to provide data for this measure.

(b) Queensland does not have a category for 'foster parent'—these have been included in 'Other'.

(c) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data from the 2009 calendar year extracted as at the beginning of March from the legacy information system has been provided as a proxy for 2009–10 data, which is normally extracted at the beginning of September.

(d) Due to a high proportion of 'not stated' family type, numbers and percentages in Victoria and Tasmania should be interpreted with caution.

Notes

1. The type of family in which the child was living is recorded at different points for each jurisdiction. In Queensland, the Northern Territory and the Australian Capital Territory, it is categorised as where the child was living at the time of the investigation. In Tasmania, it is categorised as where the child was living when the abuse, neglect or harm occurred. In Western Australia, it is at the time of the notification. For Victoria and South Australia, it is at the time of the substantiation.
2. Percentages exclude cases where the family type was not stated.
3. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Care and protection orders

Table A1.8: Children admitted to care and protection orders, by age, states and territories, 2009–10 (number and per cent)

Age (years)	NSW	Vic	Qld	WA ^(a)	SA	Tas	ACT	NT	Total
Number									
<1	729	341	540	213	161	72	46	68	2,170
1–4	901	916	1,284	411	392	198	85	108	4,295
5–9	770	783	1,267	392	249	171	76	106	3,814
10–14	725	743	965	285	189	147	95	96	3,245
15–17	256	274	262	63	104	34	29	18	1,040
Total	3,381	3,057	4,318	1,364	1,095	622	331	396	14,564
Per cent									
<1	21.6	11.2	12.5	15.6	14.7	11.6	13.9	17.2	14.9
1–4	26.6	30.0	29.7	30.1	35.8	31.8	25.7	27.3	29.5
5–9	22.8	25.6	29.3	28.7	22.7	27.5	23.0	26.8	26.2
10–14	21.4	24.3	22.3	20.9	17.3	23.6	28.7	24.2	22.3
15–17	7.6	9.0	6.1	4.6	9.5	5.5	8.8	4.5	7.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data from the 2009 calendar year extracted as at the beginning of March from the legacy information system has been provided as a proxy for 2009–10 data, which is normally extracted at the beginning of September.

Notes

1. A renewal of an existing order is not counted as an admission.
2. Children are counted for only one admission and discharge during the year. However, a change to an order is counted as an admission.
3. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Table A1.9: Children substantiated in 2008–09 and subsequently placed on care and protection orders within 12 months, states and territories

State/territory	Number subsequently placed on a care and protection order	Percentage of all children substantiated in 2008–09
New South Wales ^(a)	n.a.	..
Victoria	2,331	34.9
Queensland	2,355	24.4
Western Australia ^(b)	631	33.0
South Australia	551	28.8
Tasmania	261	22.7
Australian Capital Territory	202	33.0
Northern Territory	86	12.2
Total	6,417	28.4

n.a. not available

.. not applicable

(a) New South Wales were unable to provide these data.

(b) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data from the 2009 calendar year extracted as at the beginning of March from the legacy information system has been provided as a proxy for 2009–10 data, which is normally extracted at the beginning of September.

Source: AIHW Child Protection Collections 2010.

Table A1.10: Children on care and protection orders, by sex, states and territories, 30 June 2010

Sex of child	NSW	Vic	Qld	WA ^(a)	SA	Tas	ACT	NT	Total
Number									
Male	7,705	3,354	4,155	1,752	1,349	590	352	337	19,594
Female	6,984	3,158	3,935	1,680	1,181	522	301	359	18,120
Unknown	0	3	0	0	13	0	0	0	16
Persons	14,689	6,515	8,090	3,432	2,543	1,112	653	696	37,730
Per cent									
Male	52.5	51.5	51.4	51.0	53.3	53.1	53.9	48.4	52.0
Female	47.5	48.5	48.6	49.0	46.7	46.9	46.1	51.6	48.0
Persons	100.0	100.0	100.0	100.0	100.5	100.0	100.0	100.0	100.0

(a) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data for 31 December 2009 as at the beginning of March from the legacy information system has been provided as a proxy for 30 June 2010 data, which is normally extracted at the beginning of September.

Notes

1. Percentages exclude children of unknown sex.
2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Table A1.11: Children on care and protection orders, by age, states and territories, 30 June 2010

Age (years)	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas	ACT	NT ^(c)	Total
Number									
<1	488	175	250	118	77	29	22	32	1,191
1–4	3,268	1,367	1,744	852	561	244	140	154	8,330
5–9	4,509	1,776	2,483	1,085	741	333	188	210	11,325
10–14	4,399	1,884	2,304	956	707	356	175	213	10,994
15–17	2,024	1,313	1,309	421	457	150	128	87	5,889
Total^(d)	14,689	6,515	8,090	3,432	2,543	1,112	653	696	37,730
Per cent									
<1	3.3	2.7	3.1	3.4	3.0	2.6	3.4	4.6	3.2
1–4	22.2	21.0	21.6	24.8	22.1	21.9	21.4	22.1	22.1
5–9	30.7	27.3	30.7	31.6	29.1	29.9	28.8	30.2	30.0
10–14	29.9	28.9	28.5	27.9	27.8	32.0	26.8	30.6	29.1
15–17	13.8	20.2	16.2	12.3	18.0	13.5	19.6	12.5	15.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) New South Wales data are not available for 'Finalised supervisory orders'.

(b) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data for 31 December 2009 as at the beginning of March from the legacy information system has been provided as a proxy for 30 June 2010 data, which is normally extracted at the beginning of September.

(c) Northern Territory data on 'Finalised third-party parental responsibility' arrangements are not available.

(d) Total includes one child of unknown age.

Notes

1. Percentages exclude children of unknown age.
2. Percentages in table may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Table A1.12: Children on care and protection orders, by age and living arrangements, 30 June 2010

Age (years)	Family care ^(a)	Home-based out-of-home care ^(b)	Residential care	Family group homes ^(c)	Independent living ^(d)	Other	Total
Number							
<1	102	898	6	5	5	175	1,191
1–4	774	6,378	62	14	6	1,096	8,330
5–9	1,018	9,075	145	34	9	1,044	11,325
10–14	1,010	8,206	621	47	29	1,081	10,994
15–17	541	3,208	770	13	385	972	5,889
Total^(e)	3,445	27,766	1,604	113	434	4,368	37,730
Per cent							
<1	3.0	3.2	0.4	4.4	1.2	4.0	3.2
1–4	22.5	23.0	3.9	12.4	1.4	25.1	22.1
5–9	29.6	32.7	9.0	30.1	2.1	23.9	30.0
10–14	29.3	29.6	38.7	41.6	6.7	24.7	29.1
15–17	15.7	11.6	48.0	11.5	88.7	22.3	15.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0
<i>Total living arrangements</i>	<i>9.1</i>	<i>73.6</i>	<i>4.3</i>	<i>0.3</i>	<i>1.2</i>	<i>11.6</i>	<i>100.0</i>

(a) This category includes relatives/kin, other than parents, who were not reimbursed.

(b) This category includes relatives/kin, other than parents, who were reimbursed.

(c) Family group homes are not applicable in New South Wales and Queensland

(d) This category includes private board.

(e) Total includes one child of unknown age.

Notes

1. Percentages exclude children of unknown age.

2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Table A1.13: Children on care and protection orders, by type of order and Indigenous status, states and territories, 30 June 2010

Type of order	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas ^(c)	ACT	NT ^(d)	Total
Number									
Indigenous children									
Finalised guardianship or custody orders	2,939	698	2,303	1,232	568	139	105	413	8,397
Finalised third-party parental responsibility orders	1,007	0	217	48	11	n.a.	8	0	1,291
Finalised supervisory orders	n.a.	235	128	49	0	1	15	0	428
Interim and temporary orders	589	15	321	196	39	17	29	66	1,272
Administrative arrangements	20	0	..	..	13	0	2	28	63
<i>Total</i>	<i>4,555</i>	<i>948</i>	<i>2,969</i>	<i>1,525</i>	<i>631</i>	<i>157</i>	<i>159</i>	<i>507</i>	<i>11,451</i>
Non-Indigenous children									
Finalised guardianship or custody orders	6,773	4,121	3,767	1,501	1,711	773	355	157	19,158
Finalised third-party parental responsibility orders	1,999	0	547	66	42	n.a.	23	0	2,677
Finalised supervisory orders	n.a.	1,266	278	96	4	23	40	2	1,709
Interim and temporary orders	1,279	162	526	243	92	155	64	15	2,536
Administrative arrangements	81	0	..	..	28	4	10	12	135
<i>Total</i>	<i>10,132</i>	<i>5,549</i>	<i>5,118</i>	<i>1,906</i>	<i>1,877</i>	<i>955</i>	<i>492</i>	<i>186</i>	<i>26,215</i>
All children^(e)									
Finalised guardianship or custody orders	9,713	4,836	6,073	2,734	2,302	912	461	572	27,603
Finalised third-party parental responsibility orders	3,006	0	764	114	53	n.a.	32	0	3,969
Finalised supervisory orders	n.a.	1,502	406	145	4	24	55	3	2,139
Interim and temporary orders	1,869	177	847	439	135	172	93	81	3,813
Administrative arrangements	101	0	..	..	49	4	12	40	206
Total	14,689	6,515	8,090	3,432	2,543	1,112	653	696	37,730

(continued)

Table A1.13 (continued): Children on care and protection orders, by type of order and Indigenous status, states and territories, 30 June 2009

Type of order	NSW ^(a)	Vic	Qld	WA ^(b)	SA	Tas ^(c)	ACT	NT ^(d)	Total
	Per cent								
Indigenous children									
Finalised guardianship or custody orders	64.5	73.6	77.6	80.8	90.0	88.5	66.0	81.5	73.3
Finalised third-party parental responsibility orders	22.1	0.0	7.3	3.1	1.7	..	5.0	0.0	11.3
Finalised supervisory orders	..	24.8	4.3	3.2	0.0	0.6	9.4	0.0	3.7
Interim and temporary orders	12.9	1.6	10.8	12.9	6.2	10.8	18.2	13.0	11.1
Administrative arrangements	0.4	0.0	..	..	2.1	0.0	1.3	5.5	0.6
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Non-Indigenous children									
Finalised guardianship or custody orders	66.8	74.3	73.6	78.8	91.2	80.9	72.2	84.4	73.1
Finalised third-party parental responsibility orders	19.7	0.0	10.7	3.5	2.2	..	4.7	0.0	10.2
Finalised supervisory orders	..	22.8	5.4	5.0	0.2	2.4	8.1	1.1	6.5
Interim and temporary orders	12.6	2.9	10.3	12.7	4.9	16.2	13.0	8.1	9.7
Administrative arrangements	0.8	0.0	..	..	1.5	0.4	2.0	6.5	0.5
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
All children^(e)									
Finalised guardianship or custody orders	66.1	74.2	75.1	79.7	90.5	82.0	70.6	82.2	73.2
Finalised third-party parental responsibility orders	20.5	0.0	9.4	3.3	2.1	..	4.9	0.0	10.5
Finalised supervisory orders	..	23.1	5.0	4.2	0.2	2.2	8.4	0.4	5.7
Interim and temporary orders	12.7	2.7	10.5	12.8	5.3	15.5	14.2	11.6	10.1
Administrative arrangements	0.7	0.0	..	..	1.9	0.4	1.8	5.7	0.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

n.a. not available

.. not applicable

(a) New South Wales disaggregated data are not available for 2009–10 for 'Finalised supervisory orders'.

(b) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data for 31 December 2009 as at the beginning of March from the legacy information system has been provided as a proxy for 30 June 2010 data, which is normally extracted at the beginning of September.

(c) Tasmania is not able to separately identify children under 'Finalised third-party parental responsibility' orders. These children are included under the 'Finalised guardianship or custody orders' category.

(d) Northern Territory data on 'Finalised third-party parental responsibility' orders are not available.

(e) Includes 64 children whose Indigenous status was unknown

Note: Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Out-of-home care

Table A1.14: Children in out-of-home care, by age, states and territories, 30 June 2010

Age (years)	NSW	Vic	Qld	WA ^(a)	SA	Tas	ACT	NT	Total
Number									
<1	470	162	253	95	60	24	19	28	1,111
1–4	3,297	1,079	1,655	706	497	205	117	116	7,672
5–9	4,983	1,468	2,335	874	676	291	157	176	10,960
10–14	5,119	1,641	2,127	753	627	286	144	163	10,860
15–17	2,305	1,118	980	309	328	87	95	68	5,290
Total^(b)	16,175	5,469	7,350	2,737	2,188	893	532	551	35,895
Per cent									
<1	2.9	3.0	3.4	3.5	2.7	2.7	3.6	5.1	3.1
1–4	20.4	19.7	22.5	25.8	22.7	23.0	22.0	21.1	21.4
5–9	30.8	26.8	31.8	31.9	30.9	32.6	29.5	31.9	30.5
10–14	31.6	30.0	28.9	27.5	28.7	32.0	27.1	29.6	30.3
15–17	14.3	20.4	13.3	11.3	15.0	9.7	17.9	12.3	14.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data for 31 December 2009 as at the beginning of March from the legacy information system has been provided as a proxy for 30 June 2010 data, which is normally extracted at the beginning of September.

(b) Total includes two children whose age was unknown.

Notes

1. Percentages exclude children of unknown age.
2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Table A1.15: Children in out-of-home care, by sex, states and territories, 30 June 2010

Sex of child	NSW	Vic	Qld	WA^(a)	SA	Tas	ACT	NT	Total
Number									
Male	8,453	2,808	3,777	1,398	1,176	477	281	254	18,624
Female	7,722	2,655	3,573	1,339	1,003	416	251	297	17,256
Unknown	0	6	0	0	9	0	0	0	15
Persons	16,175	5,469	7,350	2,737	2,188	893	532	551	35,895
Per cent									
Male	52.3	51.4	51.4	51.1	54.0	53.4	52.8	46.1	51.9
Female	47.7	48.6	48.6	48.9	46.0	46.6	47.2	53.9	48.1
Persons	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data for 31 December 2009 as at the beginning of March from the legacy information system has been provided as a proxy for 30 June 2010 data, which is normally extracted at the beginning of September.

Notes

1. Percentages exclude children of unknown sex.
2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2010.

Table A1.16: Children in out-of-home care, by age and type of placement, 30 June 2010

Type of placement/ age (years)	NSW	Vic	Qld	WA ^(a)	SA	Tas	ACT	NT	Total
Number									
Home-based									
<1	469	161	253	88	59	24	19	26	1,099
1–4	3,296	1,075	1,642	674	456	202	117	112	7,574
5–9	4,970	1,443	2,288	833	599	282	156	161	10,732
10–14	4,959	1,468	1,899	675	514	253	127	138	10,033
15–17	2,026	843	701	232	236	63	66	42	4,209
Total	15,721	4,991	6,783	2,502	1,864	824	485	479	33,649^(b)
Residential (including family group homes)									
<1	1	1	0	7	0	0	0	1	10
1–4	1	3	13	32	25	1	0	1	76
5–9	13	25	47	41	55	5	1	6	193
10–14	158	173	228	78	89	18	17	12	773
15–17	205	252	279	50	47	15	29	10	887
Total	378	454	567	208	216	39	47	30	1,939
Per cent									
Home-based									
<1	3.0	3.2	3.7	3.5	3.2	2.9	3.9	5.4	3.3
1–4	21.0	21.5	24.2	26.9	24.5	24.5	24.1	23.4	22.5
5–9	31.6	28.9	33.7	33.3	32.1	34.2	32.2	33.6	31.9
10–14	31.5	29.4	28.0	27.0	27.6	30.7	26.2	28.8	29.8
15–17	12.9	16.9	10.3	9.3	12.7	7.6	13.6	8.8	12.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Residential (including family group homes)									
<1	0.3	0.2	0.0	3.4	0.0	0.0	0.0	3.3	0.5
1–4	0.3	0.7	2.3	15.4	11.6	2.6	0.0	3.3	3.9
5–9	3.4	5.5	8.3	19.7	25.5	12.8	2.1	20.0	10.0
10–14	41.8	38.1	40.2	37.5	41.2	46.2	36.2	40.0	39.9
15–17	54.2	55.5	49.2	24.0	21.8	38.5	61.7	33.3	45.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data for 31 December 2009 as at the beginning of March from the legacy information system has been provided as a proxy for 30 June 2010 data, which is normally extracted at the beginning of September.

(b) Total includes two children of unknown age.

Notes

1. Percentages exclude children of unknown age.
2. Percentages in tables may not add to 100 due to rounding.
3. Family group homes are not applicable in New South Wales and Queensland

Source: AIHW Child Protection Collections 2010.

Table A1.17: Aboriginal and Torres Strait Islander children in out-of-home care, by Indigenous status and relationship of carer, states and territories, 30 June 2010

Relationship	NSW	Vic ^(a)	Qld	WA ^{(a) (b)}	SA ^(c)	Tas ^(d)	ACT	NT ^(e)	Total
Number									
Indigenous relative/kin	2,802	209	571	633	224	15	55	124	4,633
Other Indigenous caregiver	987	52	575	183	131	4	11	58	2,001
Other relative/kin ^(a)	680	214	299	110	77	25	7	0	1,412
<i>Total placed with relatives/kin or other Indigenous caregivers</i>	<i>4,469</i>	<i>475</i>	<i>1,445</i>	<i>926</i>	<i>432</i>	<i>44</i>	<i>73</i>	<i>182</i>	<i>8,046</i>
<i>Total not placed with relatives/kin or other Indigenous caregivers</i>	<i>970</i>	<i>339</i>	<i>1,241</i>	<i>312</i>	<i>138</i>	<i>94</i>	<i>52</i>	<i>224</i>	<i>3,370</i>
Total	5,439	814	2,686	1,238	570	138	125	406	11,416
Per cent									
Indigenous relative/kin	51.5	25.7	21.3	51.1	39.3	10.9	44.0	30.5	40.6
Other Indigenous caregiver	18.1	6.4	21.4	14.8	23.0	2.9	8.8	14.3	17.5
Other relative/kin	12.5	26.3	11.1	8.9	13.5	18.1	5.6	0.0	12.4
<i>Total placed with relatives/kin or other Indigenous caregivers</i>	<i>82.2</i>	<i>58.4</i>	<i>53.8</i>	<i>74.8</i>	<i>75.8</i>	<i>31.9</i>	<i>58.4</i>	<i>44.8</i>	<i>70.5</i>
<i>Total not placed with relatives/kin or other Indigenous caregivers</i>	<i>17.8</i>	<i>41.6</i>	<i>46.2</i>	<i>25.2</i>	<i>24.2</i>	<i>68.1</i>	<i>41.6</i>	<i>55.2</i>	<i>29.5</i>
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

- (a) A small number of children are placed with externally arranged foster carers who are also their relatives and have been recorded in the foster care category.
- (b) Western Australia introduced a new client information system in March 2010, but the supporting data warehouse is not yet ready. Data for 31 December 2009 as at the beginning of March from the legacy information system has been provided as a proxy for 30 June 2010 data, which is normally extracted at the beginning of September.
- (c) South Australia can only provide the number of children in out-of-home care where the Department is making a financial contribution to the care of a child.
- (d) Tasmania is not able to adhere to the AIHW definition of OOHC for 2009–10 to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.
- (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. For details on coding of Indigenous status, see Appendix 2.
3. Percentages in tables may not add to 100 due to rounding.
4. Family group homes and residential care are reported under other caregiver.

Source: AIHW Child Protection Collections 2010.

Population data

Table A1.18: Population of children aged 0–17 years, by age and Indigenous status, December 2009

Age of child (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Indigenous children^(a)									
0–4	20,607	4,319	20,375	8,731	3,493	2,419	574	7,780	68,298
5–9	18,731	4,112	19,116	8,560	3,422	2,089	505	7,937	64,472
10–14	19,433	4,155	18,936	8,690	3,547	2,273	520	7,178	64,732
15–17 ^(b)	11,766	2,565	11,196	5,038	2,082	1,477	320	4,321	38,765
0–17	70,537	15,151	69,623	31,019	12,544	8,258	1,919	27,216	236,267
Non-Indigenous children									
0–4	440,622	344,786	290,911	142,816	93,719	31,044	22,816	10,685	1,377,399
5–9	422,786	323,049	269,106	133,183	90,526	28,740	20,311	9,711	1,297,412
10–14	431,463	331,987	278,233	139,882	96,912	31,061	20,599	9,604	1,339,741
15–17	270,528	210,195	174,369	87,249	61,253	19,429	13,294	5,670	841,987
0–17	1,565,399	1,210,017	1,012,619	503,130	342,410	110,274	77,020	35,670	4,856,539
All children									
0–4	461,229	349,105	311,286	151,547	97,212	33,463	23,390	18,465	1,445,697
5–9	441,517	327,161	288,222	141,743	93,948	30,829	20,816	17,648	1,361,884
10–14	450,896	336,142	297,169	148,572	100,459	33,334	21,119	16,782	1,404,473
15–17	282,294	212,760	185,565	92,287	63,335	20,906	13,614	9,991	880,752
0–17	1,635,936	1,225,168	1,082,242	534,149	354,954	118,532	78,939	62,886	5,092,806

(a) The December 2009 population for Indigenous children is the average of 30 June 2009 and 30 June 2010 Indigenous population projections. This methodology may result in the sum of age groups not equalling the total due to rounding.

(b) The 15–17 year old age group for Indigenous children is derived from data for the 15–19 year old Indigenous population projections. It is calculated by taking the 15–19 year old age group, dividing this by five and then multiplying by three, based on the assumption that there is a fairly even distribution of children in each single year of age between 15 and 19 years.

Sources: ABS 2010a, 2010c.

Table A1.19: Population of children aged 0–17 years, by age and Indigenous status, March 2010

Age of child (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Indigenous children^(a)									
0–4	20,918	4,363	20,595	8,811	3,536	2,467	580	7,851	69,121
5–9	18,703	4,104	19,194	8,471	3,392	2,076	501	7,898	64,339
10–14	19,286	4,143	19,026	8,741	3,568	2,251	520	7,230	64,765
15–17 ^(b)	11,814	2,578	11,254	5,050	2,098	1,497	327	4,319	38,937
0–17	70,721	15,188	70,069	31,073	12,594	8,291	1,928	27,298	237,162
Non-Indigenous children									
0–4	440,109	348,118	293,299	144,421	94,750	31,232	23,354	10,769	1,386,052
5–9	423,113	323,630	269,997	133,761	90,524	28,746	20,417	9,698	1,299,886
10–14	431,642	331,970	278,431	140,184	96,838	31,036	20,531	9,537	1,340,169
15–17	270,608	210,681	175,033	87,666	61,359	19,486	13,304	5,667	843,804
0–17	1,565,472	1,214,399	1,016,760	506,032	343,471	110,500	77,606	35,671	4,869,911
All children									
0–4	461,027	352,481	313,894	153,232	98,286	33,699	23,934	18,620	1,455,173
5–9	441,816	327,734	289,191	142,232	93,916	30,822	20,918	17,596	1,364,225
10–14	450,928	336,113	297,457	148,925	100,406	33,287	21,051	16,767	1,404,934
15–17	282,422	213,259	186,287	92,716	63,457	20,983	13,631	9,986	882,741
0–17	1,636,193	1,229,587	1,086,829	537,105	356,065	118,791	79,534	62,969	5,107,073

(a) The Indigenous population for March 2010 is the 30 June 2010 Indigenous population projection.

(b) The 15–17 year old age group for Indigenous children is derived from data for the 15–19 year old Indigenous population projections. It is calculated by taking the 15–19 year old age group, dividing this by five and then multiplying by three, based on the assumption that there is a fairly even distribution of children in each single year of age between 15 and 19 years.

Sources: ABS 2010b, 2010c.

Table A1.20: Population of all children aged 0–17 years, by age, March 2010

Age of child (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
All children									
<1	96,259	71,706	67,805	31,278	20,247	6,677	5,192	3,850	303,014
1–4	364,768	280,775	246,089	121,954	78,039	27,022	18,742	14,770	1,152,159
5–9	441,816	327,734	289,191	142,232	93,916	30,822	20,918	17,596	1,364,225
10–14	450,928	336,113	297,457	148,925	100,406	33,287	21,051	16,767	1,404,934
15–17	282,422	213,259	186,287	92,716	63,457	20,983	13,631	9,986	882,741
0–17	1,636,193	1,229,587	1,086,829	537,105	356,065	118,791	79,534	62,969	5,107,073

Source: ABS 2010b.

Table A1.21: Population of all children aged 0–17 years, by age, December 2009

Age of child (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
All children									
<1	96,351	71,507	66,655	30,854	19,890	6,662	4,942	3,765	300,626
1–4	364,878	277,598	244,631	120,693	77,322	26,801	18,448	14,700	1,145,071
5–9	441,517	327,161	288,222	141,743	93,948	30,829	20,816	17,648	1,361,884
10–14	450,896	336,142	297,169	148,572	100,459	33,334	21,119	16,782	1,404,473
15–17	282,294	212,760	185,565	92,287	63,335	20,906	13,614	9,991	880,752
0–17	1,635,936	1,225,168	1,082,242	534,149	354,954	118,532	78,939	62,886	5,092,806

Source: ABS 2010a.

Appendix 2: Technical notes

Calculation of rates

The rates of children on care and protection orders and children in out-of-home care were calculated using the Australian Bureau of Statistics (ABS) most recent population estimates for 31 March 2010 (ABS 2010b). The rates of children subject to child protection substantiations during 2009–10 were calculated using the ABS population estimates for 31 December 2009 (ABS 2010a).

Rates of children on care and protection orders were calculated in the following way:

$$\frac{\text{Number of children aged 0–17 years on care and protection orders at 30 June 2010}}{\text{ABS estimated population of children aged 0–17 years at 31 March 2010}} \times 1,000$$

Rates of children in out-of-home care were calculated in the following way:

$$\frac{\text{Number of children aged 0–17 years in out-of-home care at 30 June 2010}}{\text{ABS estimated population of children aged 0–17 years at 31 March 2010}} \times 1,000$$

Rates of children who were the subjects of child protection substantiations were calculated in the following way:

$$\frac{\text{Number of children aged 0–17 years who were the subjects of substantiations in 2009–10}}{\text{ABS estimated population aged 0–17 years at 31 December 2009}} \times 1,000$$

Legislation and practice differs across jurisdictions in relation to children aged 17 years. In some jurisdictions, children aged 17 years are not substantiated and this means the number per 1,000 children who were the subject of a substantiation may be lower for those jurisdictions.

Rates for Aboriginal and Torres Strait Islander children

The same basic method outlined above was used to calculate rates for Aboriginal and Torres Strait Islander children. Population projections based on the ABS 2006 census were used for the denominator (ABS 2010c).

Rates for states and territories with small numbers of children in their child protection data and small Aboriginal and Torres Strait Islander populations (notably the Australian Capital Territory and Tasmania) should be interpreted carefully. Small changes in the numbers of Indigenous children in the child protection systems, or in population estimates, can have a major impact on rates.

Identification of Indigenous status

Children

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 data collections. Children whose Indigenous status is recorded as 'unknown' are excluded, where possible, from calculations of rates and proportions. 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.

Caregivers

In the out-of-home care data collection, the Indigenous status of caregivers was collected as well as the Indigenous status of children in out-of-home care. Carers who are identified as Aboriginal and Torres Strait Islander Australians are included in the Indigenous category. Where the Indigenous children were living in facility-based care specifically for Indigenous children, the caregiver was counted as Indigenous. Where children were living in other types of facility-based care, the caregiver was not counted as Indigenous.

Appendix 3: Mandatory reporting requirements

New South Wales

Since 1977, medical practitioners have been required by law to report physical and sexual abuse. This was expanded under the *Children (Care and Protection) Act 1987* to encompass other categories of mandatory reporters and what needed to be reported. From 18 December 2000, the category of mandatory reporters was changed to anyone who:

- (a) in the course of his or her professional work or other paid employment delivers health care, welfare, education, children's services, residential services or law enforcement wholly or partly to children under the age of 16 years
- (b) holds a management position in an organisation the duties of which include direct responsibility for or direct supervision of a person referred to in (a), and that person has reasonable grounds (that arise as a consequence of their employment) to suspect that a child is at risk of harm.

Since 1998, agencies have also been required to report allegations about or convictions for child abuse against a person doing work for the agency, together with information on the action being taken by the agency, to the New South Wales Ombudsman.

These statutory obligations are supplemented and supported by interagency guidelines detailing each agency's role, responsibilities and actions required in all aspects of child wellbeing and child protection intervention

The 'risk of harm' reporting threshold' was amended to 'risk of significant harm' from 24 January 2010, in accordance with the NSW *Keep Them Safe* reforms.

To align with this reporting threshold, NSW developed a Mandatory Reporter Guide (MRG) during 2009 with the US-based Children's Research Centre and a wide range of human services and justice agencies across the government and non-government sectors. From 24 January 2010 the interactive, online Mandatory Reporter Guide became available for mandatory reporters who are encouraged to use this resource to guide their decision making, such as whether or not to report a concern to the NSW Child Protection Helpline under the new risk of significant harm threshold.

Child Wellbeing Units set up in key government reporting agencies, such as Health, Education and Police, are now providing advice and assistance to their staff to respond earlier to child safety and wellbeing concern before making a report to Community Services.

Using the online interactive tool and following the completion of a series of questions, a Decision Report is produced for the reporter, clarifying the appropriate course of action and detailing the rationale for the decision from the user's responses to each question.

Victoria

In 1993, the Victorian Government proposed legislative changes to the *Children and Young Persons Act 1989*, which would mandate specific professional groups to notify suspected cases of child physical and sexual abuse. Doctors, nurses and police were mandated on 4 November 1993 to report child physical and sexual abuse. Primary and secondary school teachers and principals were mandated on 18 July 1994. Section 182 a–e of the *Children, Youth and Families Act 2005* lists the above professional groups as mandatory reporters.

Queensland

In Queensland, the following persons are mandated notifiers, required by law to report child protection concerns:

- An authorised officer, employee of the Department of Communities who is involved in administering the *Child Protection Act 1999*, or a person employed in a departmental care service or licensed care service who becomes aware of, or reasonably suspects harm to, a child in the care of a departmental care service or a licensee (s. 148, *Child Protection Act 1999*).
- Staff of the Commission for Children and Young People and Child Guardian (*Commission for Children and Young People and Child Guardian Act 2000*).
- A doctor or registered nurse who becomes aware, or reasonably suspects during the practice of his or her profession that a child has been, is being or is likely to be harmed (*Public Health Act 2005*, Part 3, Division 5).
- Family court personnel and counsellors who suspect child abuse (*Family Law Act 1975*).

Western Australia

Amendments to the *Children and Community Services Act 2004* that introduced the mandatory reporting of child sexual abuse by certain professionals in Western Australia came into effect on 1 January 2009. Under the new requirements, police officers, teachers, doctors, nurses and midwives are required to make a report to the Department for Child Protection if they form a belief, on reasonable grounds, in the course of their work that a child has been the subject of sexual abuse on or after 1 January 2009, or is the subject of ongoing sexual abuse.

Other mandatory reporting provisions in WA include: provisions in the *Western Australian Family Court Act 1997*, which require Court personnel, counsellors and mediators to report allegations or suspicions of child abuse in Family Court cases; and regulations under the *Child Care Services Act 2007*, which require licensed providers of child care, family day care, outside school hours family day care or outside school hours care services to report abuse that occurs in a child care service.

Western Australia also operates under agreed protocols between the Department of Health, Department for Child Protection and the Western Australia Police, which require the reporting of all incidents of sexually transmitted infections (STIs) in children under 14 years of age and in children between 14 and 16 years of age where it is believed the STI was acquired through abuse.

South Australia

Under the *Children's Protection Act 1993*, the following persons are required to notify the Department of Human Services (Family and Youth Services) when they suspect on reasonable grounds that a child is being abused or neglected: medical practitioners; nurses; dentists; pharmacists; psychologists; police officers; probation officers; social workers; ministers of religion; persons who are employees of or volunteers in an organisation formed for religious or spiritual purposes; teachers; family day care providers; and employees of, or volunteers in, government departments, agencies or local government or non-government organisations that provide health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children.

Tasmania

In Tasmania, the *Children, Young Persons and Their Families Act 1997* (CYPF Act) emphasises that everyone in the community has a responsibility to ensure children are safe and protected. Registered medical practitioners, nurses, dentists, police officers, psychologists, departmental employees within the *Police Regulation Act 1898*, probation officers, school principals and teachers, persons who manage child care services or provide child care for a fee or reward, and employees and volunteers in government agencies or government-funded agencies that provide health, welfare, education, or care wholly or partly for children are 'prescribed persons' under the CYPF Act and must report cases of child abuse or neglect to Child Protection Services.

During 2004–05, an amendment was made to the CYPF Act to extend the definition of abuse and neglect to include a child affected by family violence. Further amendments came into effect on 1 August 2009. These amendments permit prescribed persons to report concerns about the abuse or neglect of a child to Community-Based Intake Services as well as to Child Protection Services, and also allow these services to receive notifications in relation to pregnant women if the notifier believes there is a likelihood of abuse or neglect once the child is born.

Australian Capital Territory

Mandatory reporting was introduced on 1 June 1997. Section 356 of the *Children and Young People Act 2008* states that the following people are mandated reporters:

- (a) a doctor
- (b) a dentist
- (c) a nurse
- (d) an enrolled nurse
- (e) a midwife
- (f) a teacher at a school, this includes a teachers assistant or aide if the assistant or aide is in paid employment at the school
- (g) a person providing education to a child or young person who is registered or provisionally registered, for home education under the *Education Act 2004*

- (h) a police officer
- (i) a person employed to counsel children or young people at a school
- (j) a person caring for a child at a childcare centre
- (k) a person coordinating or monitoring home-based care for a family day care scheme proprietor
- (l) a public servant who, in the course of employment as a public servant, works with, or provides services personally to, children and young people or families
- (m) the public advocate
- (n) the official visitor
- (o) a person who, in the course of the person's employment, has contact with or provides services to children, young people and their families as is prescribed by regulation.

Northern Territory

It is mandatory for any person who reasonably believes a child has been or is likely to be harmed or exploited to notify Northern Territory Families and Children or a police officer.

The *Care and Protection of Children Act* provides legal protection against civil or criminal liability for people who make reports in good faith. The Act also makes it clear that making a report does not breach any requirements of confidentiality or professional ethics.

Amendments were made to Section 26 of the Act on 20 August 2009 to change the reporting obligations regarding sexual offences involving children.

These changes were made in response to community concerns that previous reporting requirements may have prevented some young people who were not at risk of harm or exploitation from accessing medical advice or treatment in relation to their sexual activity.

Under the new provisions, registered health practitioners have an additional responsibility to report to the Department or the police if they believe on reasonable grounds that a child aged 14 or 15 years has been or is likely to be a victim of a sexual offence and the age difference between the child and the sexual offender is greater than 2 years.

The amendments to the Act came into effect on 1 September 2009.

Appendix 4: Legislation

Child protection legislation

Commonwealth

Family Law Act 1975

New South Wales

Children and Young Persons (Care and Protection) Act 1998

Victoria

Children, Youth and Families Act 2005

Child Wellbeing and Safety Act 2005

Queensland

Child Protection Act 1999

Western Australia

Children and Community Services Act 2004

South Australia

Family and Community Services Act 1972

Children's Protection Act 1993

Tasmania

Children, Young Persons and Their Families Act 1997

Children, Young Persons and Their Families Amendment Act 2009

Australian Capital Territory

Children and Young People Act 2008

Northern Territory

Care and Protection of Children Act 2007

Legislative definition of ‘in need of care and protection’

For a child to be placed under an order, a court needs to determine whether the child is in need of care and/or protection. Each state and territory has legislation defining ‘in need of care and protection’.

New South Wales

In New South Wales, a child or young person may be found under section 71(1) of the *Children and Young Persons (Care and Protection) Act 1998* to be in need of care and protection for any reason including, without limitation, any of the following:

- i. where there is no parent available to care for the child or young person as a result of death or incapacity or for any other reason
- ii. the parents acknowledge that they have serious difficulties in caring for the child or young person and, as a consequence, the child or young person is in need of care and protection
- iii. the child or young person has been, or is likely to be, physically or sexually abused or ill-treated
- iv. subject to subsection (2), the child’s or young person’s basic physical, psychological or educational needs may not be met, or are likely not to be met, by his or her parents or primary care givers
- v. the child or young person is suffering, or is likely to suffer serious developmental impairment or serious psychological harm as a consequence of the domestic environment in which he or she is living
- vi. in the case of a child who is under the age of 14 years, the child has exhibited sexually abusive behaviours and an order of the Children’s Court is necessary to ensure his or her access to, or attendance at, an appropriate therapeutic service
- vii. the child or young person is subject to a care and protection order of another state or territory that is not being complied with
- viii. section 171(1) applies in respect of the child or young person.
- ix. in the case where the application for the order is made by filing a contract breach notice – any presumption arising from the operation of s.38E(4) that the child or young person is in need of care and protection has not been rebutted.

Section 170 (1A) states that If the Children’s Court makes a care order in relation to a reason not listed in subsection (1), the Court may only do so if the Director-General pleads the reason in the care application.

Section 170 (2) provides that the Children’s Court cannot conclude that the basic needs of a child or young person are likely not to be met only because of:

- (a) a parent's or primary care-giver's disability, or
- (b) poverty.

Victoria

In Victoria, section 162 of the *Children, Youth and Families Act 2005* indicates that a child is in need of protection if any of the following grounds exist:

Section 162

- (1)
 - (a) the child has been abandoned and after reasonable inquiries the parent(s) cannot be found, and no other suitable person can be found who is willing and able to care for the child
 - (b) the child's parent(s) are dead or incapacitated and there is no other suitable person willing and able to care for the child
 - (c) the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parent(s) have not protected, or are unlikely to protect, the child from harm of that type
 - (d) the child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type
 - (e) the child has suffered, or is likely to suffer, emotional or psychological harm of such kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged and the child's parent(s) have not protected, or are unlikely to protect, the child from harm of that type
 - (f) the child's physical development or health has been, or is likely to be, significantly harmed and the child's parent(s) have not provided, arranged or allowed the provision of, or are unlikely to provide, arrange, or allow the provision of, basic care or effective medical, surgical or other remedial care.
- (2) For the purposes of sub-sections (1)(c) to (1)(e), the harm may be constituted by a single act, omission or circumstance or accumulate through a series of continuing acts, omissions or circumstances.

Queensland

In Queensland, the *Child Protection Act 1999* defines a child 'in need of protection' as: a child who has suffered harm, is suffering harm, or is at unacceptable risk of suffering harm; and does not have a parent able and willing to protect the child from the harm.

'Parent' is defined broadly to include persons 'having or exercising parental responsibility for the child' and includes a person who, under Aboriginal or Torres Strait Islander tradition or custom, is regarded as a parent of the child.

A 'child' is an individual under 18 years of age.

'Harm' is defined as 'any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing'.

Western Australia

In Western Australia, *the Children and Community Services Act 2004* (S.28) defines a child is 'in need of protection' if:

- (a) the child has been abandoned by his or her parents and, after reasonable inquiries
 - (i) the parents cannot be found and
 - (ii) no suitable adult relative or other suitable adult can be found who is willing and able to care for the child
- (b) the child's parents are dead or incapacitated and, after reasonable inquiries, no suitable adult relative or other suitable adult can be found who is willing and able to care for the child;
- (c) the child has suffered, or is likely to suffer, harm as a result of any one or more of the following
 - (i) physical abuse
 - (ii) sexual abuse
 - (iii) emotional abuse
 - (iv) psychological abuse
 - (v) neglect,and the child's parents have not protected, or are unlikely or unable to protect, the child from harm, or further harm, of that kind or
- (d) the child has suffered, or is likely to suffer, harm as a result of
 - (i) the child's parents being unable to provide, or arrange the provision of, adequate care for the child or
 - (ii) the child's parents being unable to provide, or arrange the provision of, effective medical, therapeutic or other remedial treatment for the child.

South Australia

In South Australia, under the *Children's Protection Act 1993*, an application may be made to the Youth Court when the minister is of the opinion that:

- (a) the child is at risk and an order should be made to secure the child's care and protection
- (b) disruption of existing arrangements for the child would be likely to cause the child psychological injury and it would be in the best interest of the child for the arrangement to be the subject of a care and protection order.

For the purposes of the Act, a child is at risk if:

- (a) there is a significant risk that the child will suffer serious harm to his or her physical, psychological or emotional wellbeing against which he or she should have, but does not have, proper protection; or the child has been, or is being, abused or neglected
- (b) a person with whom the child resides (whether a guardian of the child or not)
 - (i) has threatened to kill or injure the child and there is a reasonable likelihood of the threat being carried out

- (ii) has killed, abused or neglected some other child or children and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person
- (c) the guardians of the child
 - (i) are unable to care for and protect the child, or are unable to exercise adequate supervision and control over the child
 - (ii) are unwilling to care for and protect the child, or are unwilling to exercise adequate supervision and control over the child
 - (iii) are dead, have abandoned the child, or cannot, after reasonable inquiry, be found
- (d) the child is of compulsory school age but has been persistently absent from school without satisfactory explanation of the absence
- (e) the child is under 15 years of age and of no fixed address.

The *Children's Protection Act 1993* also covers the practice of female genital mutilation. Under section 26A(1), female genital mutilation means:

- (a) clitoridectomy
- (b) excision of any other part of the female genital organs
- (c) a procedure to narrow or close the vaginal opening
- (d) any other mutilation of the female genital organs, but does not include a sexual reassignment procedure or a medical procedure that has a genuine therapeutic purpose.

Under section 26B(1), on the protection of children at risk of genital mutilation, if the court is satisfied that there are reasonable grounds to suspect that the child may be at risk of female genital mutilation, the court may make orders for the protection of the child – for example, preventing a person from taking the child from the state, or requiring that the child's passport be held by the court for a period specified in the order or until further order, or providing for periodic examination of the child to ensure that the child is not subject to female genital mutilation.

Part 5 of the *Children's Protection Act 1993* also states that family care meetings should be convened in respect of the child if the minister believes that a child is at risk and that arrangements should be made to secure the child's care and protection. The minister cannot make an application for an order granting custody of the child or placing the child under guardianship before a family care meeting has been held unless satisfied that:

- (a) it has not been possible to hold a meeting despite reasonable endeavours to do so
- (b) an order should be made without delay
- (c) the guardians of the child consent to the making of the application
- (d) there is another good reason to do so.

The department will consider taking court action for a care and protection order only when no other intervention can safely protect a child who is at risk by definition of the Act. There are powers which the Youth Court may exercise when it finds that a child is in need of care and protection.

New care and protection orders tend to be for no longer than 12 months, although a second or subsequent order can be granted to complete a reunification process. The child may then be placed under the guardianship of the minister or such other person or persons the court thinks appropriate, until 18 years of age. A new amendment to the Children's Protection Act encourages early decision making for children's long-term care:

Section 38 (2a) – If a child is to be placed in guardianship the Court must consider the importance of settled and stable living arrangements for the child and, as a general rule, a long term guardianship order is to be preferred to a series of temporary arrangements for the custody or guardianship of the child.

Tasmania

In Tasmania, the *Children, Young Persons and Their Families Act 1997* defines abuse or neglect as:

- (a) sexual abuse
- (b) physical or emotional injury or other abuse, or neglect, to the extent that
 - (i) the injured, abused or neglected person has suffered, or is likely to suffer, physical or psychological harm detrimental to the person's wellbeing
 - (ii) the injured, abused or neglected person's physical or psychological development is in jeopardy.

The Act provides the following definition of a child at risk:

- (a) the child has been, is being, or is likely to be, abused or neglected
- (b) any person with whom the child resides or who has frequent contact with the child (whether the person is or is not a guardian of the child):
 - (i) has threatened to kill or abuse or neglect the child and there is a reasonable likelihood of the threat being carried out
 - (ii) has killed or abused or neglected some other child or an adult and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person
- (c) the child is an affected child within the meaning of the *Family Violence Act 2004*.
- (d) the guardians of the child are:
 - (i) unable to maintain the child
 - (ii) unable to exercise adequate supervision and control over the child
 - (iii) unwilling to maintain the child
 - (iv) unwilling to exercise adequate supervision and control over the child
 - (v) dead, have abandoned the child or cannot be found after reasonable inquiry
 - (vi) are unwilling or unable to prevent the child from suffering abuse or neglect
- (e) the child is under 16 years of age and does not, without lawful excuse, attend school regularly.

Child and Family Services staff make a decision about whether a child is at risk through a process of gathering, confirming and analysing information, and using their expertise and, where necessary, that of other professional people.

The *Family Violence Act 2004* was proclaimed on 31 March 2005. The introduction of this legislation has significantly increased child protection notifications from Tasmania Police as it has amended the definition of a child at risk of abuse and neglect to include a child affected by family violence.

Australian Capital Territory

In the Australian Capital Territory, section 345 of the *Children and Young People Act 2008* states:

1. that a child is in need of care and protection if:
 - (a) the child or young person:
 - (i) has been abused or neglected
 - (ii) is being abused or neglected
 - (iii) is at risk of abuse or neglect and
 - (b) no-one with parental responsibility for the child or young person is willing and able to protect the child or young person from the abuse and neglect or the risk of abuse or neglect.
2. Without limiting subsection (1), a child or young person is in need of care and protection if:
 - (a) there is a serious or persistent conflict between the child or young person and the people with parental responsibility for him or her (other than the Chief Executive) to the extent that the care arrangements for the child or young person are, or are likely to be, seriously disrupted
 - (b) the people with parental responsibility for the child or young person are dead, have abandoned the child or young person or cannot be found after reasonable inquiry
 - (c) the people with parental responsibility for the child or young person are sexually or financially exploiting the child or young person or not willing and able to keep him or her from being sexually or financially exploited.

Abuse in relation to a child or young person means:

- (a) physical abuse
- (b) sexual abuse
- (c) emotional abuse (including psychological abuse) if the child or young person has experienced the abuse or is experiencing the abuse in a way that has caused or is causing significant harm to his or her wellbeing or development
- (d) emotional abuse (including psychological abuse) if:
 - (i) the child or young person has seen or heard the physical, sexual or psychological abuse of a person with whom the child or young person has a domestic relationship, the exposure to which has caused or is causing significant harm to the wellbeing or development of the child or young person
 - (ii) the child or young person has been put at risk of seeing or hearing abuse mentioned in subparagraph (i), the exposure to which would cause significant harm to the wellbeing or development of the child or young person.

Neglect of a child or a young person, means a failure to provide the child or young person with a necessity of life if the failure has been caused or is causing significant harm to the wellbeing or development of the child or young person.

Examples – Necessities of life: (1) food; (2) shelter (3) clothing (4) health-care treatment.

Northern Territory

In the Northern Territory, section 20 of the *Care and Protection of Children Act 2007* states that a child is in need of care and protection if:

- (a) the child has suffered or is likely to suffer harm or exploitation because of an act or omission of a parent of the child
- (b) the child is abandoned and no family member of the child is willing and able to care for the child
- (c) the parents of the child are dead or unable or unwilling to care for the child and no other family member of the child is able and willing to do so
- (d) the child is not under the control of any person and is engaged in conduct that causes or is likely to cause harm to the child or other persons.

For the purpose of Part 1.4 section 15 of the *Care and protection of Children Act 2007*:

- (1) Harm to a child is any significant detrimental effect caused by an act, omission or circumstance on:
 - (a) the physical, psychological or emotional wellbeing of the child
 - (b) the physical, psychological or emotional development of the child.
- (2) Without limiting subsection (1), harm can be caused by the following:
 - (a) physical, psychological or emotional abuse or neglect of the child
 - (b) sexual abuse or other sexual exploitation of the child
 - (c) exposure of the child to physical violence.

Example – A child witnessing violence between the child's parents at home.

Under Part 1.4 section 16 of the *Care and Protection of Children Act 2007*:

- (1) Exploitation of a child includes sexual and any other forms of exploitation of the child.
- (2) Without limiting subsection (1), sexual exploitation of a child includes:
 - (a) sexual abuse of the child
 - (b) involving the child as a participant or spectator in any of the following:
 - (i) an act of a sexual nature
 - (ii) prostitution
 - (iii) a pornographic performance.

Appendix 5: Policy and practice differences in states and territories

Notifications, investigations and substantiations

Although there are differences between states and territories that affect the comparability of the data on children on care and protection orders and children in out-of-home care, the differences between jurisdictions are greatest in relation to child protection notifications, investigations and substantiations.

One of the main differences between jurisdictions is in the policy frameworks used by states and territories in relation to notifications. In some jurisdictions, such as New South Wales, reports to the department relating to abuse by a stranger may be classified as a notification, but in other jurisdictions they are not.

- In New South Wales, all reports classified as ‘child protection’ reports are categorised and are assessed and screened to determine whether or not they reach the ‘risk of significant harm’ threshold to determine the appropriate action and response priority timeframe.
- In Victoria, the definition of a ‘notification’ is very broad and includes some reports that may not be classified as a notification in other jurisdictions. With the enactment of the *Children, Youth and Families Act 2005* in Victoria in April 2007, this process changed to receipt of a ‘report’ which will then be classified into a child wellbeing report or a protective intervention report.
- Queensland and South Australia screen reports and can refer cases to other agencies or provide family support services if it is assessed that a child protection investigation is not required to protect a child from abuse or neglect. This approach, which is referred to as a differential response, relies on voluntary participation from families. It seeks to address lower-level needs and risks without the need for families to enter or further enter into the statutory child protection system.
- The above is also true for Western Australia, except for mandatory reports of child sexual abuse, which are classified as child protection notifications without prior screening.
- In 2002, the Australian Capital Territory screened reports in a similar manner to South Australia and Queensland, but in 2003 the definition was changed to incorporate all contacts regarding concerns for children as child protection reports. With the introduction of the *Children and Young People Act 2008*, notifications continue to include child concerns and child protection reports.

Care and protection orders

There are large variations across states and territories in the types of care and protection orders that can be issued. Some of the major differences between jurisdictions, and recent changes to care and protection orders within jurisdictions, are outlined below:

Finalised guardianship and custody orders

- In Western Australia, the *Children and Community Services Act 2004* enables the Children's Court to make four types of protection orders according to the needs and circumstances of the child or young person: Protection Order (supervision), Protection Order (time limited), Protection Order (until 18 years) and Protection Order (enduring parental responsibility). This system has been in place since 1 March 2006.
- With the introduction of the *Children and Community Services Act 2004*, on March 1, 2006, the concept of 'guardianship' was replaced with 'parental responsibility', which refers to all the duties, powers, responsibilities and authority, which, by law, parents have in relation to children. Protection orders (time limited) and protection orders (until 18 years) confer parental responsibility on the Chief Executive Officer (CEO) of the Department for Child Protection, and protection orders (enduring parental responsibility) confer parental responsibility on a third party.
- In Western Australia, this category also includes unaccompanied humanitarian minors whose guardianship is delegated to the Department for Child Protection by the Commonwealth. The CEO of the Department for Child Protection has parental responsibility (guardianship/custody) for these children.
- Under new legislation introduced in New South Wales, these types of orders relate to 'parental responsibility' rather than 'guardianship' and can be issued to individuals as well as to an officer of the state.
- For Queensland, this category includes finalised child protection orders where custody or guardianship of the child has been granted to the Chief Executive on a temporary or long-term basis.
- In Tasmania, guardianship and custody orders place children under the guardianship or custody of either the Secretary or a person or persons approved by a court. This category includes children under the guardianship of the Secretary or their delegate, children who have moved to Tasmania while on an order made in another state or territory, and children on a custody order where the custodian is the CEO of a non-government organisation or the Secretary of the Department.
- Under the new legislation in the Northern Territory (*Care and Protection of Children Act 2007*), these types of orders refer to 'parental responsibility' rather than 'guardianship' and can be issued to a specified person.
- In the Australian Capital Territory under the *Children and Young People Act 2008*, these types of orders are also refer to as 'parental responsibility' orders and can be issued to the Chief Executive solely, shared between the Chief Executive and other parties or can be issued to individuals on a long term basis.

Finalised third-party parental responsibility orders

- Orders that grant permanent guardianship and custody of a child to a third party are issued only in some jurisdictions and, depending on the level of involvement of the Department, may or may not be recorded in the data. In Victoria, the Permanent Care Order was introduced in 1996-97 and is included in this data collection in the category 'guardianship and custody orders'. Western Australia, Queensland and South Australia are the other jurisdictions that are able to report children on orders where guardianship and custody (or parental responsibility) is permanently transferred to a third party.

- In Western Australia and in the Australian Capital Territory, in the case of a protection order (enduring parental responsibility) a person other than the CEO of the Department for Child Protection (and other than the child's parents) is named as the person who has parental responsibility for the child until they reach 18 years.
- Previously, the information system used in Tasmania did not provide for children to be recorded under a third-party parental responsibility arrangement. Children under the guardianship or custody of a person or persons approved by a court who is not the Secretary or the child's parents were included under 'guardianship or custody orders'. However, August 2010 saw the implementation of the new version of the information system, which does identify third-party parental responsibility arrangements, and will allow for future reporting on this measure.
- In the Northern Territory, third-party parental responsibility orders are not counted because they are not recorded as such.

Finalised supervisory orders

- Data on supervisory and other finalised orders are not available from New South Wales.
- For Queensland, this category includes final orders requiring the Chief Executive to supervise matters, direct parents actions regarding the child's protection or a parent not to have contact with the child.
- In Western Australia, the protection order (supervision) enables the Department for Child Protection to provide supervision of the wellbeing of the child for a specified period of time, not exceeding 2 years. A protection order (supervision) does not affect the parental responsibility of any person, in relation to the child, except to the extent necessary to give effect to the order.
- In Tasmania and South Australia, children on orders that require them or their guardian to meet specified conditions for a period not greater than 12 months are included in this category.
- In the Australian Capital Territory, a supervision order places the child or young person for the period stated in the order under the supervision of the Chief Executive and allows Care and Protection Services to monitor and supervise the health and wellbeing of that child or young person during that period.

Interim and temporary orders

- For Queensland, this category includes all interim orders made on the adjournment of a proceeding for a child protection order or a court assessment order.
- In Western Australia, this category includes all pending Protection Applications for children, regardless of what type of order is sought, whether the child is in the Department's provisional protection and care or whether the Court has made an interim order.
- In Tasmania, this category covers children who require a response while a substantive order is being processed. This includes children who have been named in a requirement, a warrant, or an order such as an assessment order, interim assessment order, or interim care and protection order.

- In the Australian Capital Territory, an interim order is issued when an application for a care and protection order for the child or young person has been made to the court but not finally decided, and the court believes on reasonable grounds that the child or young person is in need of care and protection or would be in need of care and protection if the interim care and protection order was not made.

Administrative arrangements

- In Tasmania, this category includes children under a voluntary care agreement between the guardian of the child and the Secretary for a period of up to 3 months and longer by extension.
- South Australia also includes children in this category who are placed under a voluntary custody agreement between the guardian of the child and the Minister, for a period of up to 3 months. This agreement may be extended, but only for a further period of 3 months.
- This category is also applicable for voluntary care agreements in the ACT where parental responsibility is shared between the parent/guardian of the child and the Chief Executive for a period of up to 6 months within any 12 month period. The voluntary agreement can be extended for a longer period if the young person is 15 or over.

Out-of-home care

Out-of-home care and court orders

Children can be placed in out-of-home care voluntarily or through some type of court order. Such orders include care and protection orders, including formal administrative arrangements, and other legal orders such as juvenile justice orders (see Chapter 5). There is considerable variety between the jurisdictions:

- In New South Wales, Victoria, Western Australia, South Australia, Tasmania and the Australian Capital Territory, children in out-of-home care can be placed on a range of different orders or authorities.
- In Queensland, where the family voluntarily agrees to departmental intervention, an intervention with parental agreement case may be opened, rather than the department making an application to the Children's Court for a protective order.
- In Western Australia from 1 March 2006, children in out-of-home care may either be subject to a court order or placed pursuant to some other form of authority under the *Children and Community Services Act 2004*, such as a negotiated placement agreement for short-term family support reasons, or the child may be in receipt of a placement service as a general social service provided to the child.
- In South Australia and the Northern Territory, all children in out-of-home care were on a court order or some other form of legal authority.

Although a child may be in out-of-home care in conjunction with being on an order, the order does not necessarily specify where the child must reside or that the child be placed in care.

Other state and territory differences

There are some differences between the states and territories in the scope and coverage of out-of-home care data. For example, the data from Victoria include children on permanent care orders, because this state makes an ongoing payment for the care of these children.

Appendix 6: Recent state and territory policy changes

This section outlines the major child protection policy changes that have occurred in recent years. The various child protection authorities in the states and territories have provided this information. Legislation relating to specific jurisdictions is listed in Appendix 4.

New South Wales

In March 2009, the Premier of NSW and the Minister for Community Services announced a detailed package of reforms to the NSW child protection system. *Keep Them Safe: A Shared Approach to Child Wellbeing* (KTS) sets out a 5-year plan to improve the safety and wellbeing of children and young people. It was developed in response to the Report of Special Commission of Inquiry into Child Protection Services in NSW (Wood 2008) and outlines the Government's response to each of the 111 recommendations. KTS sets out a new direction to dramatically change the way children and families are supported and protected in NSW. The NSW Government has committed an additional \$750 million over the next 5 years to implement the actions in KTS.

The Special Commission of Inquiry recommended that the threshold for both mandatory and voluntary reporting to Community Services be raised to 'risk of significant harm' so that only those children who are likely to need the intervention and protection powers of the state under the *Children and Young Persons (Care and Protection) Act 1998* are subject to it being exercised. This means that concerns about children will be addressed earlier and the right services put in place to meet their needs. *Keep Them Safe* adopted the recommendation and the legislative changes came into effect on 24 January 2010.

Over the next 5 years, Community Services will be progressively implementing a suite of reforms across early intervention, child protection and out-of-home care in partnership with other government agencies and the non-government sector.

In 2009–10, the NSW Government invested \$1.5 billion in community services to support parents, children and families across NSW, including \$96 million for *Keep Them Safe*.

The NSW Government believes a greater focus on prevention and early intervention is essential in reducing the number of reports of children at risk. KTS sets out new or expanded services to enable more families to receive support, including extending the *Brighter Futures* early intervention program to support vulnerable families with children aged 0–8 years by providing access to a range of services such as child care, case management, parenting programs and home visits. As a result of recommendations in *Keep Them Safe*, the NSW Government has allocated growth funding to the non-government sector to create an additional 200 places for families in the *Brighter Futures* program over the next 4 years.

During 2008–09, the *Brighter Futures* program was delivered in partnership with 14 non-government agencies known as Lead Agencies. Community Services and NSW Health entered into a partnership arrangement to expand NSW Health's Aboriginal Maternal and Infant Health Strategy (AMIHS) services and link it with the *Brighter Futures* program. AMIHS is a community-based maternity service that involves a midwife and an Aboriginal Health Worker or Aboriginal Education Officer working in partnership to provide culturally appropriate care to pregnant Aboriginal women, new mothers and their babies in a safe

environment. The partnership between local AMIHS and *Brighter Futures* program teams links Aboriginal children and families more effectively with appropriate prevention and early intervention services.

Under *Keep Them Safe*, the Government will enhance the role of the non-government sector in the delivery of out-of-home care. In response to the higher risk of poor educational achievement for children and young people in out-of-home care, coordinators have been established to assist in the implementation of individual education plans for this group. Comprehensive health and development assessments will also be provided and commenced in the first 30 days of a child entering care. Improved support for foster, relative and kinship carers will be introduced and the Government will work with Aboriginal communities and organisations to support communities to address the unacceptable over-representation of Aboriginal children in the child protection system.

New *Child Wellbeing and Child Protection – NSW Interagency Guidelines*, are also being published in stages to replace the 2006 *Interagency Guidelines for Child Protection Intervention*. The new Guidelines are available on <www.keepthemsafe.gov.au>. The Guidelines focus on the shared community responsibility for child wellbeing and child protection intervention, and detail agency's roles and responsibilities.

Victoria

Victoria's legislative foundation is provided by the *Child Wellbeing and Safety Act 2005* (which is the framework legislation for services for all children) and the *Children, Youth and Families Act 2005*. The new legislation, which commenced operation in April 2007, provides a unifying framework for:

- family and placement services delivered by community service organisations
- child protection services delivered by the Department of Human Services
- decision making by the Children's Court.

The Act provides the necessary legal foundations for Victoria's 'every child every chance' reforms, which create an integrated system of child protection, placement and family services focused on vulnerable children's safety, health, learning, wellbeing and development. The Act explicitly places children's best interests at the heart of all decision making and service delivery. The legislation was amended in 2009 to extend the scope of Child Death Inquiries and to provide for the Minister to refer other matters of concern to the Child Safety Commissioner for review.

The Department of Human Services is working closely with community service organisations and Aboriginal services to strengthen support services for vulnerable families. Strong focus is given to keeping Aboriginal children connected to their culture and community. Cultural advice is provided to child protection workers by Aboriginal organisations for significant decisions concerning Aboriginal children. A cultural plan program has been funded and Aboriginal organisations are taking greater responsibility for kinship care and case management of out-of-home care placements. The Department is currently in the process of working with Aboriginal organisations to develop the policy framework and service capacity to enable the transfer of responsibility for Aboriginal children subject to court orders from the Secretary to the principal officer of an Aboriginal organisation under section 18 of the Act.

Significant additional funds were provided in September 2009 to child protection and community services to increase service system capacity. An additional 101 child protection

workers, team leaders and case support staff were funded. Funds were also provided to increase Child FIRST capacity, fund new Early Childhood Development Workers in Child FIRST and enable the case management of kinship care cases by community services. Two new Principal Practitioners were also funded to further strengthen trauma informed, therapeutic approaches to the care of vulnerable children and young people. A specialist intervention team designed to support Regions address operational challenges and improve business practices has been established.

Although front end child protection demand has exhibited some growth in recent years, the enhanced availability of diversionary services, especially through referrals to Child FIRST, has meant that the number of children entering out-of-home care has been falling.

As part of a separate package, further ongoing government funding has also been provided in 2009–10 to progress reform of the out-of-home care system.

New policy directions, Directions for Out-of-Home Care (Victorian Government Department of Human Services 2009) outlined seven key reform directions focused on strengthening family capacity, redesigning care services and delivering better outcomes for children placed in out-of-home care. The new funds will build additional placement capacity providing a broader range of placement options while working to orient the system of care to deliver trauma informed therapeutic responses to children and young people. Four new family coaching pilots have also been developed as part of strengthening family capacity, to support, where safety can be assured, earlier reunification of children in out-of-home care and prevention of children entering out-of-home care.

Child protection and placement services have been the subject of Ombudsman Victoria inquiries during 2009-10, and a number of operational improvements are being made in response to the recommendations from those inquiries.

Stronger quality assurance and improvement processes are being embedded in the service system. An independently chaired Child Protection Practice Standards and Compliance Committee has been established

Machinery of government changes introduced in August 2009 resulted in the creation of a new Department of Human Services, bringing together child protection, youth justice and housing services and so enabling an exclusive focus on providing services to vulnerable members of the community. The new department has also established a separate Service Delivery and Performance Division to oversee service delivery performance.

Child protection practitioners are being further supported in their practice by the development of the Best Interests Case Practice Model and improved specialist practice resources such as the well regarded Child Development and Trauma Guide.

The Victorian Law Reform Commission has undertaken a review of the operation of the Children's Court of Victoria Family Division to provide Government with a range of options for reform to minimise disputation and maintain a focus on the best interests of children.

Victoria is a signatory to the COAG-endorsed *National Framework*. A range of work is underway to support the actions described in this framework.

Queensland

In 2009–10, the Queensland Government allocated \$55 million over 4 years to the Helping Out Families initiative to provide appropriate early support to vulnerable families who have

been referred to child safety services, but do not require ongoing tertiary intervention. The initiative includes:

- increased family support services
- enhanced domestic and family violence services
- an increased health home visiting program for children aged 0–3 years and
- improved child safety regional intake processes to support practice changes and increase capacity to meet demand.

Supporting vulnerable families early gives them a better chance to function appropriately and provide their children the opportunity to thrive within the family environment. The initiative also assists in stemming families' progression into the more intrusive and costly tertiary child protection system.

A significant challenge the Queensland Government continues to face is the over-representation of Indigenous children and their families in the child protection system.

For this reason, the Queensland Government has refocused its child protection investment in Indigenous child protection services. The refocus includes \$7.9 million, increasing to \$8.5 million, for new early intervention and Indigenous family support programs to help address the risks and challenges for Aboriginal and Torres Strait Islander families early on, thereby reducing the risk and number of Indigenous children needing to be removed from their home.

A further \$7.9 million, increasing to \$8.5 million, has been allocated for Recognised Entity services, which play a valuable statutory role in ensuring the department makes the best decisions possible for Indigenous children, including appropriate placement choices for those needing out-of-home care.

The Queensland Government is also investing more than \$45 million over 4 years to establish Safe House Services in 11 Indigenous communities to keep children and young people safe and connected to their culture and kin.

When complete, these facilities will deliver up to 66 additional placements for Indigenous children, coupled with vital family support services in remote Indigenous communities, which should see better outcomes for children.

Following the Machinery of Government changes of March 2009, the broader Department of Communities now includes the former departments of Communities, Child Safety, Housing and Disability Services Queensland plus Sport and Recreation, the Office of Women and the Indigenous Government Coordination Office.

This amalgamation has enabled the Queensland Government to progress its 'no wrong door' approach to client service delivery. This is a 5-year program of work to improve systems and processes to enable client-centred, accessible and coordinated services. The approach will connect clients to the right mix and level of services, including those offered by non-government organisations and other providers.

The Top 100 Priority Clients project was the first significant project to be completed. It was designed to get regional staff working together in new ways around their clients' range of needs. By learning more about how other service areas could contribute, staff were able to help clients make real and positive changes in their lives, such as moving into stable accommodation, going back to school or other education, gaining life skills such as cooking and budgeting, finding work and re-connecting with their families and communities.

Western Australia

In 2009–2010, the Department for Child Protection continued to build organisational capacity, deliver marked improvements in critical child protection performance, embed reforms in practice and culture and work towards becoming a learning organisation.

The majority of the 34 reform projects have been completed, with a few due for completion by December 2010. Outcomes that have been achieved include:

- strengthened interagency coordination and collaboration through:
 - establishment of the Child Safety Directors' Group
 - ongoing review and development of Memoranda of Understanding / Working Together Kits with key government agencies to improve referral process, service provision and information sharing
 - development of the *Rapid Response Framework* to prioritise government responses to children in care
 - implementation of health and education plans for children in care
 - development and dissemination of information sharing guide
 - multi-agency early intervention for at-risk pregnant women
 - implementation of police and child protection co-location model across the state to address family and domestic violence.
- implementation of the mandatory reporting of child sexual abuse from 1 January 2009.
- development of the *Foster Care Partnership Policy* to optimise opportunities for children in care.
- a 5-year workforce plan that articulates future workforce demand requirements; attraction and retention strategies; role and position redesign and realignments against qualifications and parity; and enhanced quality assurance systems.
- development of the *Secondary Family Support - State Plan 2010-2013* to establish a state-wide network of high quality, integrated services that support children, individuals and families to address the risks and crises that they experience.
- improved capacity to meet current and future demands through:
 - demand modelling to resource the Department on an ongoing basis and more effective resource allocation to districts to meet operational needs
 - development of a costing model for consistent benchmarking of out-of-home care services provided by the Department and its funded services.

The *Signs of Safety* assessment and planning framework continued to be integrated across all aspects of service delivery. This has included the appointment of a number of staff as practice leader facilitators and training and support available to over 100 staff to become practice leaders. In April 2008, *Signs of Safety* was embedded as a pilot project at the core of the Interagency Pre-birth Protocol for collaborative and inclusive practices in pre-birth planning meetings initially developed by the DCP and the King Edward Memorial Hospital for women: the state's only tertiary maternity and gynaecological hospital. An evaluation of the pilot has identified significant successes in pre-birth planning including better outcomes for participants, early intervention as needed and more comprehensive medical, social and legal services. This model is currently being adopted across the state through memoranda of understanding with relevant health providers. The *Signs of Safety* approach has also been integrated into a pilot of pre-adjudication conferencing as part of protection and care

proceedings in the WA Children's Court, involving families that had participated in the pre-birth planning process. Through this approach, the DCP and Legal Aid WA work with families in a collaborative and inclusive manner to address protection concerns.

As a result of the Ford Report's findings, the Department for Child Protection has implemented a range of measures to improve outcomes for children in the Chief Executive Officer's (CEO's) care:

- The Department for Child Protection is working collaboratively with the Departments of Health and Education and Training to further implement health and education assessments and plans for children in the CEO's care.
- The number of out-of-home care placements being provided by the non-government sector in family group homes (tier one) has been increased to 60 places, with a further 12 places opening this year.
- The Department's residential care services are being restructured into three tiers of service delivery to respond to the different levels of need in children. Legislative amendments to enable the introduction of the third tier facility for secure care are currently before the state parliament in the *Children and Community Services Amendment Bill 2010*.
- In February 2009, the Department launched a major foster carer recruitment campaign. The centrepiece of the campaign was a television advertisement, which ran for 3 months to 30 June 2009 then again in October 2009. To March 2010, the campaign prompted 2063 enquiries, resulting in 111 new registered general foster carers.
- The Department has increased activity in recruitment of carers in associated recruitment drives, focusing on local recruitment in regional areas.
- The recruitment campaigns and the registration of a greater number of foster carers, along with the expansion and reform of residential care services, are expected to ease the pressure for quality care placements.
- The Foster Carer Partnership Framework and Policy was launched March 2009, following extensive foster carer involvement and consultation. The framework and policy highlight the critical role of foster carers as part of the care and protection team. The *Children and Community Services Act 2004* underpins the partnership policy requirement to involve carers in care planning for children.
- The Department has developed an innovative respite care program, which supports carers in providing respite while also meeting the needs of children in care for continuity and normal home life. The program is the first of its kind in Australia and combines weekend and holiday respite camps, day activities and specialised respite carers. It has been particularly successful in meeting the needs of Indigenous children in care of relative carers.
- Since the Ford Review, the Department has significantly improved the learning opportunities offered to relative and general foster carers, with a range of flexible learning options focused on the interests and needs of carers.

Finally, in response to the many children experiencing multiple placements while in the care of the CEO of the Department, a new policy on permanency planning has been implemented to ensure an approach to care planning that will maximise achievement of stability and a sense of permanency for children and young people who are in the care of the CEO. Legislative amendments to guide the policy and enable the introduction of special guardianship orders are currently before state parliament.

South Australia

South Australia's *Keeping Them Safe* reform program is built on the premise of a shared responsibility across government and the whole community to ensure that all children are safe from harm and that, as far as practicable, all children are cared for in a way that allows them to reach their full potential.

Partnerships between government agencies and key non-government agencies have been a foundation for implementing the reform program. On this basis, an across-government information sharing guideline is in the process of implementation. This will allow all government agencies and key non-government agencies who work with vulnerable families, children and young people to share information when they believe that adverse outcomes can be predicted over time unless service provision is coordinated.

Amendments to the *Children's Protection Act 1993*, assented to in December 2009 gave effect to the state government's response to various recommendations of the *Commission of Inquiry (Children in State Care) report* and further strengthened South Australia's child safe environment legislation. The amended provisions: provide additional protection for mandated notifiers; ensure appropriate mechanisms are available to respond when a young person makes a disclosure of sexual abuse; explicitly recognise the independence of the Guardian for Children and Young People; strengthened the role, functions and powers of the Guardian for Children and Young People and the Health and Community Services Complaints Commissioner; and introduced additional mechanisms to promote the participation of children and young people in care in decision making.

The amendments will also ensure much stronger protection for children when they are accessing services in the community by establishing a requirement that certain government and non-government organisations conduct criminal history assessments for people working with or around children, and lodge a statement with the Department for Families and Communities outlining their child safe environment policies and procedures.

During 2009-10, other examples highlighting the importance of cross-agency partnerships included:

- collaboration with the Department of Education and Children's Services in the establishment of Children's Centres, with the centres including services for vulnerable children, young people and their families. This has been supported by the appointment of Family Services Coordinators whose role is to focus on vulnerable children, young people and their families to help them access the centres and receive support services.
- implementation of the *Stronger Families, Safer Children Program*, which aims to strengthen families who are at risk of having their children placed into out-of-home care. This program has three components: targeted early intervention, intensive placement prevention and reunification services. These services are provided by non-government agencies based in metropolitan and rural areas.
- The Department for Families and Communities and the Department of Education and Children's Services (DECS) developed an operational protocol to address chronic school non-attendance. Chronic school non-attendance is an indicator that a child may be at high risk of harm where there is no current knowledge of the child's wellbeing. When school non-attendance is assessed as a potential child protection issue, staff from DECS and Families SA will co-visit the family of the child concerned.
- The Department for Families and Communities developed the Directions for Alternative Care in South Australia 2010–2013 in an endeavour to move the alternative care sector

forward with a shared vision and purpose. The Directions builds on the work already occurring to increase placement options for children and young people in care and will address both the immediate and future demand on the South Australian alternative care sector.

A *Charter of Rights for Children and Young People in Care* has been developed and implemented by the Guardian for Children and Young People.

Tasmania

Tasmania has been reforming its child protection system since November 2006, following the release of the *Report on Child Protection Services in Tasmania*. During 2009-10, there have been major structural, legislative, and policy reforms which reflect the actions identified in the *National Framework for Protecting Australia's Children*. Underpinning the reforms is the recognised benefits achieved for children through earlier intervention and support for vulnerable families.

The passage of the *Children, Young Persons and Their Families Amendment Act 2009* provided the legal foundations to integrate child, youth and family services and increased collaboration between government and non-government organisations in the delivery of services. Legislative amendments have allowed for: the establishment of Community-Based Intake Services (Gateway Services); improved information sharing relevant to the best interests of a child; improved non-government and statutory services' response to prenatal concerns; increased options for permanent care arrangements; and created an advocate for young people in custody within the Commissioner for Children's Office. Additional amendments to the *Children, Young Persons and Their Families Act 1997* are planned for 2010-11.

In August 2009, the Gateway Services and Integrated Family Support Services (IFSS) commenced operation, increasing community access to resources and providing intensive outreach support to vulnerable and at risk families. The funded organisations offer region-specific services and advice regarding family support. The Early Years Parenting Support Program was established in January 2010, and offers preventative, early intervention and intensive therapeutic services for vulnerable parents and their children between the ages of 0 and 5 years. Funding has been allocated for the program to act as an adjunct to the Gateway Services and have both pre- and ante-natal engagement with chemically dependent women, very young women and people with mental health issues.

In addition to early intervention, Tasmania is also committed to aiding the recovery of children who exhibit trauma and attachment issues. The Australian Childhood Foundation has been funded to provide ongoing specialist therapeutic intervention for children and young people who are on, or at risk of being placed on, child protection orders. This has led to the establishment of the state-wide Child Trauma Centre, which aims to stabilise the effects of trauma, support recovery and ensure protection from further abuse. The focus of the service is to provide clinical assessments and interventions that enable children and young people to be cared for more appropriately.

The year 2009-10 also saw residential care services transition from being provided by the Department, to being run by approved non-government organisations who have interstate experience in the provision of therapeutic residential care. Key features of this reform are the development of structured placement plans for children in care, as well as recruitment of qualified carers who are able to provide therapeutic services to address the social, emotional and developmental needs of the young people in care. The Australian Childhood Foundation

will provide additional mentoring and support to staff as required. The handover will occur in September 2010, and the additional out-of-home Care services of foster and kinship care will continue to be outsourced during the coming year. The Department will also work to link grandparents who care for their grandchildren into the broader family support infrastructure that has been established in Tasmania.

The *Youth at Risk* strategy aims to provide targeted, coordinated and integrated approaches to supporting better outcomes for young people who face many challenges during adolescence. With state-wide funding for non-government organisations, young people aged 10 to 18 deemed at risk of entry into, or further involvement with, child protection or youth justice service systems will be linked in with case management and therapeutic interventions. Service delivery was due for commencement in August 2010.

Within the statutory child protection services, this past year has also seen further developments to the Child Protection Practice Manual, providing procedural and practice resource to enable Child Protection Workers to achieve high-quality and consistent professional practice. Sustained effort has streamlined the information technology supporting the core business of Child Protection Services, strengthening communication between key stakeholders.

Australian Capital Territory

Through 2009–2010, the Office for Children Youth and Family Support consolidated the implementation of new legislation with ongoing training. Care and Protection Service's policies and procedures continue to be reviewed and developed to enhance service delivery. Changes to practice and initiatives introduced in 2009-10 included:

- commencement in November 2009 of a case conferencing pilot. The case conferencing model focuses on assessment, planning and support for child protection clients and improving participation of children and young people in decision making. Partner agencies have participated well and responded positively to requests for their involvement. The pilot was successful and has now been introduced into core business.
- implementation of a systematic audit process to review compliance and quality processes. This is an ongoing program. To date, audits of completion of annual reviews, urinalysis testing, cultural plans and care plans have been implemented.
- implementation of the ACT Charter of Rights for Children and Young People in Out-of-Home Care in November 2009. All children in out-of-home care and foster and kinship carers have been provided with information about the charter.
- a further roll out of a Common Assessment Framework to government and non-government agencies to enable accurate and standardised information gathering for families who need support and/or are at risk of entering the statutory Care and Protection System.
- a continued focus on the needs of vulnerable families with systems being put in place for families who are at risk of coming into the care and protection system to ensure a response is provided in a timely manner
- a focus on the impact of neglect on children and young people
- procurement of new model of out-of-home care service delivery

- commencement of the building of a third Child and Family Centre, which will have a focus on appropriate provision of services for the Aboriginal and Torres Strait Islander community and enable more outreach services to be provided.

Practice continues to be guided by:

- a quality assurance framework
- a supervision framework, which focuses on professional development and engagement with children, families and other agencies
- a case management framework to improve and integrate service delivery across agency.

The ACT continues to participate in related national initiatives, including:

- the development of the National Framework for Protecting Australia's Children
- the Indigenous Early Childhood Development National Partnership
- National Early Childhood Development Strategy and quality reforms.

Work continued on a number of priorities to improve outcomes for young people involved in the youth justice system in 2009-10 including:

- further development of a policy and procedures manual to promote continuity in case management and practice between community and custody areas of youth justice
- completing professional training and implementation of an evidence-based risk assessment tool, which will play an important role in diverting identified 'low risk' young people away from youth justice intervention and assist in the development of a case management plan for those placed on a community based orders
- continued development of data systems in order to meet current and future data reporting requirements.

Northern Territory

Northern Territory Families and Children's (NTFC) child protection operations were significantly enhanced in 2009-10, in response to further increases in demand in the Northern Territory's child protection system.

Amendments to Section 26 of the *Care and Protection of Children Act 2007* came into effect on 1 September 2009 and impose a legal responsibility on every person in the Northern Territory to report child abuse and neglect and cases where children have been, or are likely to be, a victim of a sexual offence.

These changes were made in response to community concerns that previous reporting requirements may have prevented some young people who were not at risk of harm or exploitation from accessing medical advice or treatment in relation to their sexual activity.

Achievements in child protection operations included the announcement of funding for an additional 76 child protection staff, expansion of the Child Abuse Taskforce, and the upgrading of the Community Care Information System to improve functionality. Other key systems improvements included the development of a partnership with the Children's Research Centre in the United States to implement a suite of structured decision making tools in the Northern Territory, and completion of a review of the Central Intake Service and substantial progress in implementing the resulting findings.

Given the significant over-representation of Aboriginal children in the Northern Territory's child protection system, partnerships were further developed with three Aboriginal organisations – the Central Australian Aboriginal Congress in Alice Springs, Larrakia Nation in Darwin and Wurili Wurlingjang in Katherine – to establish targeted family support services delivered via the non government sector with out-posted NTFC child protection staff.

A key partnership with the Department of Justice's Community Justice Centre saw the commencement of the Northern Territory's first Family Group Conferencing service in Alice Springs, funded through the Transforming Alice Springs program.

In 2009-10, 66 external service providers were funded over \$34 million to deliver services to assist individuals and families to minimise harm, strengthen capacity and achieve wellbeing and independence. This included services for youth, victims of sexual assault, family and domestic violence, people who are homeless or at risk of homelessness, as well as individuals or families experiencing a financial or other crisis.

An Interdepartmental Child Protection Policy and Planning Group has been established to support the protection of children in the Northern Territory from harm and exploitation.

In November 2009, an independent inquiry was established by the Northern Territory Government to investigate and report on the NT's child protection system.

In launching the inquiry, the Government acknowledged that the system had faced significant challenges and that measures were needed to alleviate mounting pressures. This report was released in October 2010.

Appendix 7: Jurisdictions' data systems

Key differences between jurisdictions' data systems

Notifications, investigations and substantiations

Abuse in care

Cases of alleged abuse in care are included in the data for the number of notifications, investigations and substantiations for New South Wales, Western Australia, Tasmania, the Australian Capital Territory and the Northern Territory. The standard reporting of cases of alleged abuse in care only formally commenced in Tasmania in December 2005. In Victoria and South Australia, cases of alleged abuse in care are not included in the data. In Queensland, cases of abuse in care where there is custody or guardianship to the Director-General are not reported in the count of notifications, investigations and substantiations from March 2007, but recorded separately as Matters of Concern.

No suitable caregiver

In some cases where the department responsible for child protection conducts an investigation, they may record an outcome of 'no suitable caregiver' (that is, no suitable parent or other legal guardian). This can include situations where a child's parent(s) have died, been incapacitated due to illness/injury or are otherwise unavailable (for example, due to being imprisoned).

All jurisdictions, except the Northern Territory, include cases of 'no suitable caregiver' in the data for notifications. However, the subsequent reporting of these cases differs, for example:

- Victoria, South Australia, and Tasmania report these cases as substantiated neglect. In Western Australia, all cases of 'no suitable caregiver' are recorded in the 'dealt with by other means' category, as are deceased parents in the Australian Capital Territory.
- In the Northern Territory, cases of 'no suitable caregiver' are not part of the child protection intake system – they are streamed directly into substitute care.
- In Queensland, cases of 'no suitable caregiver' are reported as substantiated neglect if no other harm type was identified in the intake system.

Relevant changes in data systems

New South Wales

In October 2003, a new client information system was introduced in New South Wales and only limited information was available for 2003–04 reporting. In 2004–05, NSW resumed comprehensive reporting for child protection, out-of-home care, and care and protection orders. In conjunction with the new system, an information quality and revised reporting

framework was established, resulting in significant improvements to the coverage and quality of information. For this reason, data for NSW for 2004–05 onwards are not directly comparable to information published in previous years.

The NSW Government's 5-year *Keep Them Safe* reform program effectively went live on 24 January 2010, with the proclamation of legislation to introduce a series of key reforms. The legislation sets a new mandatory reporting threshold: risk of significant harm. Other major changes to the child protection system in NSW aim to share the responsibility for the safety and wellbeing of children across the government and non-government sector, allowing Community Services caseworkers to concentrate on the most serious cases. Indications are that they are beginning to address the high level of reporting to the 24-hour Child Protection Helpline.

In accordance with the *NSW Keep Them Safe* reforms, the data reported for part of 2009–10 reflect legislative changes to the *NSW Children and Young Persons (Care and Protection) Act 1998*, proclaimed on 24 January 2010. This includes raising the reporting threshold from 'risk of harm' to the new 'risk of significant harm'. Data are not comparable to previous years.

Victoria

During 2006–07, Victoria introduced a major new data system, which was rolled out across the state in mid-2008. In parallel, the *Children, Youth and Families Act 2005*, which commenced in April 2007, introduced new service pathways and processes in Victorian child protection and family services to support earlier intervention and prevention for vulnerable children and their families. Due to these new service and data reporting arrangements, the Victorian child protection data for 2006–07 onwards may not be fully comparable with data from previous years.

Queensland

In Queensland, the number of notifications decreased in 2005–06 because of a change in recording practice. From March 2005, reports responded to by way of protective advice are recorded as a child concern report rather than a notification. All notifications now require an investigation response.

Further changes in recording practice were introduced in Queensland in March 2007 with the introduction of the Integrated Client Management System (ICMS). 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. Prior to the introduction of the ICMS, any new child protection concerns received by the department were recorded as an additional notification. This change in recording practice has had the effect of decreasing the number of notifications recorded in Queensland.

In addition, matters of concern (reports of alleged abuse in care) that result in a notification and/or substantiation are reported separately from 2007–08 in recognition that they relate to children who are in out-of-home care and in the custody or guardianship of the chief executive.

Western Australia

In Western Australia, the *Children and Community Services Act 2004* was implemented in March 2006. The department changed its statistical reporting of child protection work in 2006–07 whereby a referral of ‘concern for a child’s wellbeing’ is counted as a ‘child protection notification’. This has had no effect on policy or case practice, as all referrals are assessed to determine the most appropriate response to ensure the safety and wellbeing of children (that is, the Department has maintained its differential response model). Prior to this, only referrals that were deemed to require an investigation were counted as notifications in national reporting.

Due in part to counting rules such as reporting the outcome of investigations as at 31 August, national reporting normally uses a data snapshot taken in early September to report information from the previous financial year or the immediately preceding 30 June. In March 2010, Western Australia implemented a new client information system; however, the delivery of the associated reporting data warehouse has been delayed. The latest available data is from a March snapshot of data from Western Australia’s previous reporting data warehouse and this data has been used as a proxy for the requested data.

The Western Australian data in this report are therefore from census dates or reporting periods, which are 6 months earlier than what is required for each data table. That is, tables that ask for data as at 30 June 2010 have been populated by data as at 31 December 2009 as extracted from the March 2010 snapshot. Tables that ask for financial year data have been populated by data of the first calendar year of each financial year reporting period; for example, 2009 calendar year data as at March 2010 has been provided instead of 2009–10 data as at September 2010.

South Australia

During 2009–10, South Australia successfully implemented the first stage of a project to replace its Client Information System. The new Connected Client Case Management System has been incrementally implemented across the state to record client and case management responses for child protection and youth justice clients. Changes to recording practices, implemented with the introduction of the new system, has had the effect of decreasing the number of child protection notifications recorded in South Australia.

Tasmania

During 2007–08, Tasmania successfully implemented the first stage of a project to replace its existing information system. The new Child Protection Information System (CPIS) consisted of a single, centrally administered database to store, manage and provide state-wide access to child protection information. The completion of stage one delivered improved support for intake and assessment functions. At approximately the same time, Tasmania decentralised its intake service and introduced changes to the process for recording notifications. With the implementation of CPIS, only the initial contact was counted as a notification and contacts received in relation to an open case of abuse or neglect were recorded as case notes.

During 2008–09 Tasmania tested stage two of its replacement information system, and this was implemented on 29 August 2010. The new version of the CPIS database improves upon the data system’s functionality, and streamlines support for the intake, assessment, case management, and out-of-home care functions of child protection.

Australian Capital Territory

In the Australian Capital Territory, the introduction of a differential response system has resulted in a reduction in the number of reports recorded as investigations. Children and young people receiving a differential response are recorded as receiving support rather than being appraised (investigated) and are provided with a range of support strategies, which may include ongoing contact with the Department for a limited time on a voluntary basis.

Appendix 8: Inquiries into child protection services

Various inquiries into child protection services have been conducted in a number of jurisdictions in the past few years. These include:

- *Report of the Special Commission of Inquiry into Child Protection Services in NSW* November, 2008
- *Care and support: final report on child protection services* (Standing Committee on Social Issues 2002) – New South Wales
- *Our best investment: a state plan to protect and advance the interests of children* (Layton 2003) – South Australia
- *Report of the Commission of inquiry into the abuse of children in Queensland institutions* (Commission of Inquiry into Abuse of Children in Queensland 1999) and *Protecting children: an inquiry into the abuse of children in foster care* (Crime and Misconduct Commission 2004) – Queensland
- *Putting the picture together: inquiry into response by government agencies to complaints of family violence and child abuse in Aboriginal communities* (Gordon et al. 2002) – Western Australia
- *Review of the Department for Community Development* (Ford 2007) – Western Australia
- *The Territory as a parent: a review of the safety of children in care in the ACT and of ACT child protection management* (Commissioner for Public Administration 2004a) and *The Territory's children: ensuring safety and quality care for children and young people. Report on the audit and case review* (Commissioner for Public Administration 2004b) – Australian Capital Territory
- *Report on child protection services in Tasmania* (Jacob & Fanning 2006) – Tasmania.
- *Commission of Inquiry: Children in State Care* Hon. E.P. Mullighan QC (Mullighan 2008a)
- *Children on APY Lands Commission of Inquiry* Hon. E.P. Mullighan QC (Mullighan 2008b)
- *The Inquiry into the Child Protection System in the Northern Territory 2010* (Northern Territory Government 2010). The Inquiry was announced by the then Minister for Child Protection, the Hon. Malarndirri McCarthy, on 11 November 2009 and the Board of Inquiry was appointed by the Chief Minister, the Hon Paul Henderson, on 9 December 2009. This broad ranging public Inquiry will review the child protection system and make recommendations on ways to strengthen and improve it. This report was released in October 2010.

These inquiries generate much media interest, both locally and nationally, which heightens public interest, reinforces the need to protect children, and may in turn affect on the willingness of the general public to report suspected instances of child abuse. They also have the potential of making an impact on the reported data, because departments often respond to these inquiries by introducing new, or modifying existing, policies and practices.

Glossary

General definitions

Child protection and support services

Refers to those departments in each state and territory that are responsible for child protection matters. See the Acknowledgments for a list of the relevant departments.

Indigenous status

Indigenous

Includes children of Aboriginal or Torres Strait Island descent who are identified as an Aboriginal or Torres Strait Islander.

Non-Indigenous

Includes children who have not been identified as being of Aboriginal or Torres Strait Islander descent; this excludes children of unknown Indigenous status.

Unknown

Includes children of unknown Indigenous status.

Definitions for child protection notifications, investigations and substantiations

Age of child

Unless otherwise specified, age refers to age at the time of notification. Age is shown in completed years, or as 'unborn' for those in utero and 'less than 1 year' where age is between live birth and less than 1 year.

Child protection notification

Child protection notifications consist of contacts made to an authorised department by persons or other bodies making allegations of child abuse or neglect, child maltreatment or harm to a child. Notifications should not include reports regarding wider concerns about a child or family, which are classified as child concern reports, as outlined above.

A notification can only involve one child. Where it is claimed that two children have been abused or neglected or harmed, this is counted as two notifications, even if the children are from one family. Where there is more than one notification about the same 'event', this should be counted as only one notification. Where there is more than one notification between 1 July 2009 and 30 June 2010, but relating to different events (for instance, a different type of abuse or neglect or a different person believed responsible), these should be counted as separate notifications.

Family of residence

This item refers to the family type in which a child is residing at the time of notification of child abuse or neglect. If the type of family of the child is collected at the time of investigation, or at some time other than at notification, then this should be clearly footnoted by data providers. The family type of a child is classified into eight main categories:

(a) Two parent—natural

This category includes all two parent families where both parents are either the biological or adoptive parents of the child.

(b) Two parent—step or blended

This category includes blended and reconstituted families (one biological parent and one step parent).

(c) Single parent—female

This category includes all families with a female single parent. The parent may be the biological, step or adoptive parent.

(d) Single parent—male

This category includes all families with a male single parent. The parent may be the biological, step or adoptive parent.

(e) Other relatives/kin

Includes relatives other than those referred to above. Also includes Indigenous kinship arrangements.

(f) Foster care

This category includes situations in which a child is living with foster parent(s) who are offered a foster allowance from a government or non-government organisation for the care of a child (excluding children in family group homes). There are varying degrees of reimbursement made to foster carers.

(g) Other

This category includes all those not mentioned above. It includes non-family situations, such as hostels and institutional accommodation.

(h) Not stated

This category is used when the family in which a child lives is not recorded or is unknown.

Investigation outcome

The following categories are used:

(a) Finalised investigation

A finalised investigation is a notification received between 1 July 2009 and 30 June 2010 which was investigated and the investigation was completed and an outcome of substantiated or not substantiated recorded by 31 August 2010.

Finalised investigations are broken down into the following two categories:

Substantiated

A finalised investigation is classified as 'substantiated' where there is reasonable cause to believe that the child has been, is being or is likely to be, abused or 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, or is to be, provided.

Not-Substantiated

A finalised investigation is classified in this category where an investigation has concluded that there is no reasonable cause to suspect prior, current or future abuse or neglect or harm to the child.

(b) Investigation closed—no outcome possible

An investigation that is closed with no outcome possible is a notification made between 1 July 2009 and 30 June 2010 which was investigated, but where the investigation was not able to be finalised in order to reach the outcome of substantiated or not substantiated. These files would be closed for administrative purposes. This may happen, for example, in cases where the family have relocated. These investigations would be completed between 1 July 2009 and 30 June 2010.

(c) Investigation in process

An investigation that is in process is a notification received between 1 July 2009 and 30 June 2010 which was investigated, but where the investigation was not completed and an investigation outcome was not recorded by 31 August 2010.

Source of notification

The source of a notification is the person who, or organisation which, initially made a child protection notification to the relevant authority. The source is classified according to the relationship to the child allegedly abused or neglected or harmed.

The source of notification is categorised as follows:

(a) Parent/guardian

A natural or substitute parent, spouse of a natural parent, adoptive parent or spouse of an adoptive parent or any other person who has an ongoing legal responsibility for the care and protection of a child.

(b) Sibling

A natural (i.e. biological), adopted, foster, step-brother or half-brother or sister.

(c) Other relative

This category includes a grandparent, aunt, uncle or cousin. The relationship can be full, half or step, or through adoption, and can be traced through, or to, a person whose parents were not married to each other at the time of his or her birth. This category also includes members of Indigenous communities who are accepted by that community as being related to the child.

(d) Friend/neighbour

An unrelated person or acquaintance who is known to, or lives in close proximity to, the subject child or their family, or to the person believed responsible for the abuse or neglect.

(e) Medical practitioner

This category includes only registered medical practitioners. This includes both general practitioners and specialists in hospitals or in the community.

(f) Other health personnel

Any person engaged in supplementary, paramedical and/or ancillary medical services. This includes nurses, infant welfare sisters, dentists, radiographers, physiotherapists, pharmacists etc. It does not include social workers and non-medical hospital/health centre personnel.

(g) Hospital/health centre personnel

Any person not elsewhere classified who is employed at a public or private hospital or other health centre or clinic.

(h) Social worker/welfare worker/psychologist/other trained welfare worker

Any person engaged in providing a social or welfare work service in the community.

(i) School personnel

Any appropriately trained person involved in the instruction or imparting of knowledge to children or providing direct support for this education. This includes teachers, teachers' aides, school principals and counsellors who work in preschool, kindergarten, primary, secondary, technical, sporting or art and crafts education.

(j) Child care personnel

Any person engaged in providing occasional, part-time or full-time day care for children.

(k) Police

Any member of a Commonwealth, state or territory law enforcement agency.

(l) Departmental officer

Any person, not classified above, who is employed by a state or territory community services department.

(m) Non-government organisation

Any non-government organisation not classified above which provides services to the community on a non-profit-making basis.

(n) Anonymous

This category covers all those notifications received from a person who does not give his or her name.

(o) Other

All other persons or organisations not classified above (e.g. ministers of religion or government agencies and instrumentalities not classified above).

(p) Not stated

This category includes all reports that are received from an unknown source.

Substantiation of a notification received during the year

Substantiations of notifications received during the current reporting year refer to child protection notifications made to relevant authorities during the year ended 30 June 2010, which were investigated and the investigation was finalised by 31 August 2010, and it was concluded that there was reasonable cause to believe that the child had been, was being or was likely to be abused or neglected or otherwise harmed. Substantiations may also include cases where there is no suitable caregiver, such as children who have been abandoned or whose parents are deceased.

Type of abuse or neglect

Substantiations are classified into four categories: physical abuse, sexual abuse, emotional abuse and neglect. Where more than one type of abuse or neglect or harm has occurred, the substantiation should be 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.

(a) Physical abuse

Any non-accidental physical act inflicted upon a child by a person having the care of a child.

(b) Sexual abuse

Any act by a person having the care of the child which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards.

(c) Emotional abuse

Any act by a person having the care of a child that results in the child suffering any kind of significant emotional deprivation or trauma.

(d) Neglect

Any serious omissions or commissions by a person having the care of a child which, within the bounds of cultural tradition, constitute a failure to provide conditions which are essential for the healthy, physical and emotional development of a child.

Type of action (for child protection notifications)

(a) Investigation

An investigation is the process whereby the community services department seeks to obtain more detailed information about a child who is the subject of a notification and makes an assessment about the harm or degree of harm to the child and their protective needs. An investigation includes the interviewing or sighting of the subject child where it is practicable to do so.

Investigations to be included in this data collection relate to notifications of a child aged less than 18 years of age made to an authorised department between 1 July 2009 and 30 June 2010, which were subsequently investigated.

(b) Dealt with by other means

This includes two sub-categories outlined below.

(i) Notifications in process–Notifications where the decision to investigate has not been reached

(ii) Notifications resolved without investigation–Notifications that were responded to by means other than an investigation - example: provision of advice or referral to services.

Definitions for care and protection orders

Age of child

Age is the age of a person in completed years. The tables containing information on type of living arrangements show age at 30 June 2010; tables containing information on admissions or discharges show age at the time of first admission or discharge.

Child subject to orders

This covers any child on an order or other formal arrangement. The scope comprises children aged 0–17 years on the following care and protection orders/arrangements (or children aged 18 years or under who were discharged from those care and protection orders/arrangements):

- finalised guardianship or custody orders
- finalised third-party parental responsibility
- finalised supervisory orders
- interim and temporary orders
- administrative arrangements.

Children should be counted in the state or territory where the order is operative, regardless of where the child is residing.

The following are excluded from the collection:

- children on offence orders unless they are also on a care and protection order (as defined above).
- administrative and voluntary arrangements with the community services department which do not have the effect of transferring custody or guardianship.

Types of care and protection orders

The definitions for the national care and protection order type categories were refined for the 2009–10 National Child Protection Data Collection. Guardianship or custody, third-party parental responsibility and supervisory order categories include only finalised orders.

Finalised guardianship or custody orders

Involve the transfer of legal guardianship to the relevant state or territory department or non-government agency. These orders involve considerable intervention in the child's life and that of their family, and are sought only as a last resort. Guardianship orders convey responsibility for the welfare of the child to the guardian (for example, regarding the child's education, health, religion, accommodation and financial matters). They do not necessarily grant the right to the daily care and control of the child, or the right to make decisions about the daily care and control of the child, which are granted under custody orders.

Custody orders generally refer to orders that place children in the custody of the state or territory, or department responsible for child protection or non-government agency. These orders usually involve the child protection department being responsible for the daily care and requirements of the child, while the parent retains legal guardianship. Custody alone does not bestow any responsibility regarding the long-term welfare of the child.

Finalised third-party parental responsibility

Transfer all duties, powers, responsibilities and authority parents are entitled to by law, to a nominated person(s) considered appropriate by the court. The nominated person may be an individual such as a relative or an officer of the state or territory department. Third-party parental responsibility may be ordered in the event that a parent is unable to care for a child, and as such parental responsibility is transferred to a relative. 'Permanent care orders' are an example of a third-party parental responsibility order and involve the transfer of guardianship to a third-party carer. It can also be applied to the achievement of a stable arrangement under a long-term guardianship order to 18 years without guardianships being transferred to a third party. These orders are only applicable in some jurisdictions.

Finalised supervisory orders

Give the department responsible for child protection some responsibility for a child's welfare. Under these orders, the department supervises and/or directs the level and type of care that is to be provided to the child. Children under supervisory orders are generally under the responsibility of their parents and the guardianship or custody of the child is unaffected.

Finalised supervisory orders are therefore less interventionist than finalised guardianship or custody orders, but require the child's parent or guardian to meet specified conditions, such as medical care of the child.

Interim and temporary orders

Generally cover the provisions of a limited period of supervision and/or placement of a child. Parental responsibility under these orders may reside with the parents or with the department responsible for child protection. Unfinalised orders (such as applications to the court for care and protection orders) are also included in this category, unless another finalised order is in place.

Administrative arrangements

Agreements with the child protection departments, which have the same effect as a court order of transferring custody or guardianship. These arrangements can also allow a child to be placed in out-of-home care without going through the courts.

Living arrangements

The type of care in which a child spent the night of 30 June 2010 (except those on authorised absence or outing who should be counted according to their usual type of living arrangement).

The categories are:

(a) Residential care

Where the placement is in a residential building whose purpose is to provide placements for children and where there are paid staff

(b) Family group homes

Provide care to children in a departmentally or community sector agency provided home. These homes have live-in, non-salaried carers who are reimbursed and/or subsidised for the provision of care.

(c) Home-based out-of-home care

Where placement is in the home of a carer who is reimbursed (or who has been offered but declined reimbursement) for the cost of care of the child including:

(i) relatives or kin who are reimbursed (other than parents) by the state/territory for the care of the child(

ii) foster care – Where the caregiver is authorised and reimbursed (or was offered but declined reimbursement) by the state/territory for the care of the child (excludes relatives/kin who are reimbursed). There are varying degrees of reimbursement made to foster carers.

(iii) other home-based care out-of-home care.

(d) Family care—including:

(i) parents – (natural or adoptive)

(ii) relatives or kin who are NOT reimbursed (other than parents).

(e) Independent living

Including private board and lead tenant households.

(f) Other living arrangements

Including living arrangements that don't fit into the above categories and unknown living arrangements. The other category also includes any placements made in disability services, psychiatric services, juvenile justice facilities, SAAP and over-night child-care services, boarding schools, hospitals, hotels/motels and defence force. These living arrangements may have rostered and/or paid staff, and are generally not a home-like environment.

Definitions for out-of-home care

Age of child

The age of a child in completed years. For children in 'out-of-home care' at 30 June 2010, age is given at that date. For children admitted to care during the year, age is counted at the time of the first admission for the year.

Respite care

Out-of-home care provided on a temporary basis for reasons other than for child protection reasons, such as when parents are ill or unable to care for the child on a short-term basis. Does not include emergency care provided to children who have been removed from their homes for protective reasons.

Type of placement

Placement type is divided into the following categories:

(a) Residential care

Where placement is in a residential building whose purpose is to provide placements for children and where there are paid staff.

(b) Family group homes

Provide care to children in a departmentally or community sector agency provided home. These homes have live-in, non-salaried carers who are reimbursed and/or subsidised for the provision of care.

(c) Home-based care

Where placement is in the home of a carer who is reimbursed (or who has been offered but declined reimbursement) for expenses for the care of the child. This is broken down into the three subcategories:

(i) relative/kinship care—includes family members (other than parents) or a person well known to the child and/or family (based on a pre-existing relationship) who is reimbursed (or who has been offered but declined reimbursement) by the state/ territory for the care of the child.

(ii) foster care—where the care is authorised and carers are reimbursed (or were offered but declined reimbursement) by the state/territory and supported by an approved agency. There are varying degrees of reimbursement made to foster carers.

(iii) other—home-based care that does not fall into either of the above two categories.

(d) Independent living

Including private board and lead tenant households.

(e) Other

Includes placements that do not fit into the above categories and unknown living arrangements. This includes boarding schools, hospitals, hotels/motels and defence force.

Respite care is a form of out-of-home care that is used to provide short-term accommodation for children whose parents are ill or unable to care for them on a temporary basis. Not all jurisdictions can identify which children in out-of-home care are in respite care. Children may also be placed in respite care while being placed with a foster carer.

Definitions for foster carers

Child

A child is defined as a person aged 0–17 years.

Foster carer household

Foster carers provide out-of-home overnight care for a child living apart from their natural or adoptive parent(s).

A 'foster carer household' is a private household containing one or more foster carers:

- who have undergone the relevant screening/selection and approval process
- who have received authorisation from the relevant department or agency to enable a child to be placed in their care
- for whom reimbursement is available from the state or territory government for expenses incurred in caring for the child (there are varying degrees of reimbursement made to foster carers)
- who are part of an ongoing review process.

Definitions for intensive family support services

Age

Age is the age of a person in completed years. Age is calculated at the commencement of the service.

Agency

The agency is the body funded by state and territory community service departments to provide the service.

Indigenous

A person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community with which he or she lives.

Intensive family support services

Services which aim to prevent imminent separation of children from their primary caregivers because of child protection concerns, and those services which aim to reunify families where separation has already occurred. This section specifically relates to family support services that are defined as being intensive in nature which excludes other forms of treatment and

support services. To be included in the intensive family support services data collection, services must meet all of the following criteria:

- provided explicitly to work to prevent separation or to reunify families
- comprised of a range of services, making up part of an integrated strategy focusing on improving family functioning and skills, rather than just one type of service such as emergency or respite care
- intensive in nature, averaging at least 4 hours of service provision per week for a specified short-term period (usually less than 6 months).

Generally, referrals will come from the statutory agency and will have been identified through the child protection process. Most cases will have been the subject of a child protection substantiation.

Living situation

The following categories are to be used to classify living situation of the child/ren in the family at the time of case commencement:

(a) family care

(i) child/ren living with parent(s)

(ii) child/ren living with other relatives/kin who are not reimbursed by the state for their care.

(b) out-of-home care

Out-of-home overnight care where the state makes a financial payment or where a financial payment has been offered but has been declined by the carer. This includes placements with relatives or kin (other than parents) who are reimbursed (or who have been offered but declined reimbursement) by the state/territory for the care of the child, foster care and residential care.

(c) child/ren in formal shared care

Where a case plan exists for children to live in family care and to have regular planned periods in out-of-home care.

(d) other

Includes living situations that do not fit into the above categories and unknown living arrangements.

Location

The location refers to the site at which the intensive family support service workers are based. If an agency has more than one location, each location must be counted. For example, if Barnados in New South Wales was funded to provide services in Sydney and Newcastle, this would be counted as two locations.

Geographic area

- (a) Capital city – refers to state or territory capital city.
- (b) Other urban – refers to cities and towns other than the capital city.
- (c) Rural or remote – refers to those areas outside the cities and towns.

Type of service

- (a) Prevention services – those services specifically aimed at assisting families in order to prevent imminent separation of children from their primary caregivers for child protection reasons.
- (b) Reunification services – services that seek to reunify families where separation of children from their primary caregivers has already occurred for child protection reasons.
- (c) Combination – include both prevention and reunification services.

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List of tables

Table 1.1:	Children in substantiations of maltreatment, Australia, United Kingdom, Netherlands, Israel, United States and Canada (number per 1,000 children).....	8
Table 2.1:	Notifications, by type of action, states and territories, 2009–10.....	15
Table 2.2:	Number of notifications, states and territories, 2004–05 to 2009–10	16
Table 2.3:	Investigations, by source of notification, states and territories, 2009–10 (per cent).....	18
Table 2.4:	Number of substantiations of notifications received during the relevant year, states and territories, 2004–05 to 2009–10	19
Table 2.5:	Number of notifications, substantiations of notifications and number of children who were the subject of a notification and/or substantiation of a notification, 2009–10, states and territories.....	23
Table 2.6:	Children aged 0–17 years in substantiations of notifications received 2009–10, by age, states and territories (number per 1,000 children)	25
Table 2.7:	Children who were the subject of a substantiation of a notification received during 2009–10, by type of abuse or neglect, states and territories (per cent).....	26
Table 2.8:	Rates of children 0–17 years who were the subject of substantiation of a notification received during the relevant year, states and territories, 2004–05 to 2009–10 (number per 1,000 children).....	27
Table 2.9:	Children aged 0–17 years who were the subjects of substantiations of notifications received during 2009–10, by Indigenous status, states and territories (number and number per 1,000 children)	28
Table 3.1:	Care and protection orders issued, by type of order, states and territories, 2009–10	33
Table 3.2:	Children admitted to, and discharged from, care and protection orders, states and territories, 2009–10.....	34
Table 3.3:	Children discharged from care and protection orders, by length of time on an order, states and territories, 2009–10	36
Table 3.4:	Children admitted to care and protection orders, states and territories, 2004–05 to 2009–10	37
Table 3.5:	Children on care and protection orders, by type of order, states and territories, 30 June 2010.....	38
Table 3.6:	Children on care and protection orders, by living arrangements, states and territories, 30 June 2010	41
Table 3.7:	Trends in children on care and protection orders, states and territories, 30 June 2005 to 30 June 2010	42
Table 3.8:	Children on care and protection orders, by number and number per 1,000 children aged 0–17 years and Indigenous status, states and territories, 30 June 2010	43
Table 4.1:	Trends in the number of children admitted to out-of-home care, states and territories, 2004–05 to 2009–10.....	46
Table 4.2:	Children admitted to out-of-home care, by age group, states and territories, 2009–10	47

Table 4.3:	Children discharged from out-of-home care, by age group, states and territories, 2009–10	48
Table 4.4:	Children in out-of-home care, by type of placement, states and territories, 30 June 2010	49
Table 4.5:	Children in out-of-home care, order status, states and territories, 30 June 2010.....	51
Table 4.6:	Children in out-of-home care, by length of time in continuous placement, states and territories, 30 June 2010.....	52
Table 4.7:	Trends in children aged 0–17 years in out-of-home care, states and territories, 30 June 2005 to 30 June 2010	54
Table 4.8:	Children in out-of-home care, by number and number per 1,000 children aged 0–17 years and Indigenous status, states and territories, 30 June 2010.....	55
Table 5.1:	Number of foster carer households with a placement, at 30 June 2010 and during 2009–10	58
Table 5.2:	Number of households commencing and exiting foster care, 2009–10	59
Table 5.3:	Foster carer households with a placement at 30 June 2010, by number of foster children placed	60
Table 6.1:	Number of children aged 0–17 years commencing intensive family support services, by age at commencement of service, states and territories, 2009–10.....	64
Table 6.2:	Children commencing intensive family support services, by living arrangements at commencement of service, states and territories, 2009–10	66
Table A1.1:	Outcomes of finalised investigations, states and territories, 2009–10.....	67
Table A1.2:	Substantiations of notifications received during 2009–10, by type of abuse or neglect, states and territories	68
Table A1.3:	Children in substantiations of notifications received during 2009–10, by type of abuse or neglect and sex, states and territories.....	69
Table A1.4:	Children in substantiations of notifications received during 2009–10, by age and Indigenous status, states and territories	71
Table A1.5:	Children aged 0–17 years who were the subject of a substantiation of a notification received during 2009–10, by type of abuse or neglect and Indigenous status, states and territories	72
Table A1.6:	Number of investigations, by source of notification, states and territories, 2009–10	74
Table A1.7:	Substantiations of notifications received during 2009–10, by type of family in which the child was residing, states and territories	75
Table A1.8:	Children admitted to care and protection orders, by age, states and territories, 2009–10 (number and per cent)	76
Table A1.9:	Children substantiated in 2008–09 and subsequently placed on care and protection orders within 12 months, states and territories.....	77
Table A1.10:	Children on care and protection orders, by sex, states and territories, 30 June 2010	77
Table A1.11:	Children on care and protection orders, by age, states and territories, 30 June 2010	78
Table A1.12:	Children on care and protection orders, by age and living arrangements, 30 June 2010	79

Table A1.13: Children on care and protection orders, by type of order and Indigenous status, states and territories, 30 June 2010.....	80
Table A1.14: Children in out-of-home care, by age, states and territories, 30 June 2010	82
Table A1.15: Children in out-of-home care, by sex, states and territories, 30 June 2010.....	83
Table A1.16: Children in out-of-home care, by age and type of placement, 30 June 2010.....	84
Table A1.17: Aboriginal and Torres Strait Islander children in out-of-home care, by Indigenous status and relationship of carer, states and territories, 30 June 2010.....	85
Table A1.18: Population of children aged 0–17 years, by age and Indigenous status, December 2009	86
Table A1.19: Population of children aged 0–17 years, by age and Indigenous status, March 2010	87
Table A1.20: Population of all children aged 0–17 years, by age, March 2010	88
Table A1.21: Population of all children aged 0–17 years, by age, December 2009.....	88

List of figures

- Figure 1.1: The child protection process in Australia2
- Figure 1.2: National framework governance7
- Figure 2.1: Outcomes of finalised investigations, states and territories, 2009–10..... 17
- Figure 2.2: Substantiations of notifications received during 2009–10, by type of abuse or neglect, states and territories 21
- Figure 2.3: Substantiations of notifications received during 2009–10, by type of family in which the child was residing, states and territories 22
- Figure 2.4: Children in substantiations of notifications received during 2009-10, by type of abuse or neglect and sex..... 24
- Figure 3.1: Children admitted to care and protection orders, by age, states and territories, 2009–10 35
- Figure 3.2: Children on care and protection orders, by age, states and territories, 30 June 2010 39
- Figure 3.3: Children on care and protection orders, by living arrangements, states and territories, 30 June 2010 40
- Figure 4.1: Children in out-of-home care, by living arrangements, states and territories, 30 June 2010..... 50
- Figure 4.2: Aboriginal and Torres Strait Islander children in out-of-home care, states and territories, 30 June 2010 56
- Figure 5.1: Foster carer households with a placement at 30 June 2010, by number of foster children placed 61
- Figure 6.1: Children commencing intensive family support services, by living arrangements at commencement of service, states and territories, 2009–10 65