Comparability of child protection data

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Comparability of child protection data

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Preface

The Comparability of Child Protection Data Project was commissioned by the Australian Institute of Health and Welfare (AIHW) on behalf of the National Child Protection and Support Services Data Group (NCPASS), which is a sub-group of the National Community Services Information Management Group (NCSIMG). The aim of the project was to map the similarities and differences in child protection data across jurisdictions and to make proposals for moving towards greater comparability of these data. The project was conducted by Rosemary Cant and Rick Downie of Social Systems and Evaluation. It commenced in August 1998 and was completed in April 1999 with the finalising of this report. NCPASS members subsequently conducted consultations in their respective jurisdictions, with executive staff responsible for child protection policy and information, on the recommendations contained in the report. Responses from personnel in the various jurisdictions were considered at an NCPASS meeting in July 1999 and a set of responses to the recommendations of the 'Comparability of Child Protection Data' report drawn up for presentation to the NCSIMG at its meeting on 3 September 1999. Part 1 of this publication contains the 'Comparability of Child Protection Data' report, which was written by Rosemary Cant and Rick Downie of Social Systems and Evaluation. The NCPASS report to the NCSIMG regarding the recommendations of the 'Comparability of Child Protection Data' report is contained in Part 2 of this publication.

Part 1
Comparability of child protection data

Report commissioned by National Child Protection and Support Services Data Group

Executive summary

In Australia, child protection is a State and Territory responsibility carried out by the respective community services departments. National data on the child protection activities of departments are collated by the Australian Institute of Health and Welfare (AIHW) and published annually as the Child Welfare Series. Currently national child protection data comprise:

- child abuse and neglect notifications, investigations and substantiations;
- children on care and protection orders; and
- children in supported out-of-home overnight care.

Those familiar with the national data collection have been concerned for some time about the comparability of child protection data across Australia. As a result the National Child Protection and Support Services (NCPASS) Data Group commissioned this study to explore in detail the comparability across the States and Territories of child abuse and neglect data and of care and protection orders data. Comparability of national data is critical to the benchmarking of service outputs, outcomes and key performance indicators. It is also crucial in national reporting on child protection services.

The Comparability of Child Protection Data Project used a combination of document analysis and interviews with key personnel to examine the comparability of child protection data Australia-wide.

Child protection

The authors found that there were significant differences across Australia in how child protection matters are defined and that these differences impact on comparability. However, once a matter has been defined as child protection, the way in which States and Territories respond is similar.

Underlying differences

Different child protection legislation, policy and philosophies

There is no clear definition about what constitutes child abuse and neglect in Australia. Child protection systems in each State and Territory operate under different legislation, policies and philosophies. These differences inevitably influence how departments use terms like 'abuse', 'notification' and 'substantiation'.

What is child protection and what is not?

In recent years the definition of child abuse and neglect has broadened considerably with the growth in professional and public awareness about harm to children and, in Australia as well as overseas, it has gradually come to be replaced by the term 'child protection'. However, concern has been expressed in the literature that this broadening of the definition

has drawn more children and families into the net, exposing them to child protection investigations without necessarily increasing service provision to address their needs.

The decision by some States to specifically target their child protection responses to address maltreatment of children is one response to this situation. These States address other concerns about children under response categories like 'family support' or 'child and family concern'. As a result there is now an obvious difference between States as to what is included under 'child protection' services. Those States that differentiate their responses to concerns about children by targeting child protection responses to address maltreatment differ from those who do not. The former classify far fewer cases as child protection and consequently their rates for notifications, investigations and substantiations are considerably lower than those of other States and Territories.

Notifications counted at different points in the process

Jurisdictions vary on the point at which they classify a contact as a notification for AIHW reporting. All States and Territories screen before instigating a child protection investigation. In some jurisdictions, however, notifications are caller defined and almost all contacts are categorised as notifications. In other jurisdictions the departments categorise a contact as a notification following initial screening based on the information provided by the caller and other inquiries. This difference in process has generally resulted in the former jurisdictions reporting much higher rates of notifications than others.

Child concern reports

In an effort to improve comparability, the AIHW has begun to collect data on child concern reports. Currently four jurisdictions provide this data. However, the authors found that there were inconsistencies in the ways in which jurisdictions were using this concept. Until these inconsistencies are resolved their role in enhancing comparability is limited.

Substantiation and abuse types are used differently

There are differences in the ways in which States and Territories use the concept of substantiation that probably impact on the comparability of reported data. Some jurisdictions say they substantiate an incident, others harm or risk of harm and still others a combination of the two. Two jurisdictions report 'at risk' separately from substantiation, the remainder do not.

While the definitions for the types of substantiated abuse are fairly similar, there is strong evidence that terms are used differently from jurisdiction to jurisdiction. In 1997–98, for example, the rate of substantiated emotional abuse in one jurisdiction was 22 times that in another; similarly, the rate of neglect in one jurisdiction was 22 times the rate in another jurisdiction. These differences are only partly accounted for by differences in substantiation rates.

Similarities in processes

Screening and investigation

Despite the differences in legislation, policy and philosophy the actual processes used to respond to a call expressing concern about a child are very similar. All jurisdictions screen the information that they receive from callers before deciding to instigate a child protection investigation. Once a decision is made to investigate, all jurisdictions use much the same

process. At a minimum they interview or sight the child whenever practicable, identify harm/injury or risk, determine an outcome and assess protective needs. The authors found that it is what jurisdictions investigate, not how they do it, that causes problems with comparability.

Care and protection orders

The legislation in all States and Territories provides for children to be deemed 'in need of care and protection' and for a court to place a child on a care and protection order. The definitions of being 'in need of care and protection' vary from jurisdiction to jurisdiction, as do the options available to the court on the orders that can be made. In the 1997–98 national data collection, care and protection orders were grouped into four categories:

- finalised guardianship or finalised custody orders sought through a court;
- finalised supervision or other finalised court orders;
- interim and temporary court orders; and
- administrative and voluntary arrangements with the community services departments.

While the grouping appears reasonable and reflects available options, the counting rules for two of the categories are ambiguous and open to different interpretations. There is evidence that States and Territories with similar provisions in their legislation have made opposite decisions in relation to reporting on 'interim and temporary court orders' and 'administrative and voluntary arrangements'.

Because of the different range of orders available in each jurisdiction there is very limited comparability when the four categories are aggregated into a single category and States and Territories compared as, for example, in rates per 1,000 children by Indigenous status. These sorts of comparisons would be better done on the categories individually.

Options to improve comparability

The project has identified several options for improving comparability. The options fall within two areas—the adoption of a generic reporting framework and the undertaking of enhancements to the collection.

A generic framework

The fact there is considerable commonality about many of the processes departments use to respond to concerns about children lends itself to the adoption of a generic framework for national child protection reporting.

Where States and Territories differ is the point in the process that a contact is classified as a child protection notification for national data. To remedy this situation it is proposed that a new counting point be established for national data collection after initial screening has established that a contact is a child protection matter warranting a statutory response. It is further proposed that this new counting point be called 'child protection intake' to avoid any confusion with local nomenclature and that it replace the previous count of notifications.

The proposed generic framework would comprise:

Initial contact: not reported (future child welfare reporting if desired)

Screening:	not reported
Child protection intake:	reported for child protection
Investigation:	reported for child protection
Investigation decision:	reported for child protection
Services:	future reporting
Orders:	reported as care and protection orders

While the adoption of a generic reporting format with common counting points would not resolve differences in what States and Territories count as a 'child protection intake' or 'substantiated abuse or neglect', differences in how they count it would be eliminated. All jurisdictions should be able to adopt the generic framework without any major modifications to existing data collections, although detailed counting rules would need to be developed by NCPASS.

Enhancements to the collection

Several enhancements to the collection are proposed in Chapter 3. These include:

1. Enhancing the existing data collection by adding new data items and counting rules based on agreed descriptors of harms/injuries and actions responsible data for substantiated child abuse and neglect.
2. Broadening aspects of the collection into a 'child welfare' or 'children in need' data collection of which the present child abuse and neglect collection would be a subset.
3. Increasing the use of computer routines to select some records and exclude others in ways that enable users to flexibly explore comparability issues.
4. Including information about supportive and therapeutic services (as well as information on out-of-home care and care and protection orders) in the collection.

The first and third strategies would enable comparison of what States and Territories are dealing with under the child protection banner. They would also allow some assessment of the severity of abuse and re-abuse in Australia. Strategy 1 in particular represents a practical and ongoing way of 'unpicking', or getting to the bottom of, the widely divergent rates of substantiation and types of abuse across Australia. Concern has been expressed that this option would narrowly focus the child protection discussion away from contextual issues and onto the harms/injuries associated with a particular incident. This risk could be minimised by careful definitions and by ensuring that the new data items supplement rather than replace existing data.

The second and fourth strategies would allow Australia-wide comparisons of referrals to community services departments about children and how departments manage these referrals. The intention of strategy 2 would be to report more fully at the national level about referrals received by relevant departments, not to broaden the collection to other departments and instrumentalities. Substantial work would be required to ensure that broadening the collection did not replace one set of comparability problems with another. Collection of data about the nature of intervention offered to children and families post-investigation (or family support assessment) would be a valuable adjunct to the existing child protection collection. At present data are only available on out-of-home care and care and protection orders.

None of these strategies could be implemented without full commitment from States and Territories, as they would require agreement on new definitions and Australia-wide

implementation. Most States and Territories would also need to make major changes to their information systems, which may prove to be a significant obstacle. On the other hand, none of the strategies would require change to existing legislation or policy and would be relatively impervious to future changes. The data gathered would be of substantial benefit to future policy making.

Summary of recommendations

Recommendation 1

That the problematic nature of terms like 'child protection', 'abuse', 'neglect', 'notification', 'harm', 'risk' and 'substantiation' be made clear in all publications reporting national child protection data.

Recommendation 2

That for AIHW counting purposes an investigation should include, as a minimum, interviewing or sighting the subject child in all instances that it is practicable to do so, identifying harm or risk of harm to the child, determining an outcome and assessing protective needs.

Recommendation 3

That AIHW cease to aggregate 'no investigation possible' and 'no action' when reporting investigation outcomes.

Recommendation 4

That NCPASS redevelop the counting rules for care and protection orders to remove any ambiguity.

Recommendation 5

That the various care and protection orders not be aggregated in any national child protection reports.

Recommendation 6

That the stages of 'initial contact', 'initial examination of contact information' and 'further examination of contact information' be adopted as a generic framework for child protection processes Australia-wide and that the shortened terms used to describe each process be 'initial contact', 'screening' and 'investigation'.

Recommendation 7

That a new counting point called 'child protection intakes' be adopted to replace 'notifications' in AIHW reporting and that child protection intakes be identified by each State and Territory after screening of initial contact information and based on counting rules developed by NCPASS.

Recommendation 8

That States and Territories work towards adopting Option 4 (enhancing the collection) in the longer term, while implementing Option 1 (provision of clear explanatory notes and disclaimers) in the short term.

Recommendation 9

That increased use be made of computer routines to explore similarities and differences between States and Territories in the way that they respond to concerns about children in general and child protection intakes in particular.

Recommendation 10

That NCPASS consider ways in which data on intervention post-investigation could be incorporated into the national child protection data collection.

Recommendation 11

That work commence on investigating the feasibility of working towards the adoption of core data items and values to record child protection across States and Territories.

Recommendation 12

That a regular process of review occur to ensure that levels of comparability achieved are maintained, taking into account legislative and policy changes across Australia.

1 Introduction

In Australia, child protection is a State and Territory responsibility carried out by the respective community services departments. Children and their parents come to the attention of these departments for a variety of reasons, some or all of which may be categorised by departments as child protection. These reasons include:

- concern that a child may have been, or is being, abused, neglected or abandoned;
- concern that there is no adequate provision for a child's care; or
- specific problems such as physical or behavioural difficulties, an intellectual disability or severe emotional problems.

National child protection data are collated by the Australian Institute of Health and Welfare (AIHW) and published in the Child Welfare Series. National data are based on data provided by each State and Territory according to agreed definitions and counting rules. The State and Territory data are extracted from the administrative systems of contributing departments and reflect the way each State and Territory classifies contacts with and about families.

Since 1996–97 the national child protection data collection has covered three areas of child protection services:

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

Prior to 1996–97, data on child abuse and neglect and children on care and protection orders data were reported in separate AIHW publications. Data on children in supported out-of-home care were first published in the Child Welfare Series in *Child Protection Australia 1996–97*.

For some time there has been concern about the comparability of child protection data across Australia. *Child Protection Australia 1996–97* cautioned:

> The data from each jurisdiction should be interpreted with regard to the legislation, policies and definitions of that State and Territory. As these vary considerably between jurisdictions, it is not appropriate to use the data to measure the performance of one jurisdiction relative to another. (AIHW 1998:4)

The National Child Protection and Support Services (NCPASS) Data Group has responsibility to develop data to facilitate the reporting of comparable key performance indicators and outcome measures for the delivery of child protection services. The Group commissioned the Comparability of Child Protection Data Project to explore the issue of comparability in detail. Comparability is critical to the benchmarking of service outputs, outcomes and key performance indicators. It is also crucial in national reporting on child protection services, such as the *Report on Government Services* published annually by the Steering Committee for the Review of Commonwealth State Service Provision (SCRSSP 1999) and various reports on child protection prepared by the AIHW (NCPASS 1998).

The aims of the project were to:

- investigate the nature and extent of comparable core outputs and related tasks for the child protection services of all States and Territories;
- document the degree of commonality and difference between the States and Territories;
- propose generic labels, where possible, for these outputs to facilitate national comparisons;
- determine and advise whether existing data systems would allow analysis of identified core outputs; and
- identify any obstacles to and opportunities for moving towards a more comparable data set.

1.1 Methodology

In order to examine the comparability of child protection data across Australia, a uniform understanding of the operation of child protection systems in each State and Territory was essential. A three-stage methodology was used to achieve this:

1. The systems in operation across Australia were studied using documentation provided by departments.
2. Key stakeholders in each State and Territory were consulted about their particular child protection systems.
3. The report was developed in an iterative process.

The initial stage involved obtaining and studying documentation from each State and Territory that described their child protection processes. A discussion paper was prepared based on the documentation. The discussion paper highlighted issues expected to arise within the project and included information in table form summarising the processes in each location. Following submission of the discussion paper to the NCPASS, it was distributed to stakeholders at each location prior to the authors' site visits.

The visits to each State and Territory enabled key stakeholders to provide further information on the manner in which their particular child protection service is delivered and how the delivery of the service is recorded. Service delivery, policy and information technology personnel from the relevant departments participated in the discussions. A list of those who took part is provided in Appendix 4. Although these discussions were primarily to explore further detail and build on understanding gained in the initial stage of the methodology, they also afforded the opportunity to bring to the surface other issues of importance to the key players for inclusion in the study.

The large quantity of information gathered in the first two stages of the project highlighted the need to determine how best the data gathered and proposals for commonality could be presented in the project report. The approach adopted included first, second and third drafts of the project report circulated to NCPASS committee members for their comment prior to the final version. This approach provided States and Territories and the AIHW with the opportunity to comment and for the final version to incorporate their feedback.

1.2 Structure of the report

Following this introductory chapter, the report is organised into three further chapters and associated appendices.

Chapter 2 presents a summary of the child protection systems in operation in each jurisdiction, discussing commonalities and differences and also highlighting the points in the process at which statistics are reported to the AIHW. Within Chapter 2, reference is made to Appendices 1, 2 and 3.

Chapter 3 proposes generic labels for certain stages in child protection interventions, offers strategies to enhance comparability of data and also discusses possible barriers to achieving enhanced comparability.

Chapter 4 presents the summary and conclusions.

Appendix 1 presents the child protection processes observed in each State and Territory in a graphical form using a standard template. It aims to assist in clarifying and explaining what takes place and indicates how the processes in different jurisdictions could potentially fit under proposed new generic labels. Appendix 1 also includes tables containing information about the investigation process in each jurisdiction. Appendix 2 contains the definitions of abuse types for each State and Territory and Appendix 3 contains a description of the orders available in each State and Territory. Appendix 4 lists all personnel who took part in consultations throughout the project. Appendix 5 provides tables on the rates per 1,000 children in the child protection system.

2 Overview

This chapter initially examines definitional issues associated with child abuse and neglect which are relevant to this project. The chapter then considers in detail aspects of the child protection processes currently operating in Australia, highlighting commonalities and differences across the country.

The information about the child protection processes is organised into sections under the major headings of Notification, Child Concern Reports, Investigation, Substantiation, and Types of Abuse and Neglect. These headings relate to the child protection processes on which States and Territories report on an annual basis to the AIHW.

The final section of the chapter looks at intervention post-substantiation. Only care and protection orders are discussed in detail; however, in many cases, departments provide supportive and therapeutic services to families and out-of-home care in the context of protective intervention without resorting to statutory action.

2.1 Child protection—the problem of definition

A core component of the Child Protection Australia collection is data on child abuse and neglect. Much effort over the years has gone into trying to get these data comparable across Australia. In the 1980s WELSTAT (see AIHW 1993:36–37), the forerunner of NCPASS, made considerable efforts in attempting to get States and Territories to use common definitions of terms like 'physical abuse', 'sexual abuse', 'emotional abuse' and 'neglect' and to adopt common counting rules. The NCPASS has continued WELSTAT's endeavours and the current project, commissioned by the NCPASS, is aimed at increasing comparability.

Fundamental to comparability is the idea that there is some entity[1] known as 'child abuse', or more recently as 'child protection', upon which States and Territories potentially agree. However, terms like 'child protection', 'child abuse', 'notification', 'substantiation', 'neglect', 'sexual abuse', 'emotional abuse', 'physical abuse', and so on, are problematic (Parton et al. 1997).

2.2 Child protection—a social construction

Recent publications on child protection have taken the view that child abuse is a social construction, that is, society decides at any given time what behaviours are abusive to which children and in what context (Dartington Social Research Unit 1995; Parton et al. 1997; Little 1997). Gibbons (1995 as cited in Dartington Social Research Unit 1995:15) expressed it thus:

> As a phenomenon, child maltreatment is more like pornography than whooping cough. It is a socially constructed phenomenon which reflects values and opinions of a particular culture at a particular time.

Parton et al. (1997:73) suggest

[1] Defined in the Oxford Concise Dictionary as a 'thing with a real existence'.

> …that the interest and importance of a social construction approach is…not just to say that there is something labelled 'abuse' and that the label changes between time/culture/place; rather it is to keep a clear methodological position which directs attention onto how the term 'abuse' works in a given culture.

There has been little work done in Australia on how 'child protection' and associated terms are used, although clearly from a data comparability perspective this is important. *Child Protection Australia 1996–97* (AIHW 1998) makes the point that there is no clear definition of what constitutes child abuse and neglect and that the terms can mean different things to different people. This was very apparent in the authors' discussions with key stakeholders. Across Australia there were differences in legislation, policy and philosophy in how departments respond to concerns about children.

What is child protection and what is not?

In recent years the definition of child abuse and neglect has broadened considerably with the growth in professional and public awareness about harm to children and, in Australia as well as overseas, it has gradually come to be replaced by the term 'child protection'. However, concern has been expressed in the literature that this broadening of the definition has drawn more children and families into the net, exposing them to child protection investigations without necessarily increasing service provision to address their needs. It has also increased the pressure on community services departments to cope with burgeoning investigatory requirements with limited resources.

The decision by some States to specifically target their child protection responses to address maltreatment of children is one response to this situation. These States address other concerns about children under response categories like 'family support' or 'child and family concern'. As a result there is now an obvious difference between States as to what is included under 'child protection' services. Those States that differentiate their responses to concerns about children by more narrowly targeting child protection services differ from those that do not. The former classify far fewer cases as child protection and consequently their rates for notifications, investigations and substantiations are considerably lower than those of other States and Territories. Our consultation suggests that the differences between States and Territories are not just in terms of threshold on some notional continuum of 'maltreatment' (how much) but also in substance (what).

A good example of differences in substance surfaced in discussion with New South Wales policy officers where it was confirmed that 'Family: Parent Adolescent Conflict' would be accepted as a notification. Some 235 cases with this classification as the primary assessed issue were confirmed in 1997–98 and are in the data provided to AIHW. It is unlikely that most children who were the subject of these cases would have had an identifiable harm, although some may have been at risk of harm as a result of leaving home and living in dubious circumstances. In Western Australia similar cases would probably have been recorded as family problems and would not have been reported to AIHW.[2]

There is also a subtle difference between (and perhaps within) States and Territories in terms of whether their focus is on protecting children from 'abuse' or from 'harm'. Here the issue is one of context. A case example was used to explore this difference. A number of State and Territory representatives were asked how they would respond to a situation

[2] In citing New South Wales and Western Australia it is not our intention to single out these States but, rather, to show that their comprehensive information systems allow differences between them to be explored in a way that is not possible elsewhere.

where a baby had become malnourished because her mother did not know how to mix the formula correctly—she was using too much formula, making the baby sick. The mother had an intellectual disability. Some representatives said that they would treat the matter as a child protection case, while others stated that they would treat it as a family support matter. In the former situation the case would have ended up as substantiated abuse or neglect; in the latter it would not have featured in the collection. In all situations the departments would have intervened in some way and possibly the nature of the intervention would have been similar even though the context would not.

The above discussion does not negate the fact that there will be situations of concern for children that all departments would classify as abusive and respond to with protective services.

2.3 The impact of differences in categorisation

Differences in what is categorised as a child protection matter impact on each phase of States and Territories' child protection systems. Classifying a contact as a 'notification', to use the current AIHW term, predisposes it to be responded to in a certain way. A contact categorised as a 'notification' has the possibility of being 'investigated' and 'substantiated'. This is how all States and Territories respond to 'notifications' unless they are filtered out. A contact that is not so classified will not be responded to in this way, although services may still be offered. Clearly the wider the net is caste in terms of 'notifications', the more families that will be 'investigated' and probably the more cases that will be 'substantiated' in numeric, if not percentage, terms.

Terms such as 'sexual abuse', 'physical abuse', 'emotional abuse' and 'neglect' are similarly problematic. For example, Finkelhor in the United States has reported sexual abuse rates ranging from 6% to 62% in females and 3% to 31% in males (Finkelhor 1986 as cited in Dartington Social Research Unit 1995). In Australia in 1997–98 the reported rate per 1,000 of substantiated sexual abuse for New South Wales was over two and a half times that of most other States and over three and a half times that of Tasmania. In the same period the reported rate per 1,000 of substantiated emotional abuse for Victoria was 22 times that of Tasmania and 16 times that of Western Australia but only one and a half times that of South Australia. These examples show clearly that how and when these terms are used varies from study to study and from jurisdiction to jurisdiction.

It should be noted that the problematic nature of 'abuse' has obvious implications for 're-abuse' as an outcome measure for the child protection safety goal.

Recommendation 1

That the problematic nature of terms like 'child protection', 'abuse', 'neglect', 'notification', 'harm', 'risk' and 'substantiation' be made clear in all publications reporting national child protection data.

2.4 Child protection processes in Australia

Each subsection of child protection processes in Australia commences with an overview of the comparability of the data reported to AIHW discussed in the particular subsection. The overview is followed by detailed discussion highlighting similarities and differences in

processes from jurisdiction to jurisdiction. Rates per 1,000[3] of notification,[4] investigation and substantiation are quoted and presented in chart form as a tool to further explore similarities and differences. The preceding discussion on definitional problems in child abuse and neglect should be borne in mind throughout this section.

The information contained in this chapter is also presented in an alternative format in Appendix 1, using a standard graphic template to represent how processes flow from a child protection referral that is made to an agency through to the point where the referral has been substantiated or where an alternative decision has been recorded. The graphics also highlight the point in the process where the counting for AIHW statistics takes place.

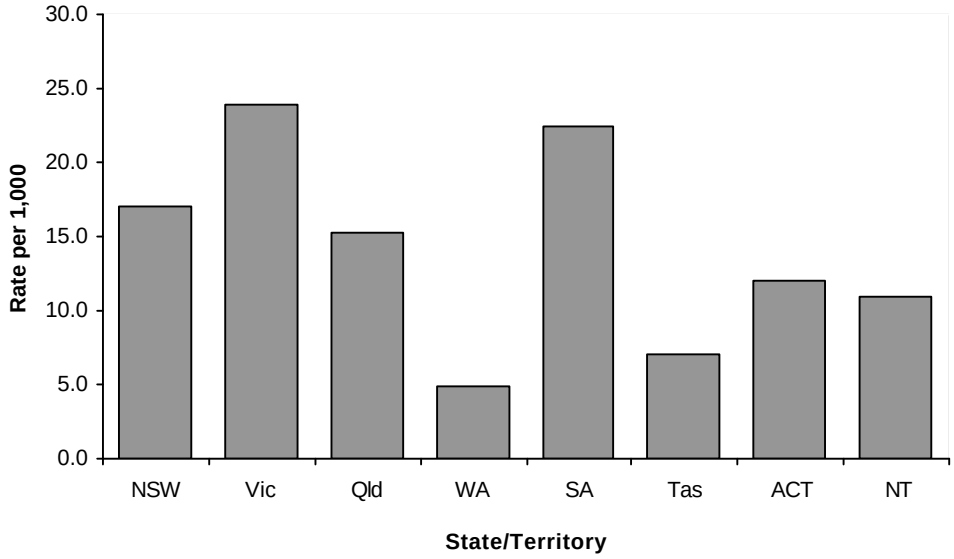
2.5 Notification

Overview of the comparability of notification data

Study of the child protection processes has identified that the counts of notification, although reported to AIHW by all States and Territories, are not currently used in a sufficiently consistent manner from jurisdiction to jurisdiction to ensure comparability of notification statistics. The term is used, or the count of notifications takes place, at different points in the process of dealing with a child protection referral, contributing to dramatically different rates of children aged 0–16 years who were the subject of a notification per 1,000 children (Figure 1).

[3] Rates per 1,000 are calculated by AIHW for 0–16-year-olds and provided to the Productivity Commission for inclusion in the *Report on Government Service*s. Rates per 1,000 children are based on distinct children who have been the subject of one or more notification, investigation, substantiation or order in the reporting period.

[4] In the preceding section, inverted commas were used with words like 'abuse' and 'notification' to signify the problematic nature of these terms. In the interests of readability this convention has been dropped for the remainder of this chapter.



Source: Table A5.1.

Figure 1: Rates of children aged 0–16 years per 1,000 who were the subject of a notification, by State and Territory, 1997–98

Caller defined notifications

Figure 1 indicates that, in 1997–98, the rates per 1,000 were highest in Victoria and South Australia, both with rates of more than 20 children per 1,000 aged 0–16 years who were the subject of a notification. In these States notification is largely caller determined, resulting in nearly all instances where a child is believed by the *caller* to be in need of protection being designated by the department as notifications and accordingly reported as such in statistics provided to AIHW. In the Northern Territory a notification is also caller defined but it is believed that recording may have been inconsistent. The Northern Territory is currently implementing a new information system accompanied by Territory-wide training, which should lead to more consistent recording. The rates per 1,000 for the Northern Territory were relatively low.

Notifications identified following an initial screening

In another group of jurisdictions including New South Wales, Queensland, and the Australian Capital Territory, lower rates of between 12 and 17 children per 1,000 were reported. The rates reported from these jurisdictions are influenced by one of two factors. The first factor that accounts for the lower rates in Queensland and the Australian Capital Territory is that these jurisdictions undertake a screening process resulting in a decision being made that a referral will or will not be reported as a notification. The second factor, which is the case in New South Wales, involves that State (for the purposes of AIHW statistics) only counting referrals as notifications, where the primary reported issue is categorised as harm or risk.

Notifications identified where family support referrals are excluded

Western Australia and Tasmania report even lower rates per 1,000, approximately 5 and 7 per 1,000 respectively. This difference arises largely from the approach adopted in these jurisdictions where certain referrals are directed away at intake from a child protection pathway towards a family support pathway. Documentation provided by Western Australia and Tasmania made reference to a new approach which differentiates concerns about children and families from allegations of child maltreatment (WA FACS 1996).

This approach leads to referrals that would be included as notifications in all other Australian jurisdictions being classified as family support or child and family concerns, and consequently excluded from counts of notification. Documentation provided to the authors by the Northern Territory indicated that a similar approach would soon be adopted there, resulting in a likely significant reduction in the number of notifications reported from that jurisdiction. This issue is further explored within the Types of Abuse and Neglect section later in this chapter.

The evident differences in rates of children per 1,000 who were the subject of a notification discussed above can be summarised as mainly resulting from the different points in the intervention process where the count of notifications takes place, but are further contributed to by the complementary family support approach in place in Western Australia and Tasmania. The differences in the point at which notifications are counted are further reinforced in the graphics contained in Appendix 1 showing each State's and Territory's processes. There are also differences in the way different jurisdictions handle subjects' ages, alleged perpetrators, mandatory reporting, domestic violence and multiple notifications that contribute to the comparability problem. These are discussed below.

Chapter 3 suggests a strategy based on an alternative counting point to enhance the comparability of data currently reported to AIHW as notifications. Strategies are also suggested to manage differences in the scope of State and Territory data collections in relation to the age of children and to alleged perpetrators.

Detailed discussion of the notification process

Definition

Each State and Territory uses a different definition of 'notification'. While most State and Territory definitions included phrases such as 'where it is alleged that a child has been abused or neglected or is at risk of being abused or neglected', some did not. In the Northern Territory the term 'maltreatment' was used and a notification described as 'a report of maltreatment or suspected maltreatment accepted for allocation'. The Queensland definition refers to an allegation of harm or risk of harm and adds the further phrase 'and there is reason to believe that the child's parents are unable or unwilling to protect the child from harm'.

In Victoria, Section 64(1) of the *Children and Young Persons Act 1989* states that 'Any person who believes on reasonable grounds that a child is in need of protection may notify the protective intervener of that belief and of the reasonable grounds for it'. Section 63 subsections (c) to (f) of the Act refers to 'harm' and parents' failure or potential failure to protect the child from certain harms as part of the grounds for believing that a child is in need of protection.

Western Australia uses the term 'child maltreatment allegation', defined as a referral where there is sufficient information to believe that a child may have been physically or

emotionally harmed or injured or is at risk of significant harm or injury; been exposed to or subject to sexual behaviour or activities that are exploitative or inappropriate; or been subject to persistent actions or inactions likely to result in significant developmental impairment.

The actual word 'notification' appears in the definition of five jurisdictions, but in Tasmania, Western Australia and South Australia no specific reference is made to the word 'notification'. The New South Wales legislation makes reference to the Director-General being notified, as is evident in the following extract from Section 22 of the *Children (Care and Protection) Act 1987*:

> Any person who forms the belief upon reasonable grounds that a child…(a) has been or is in danger of being abused; or (b) is a child in need of care, may cause the Director-General to be notified of that belief…

The Northern Territory uses the term 'child protection reports' when referring to notifications.

No State or Territory attempts to define critical terms like 'abuse', 'maltreatment', 'significant harm' or 'risk'.

Process

Intake specialists are responsible for gathering information from callers in New South Wales, Western Australia, South Australia, Tasmania, Australian Capital Territory, and Northern Territory; in Western Australia and Northern Territory country jurisdictions, an experienced officer working under supervision may have this responsibility. In Victoria a Child Protection Duty worker gathers the information. In Queensland generic professionals with a behavioural science degree act as intake officers; some locations have intake specialists.

Subject age

In all States and Territories, notifications are recorded for persons up to but not including 18 years of age, except in Victoria where the cut-off is up to but not including 17 years of age. In New South Wales the provision of services to 16- and 17-year-olds is different from the provision of services to children under 16 years of age, due to the *Children (Care and Protection) Act 1987*. Under the legislation 16- and 17-year-olds are not considered children in need of care and consequently the wishes of the young person who is the subject of a notification need to be taken into account when a service is provided.

In Queensland a 17-year-old cannot, under the current legislation, be made the subject of a care and protection order. The services received by a 17-year-old in response to a child protection notification therefore cannot include the young person coming into care.

Relationship of alleged perpetrator to child

All States and Territories record notifications involving family members, including those not living with the child. New South Wales was the only State that reported unequivocally that all notifications are recorded irrespective of the alleged perpetrator's relationship to the subject child. Other jurisdictions indicated that in certain instances notifications involving alleged extra-familial perpetrators, including friends and neighbours, would be recorded if they came to the attention of the responsible department. Most said that if the alleged perpetrator was extra-familial, but the parents were unable or unwilling to protect the child, then a notification would be recorded on the basis of the parents neglecting their duty of

care. They made the point, however, that procedures are not in place to ensure all notifications of this nature are brought to the attention of departments.

There were some minor differences in recording of child sexual abuse notifications, although the impact of these numerically is likely to be small. For example, Western Australia would record notifications where the alleged perpetrator was a teacher but Queensland would not if the parents were acting to protect the child. States and Territories may also vary in whether or not they would record sexual abuse by another child.

In Queensland, whether a referral was dealt with in the first place as requiring a departmental child protection response (i.e. recorded as a notification to be investigated/assessed) depended upon whether the parents were acting appropriately to protect the child.

On the whole, there was a fairly consistent view across States and Territories as to which perpetrators would be recorded, although there were some minor variations which, depending upon the numbers involved, may have an impact on comparability.

Identifying details of child and caller

There is no difference between States and Territories on whether a notification would be recorded when there were no identifying details. All require sufficient information to locate and identify the subject child (this does not necessarily include a name) but will accept anonymous notifications.

Multiple notifications counted as different events

Victoria differed from the other States and Territories in terms of how multiple notifications were counted. The Victorian computerised information system does not allow the recording of a further notification while a notification is open on their system. In discussion with field workers, they said that they still record in note form the fact that a notification has been received but the information system does not enable them to actually record a further notification. Consequently these additional notifications would not be included in counts provided by Victoria. All other States reported that multiple notifications (meaning separate notifications for a particular child) are recorded where the perpetrator and/or the event are different. The Northern Territory said that, although there were no barriers technically to recording multiple notifications, their case practice varied from location to location and officers interviewed were unsure if multiple notifications would be recorded or not.

Witnessing of domestic violence

The reason that witnessing domestic violence was explored in each of the jurisdictions was due to documentation provided by two States making specific reference to domestic violence as a reason for a notification. The background information provided by New South Wales and Victoria specifically highlighted domestic violence as a reason for a child protection notification.

In New South Wales it appears the police have decided that if there are children present in the home at any incident of domestic violence they attend, it will be notified to the Department of Community Services, irrespective of the degree to which the children have witnessed or been involved in the incident. Initiatives such as this by the police are likely to lead to higher reporting of children in this situation when compared to other States and Territories.

Although in discussion no other States or Territories indicated that domestic violence was a heading under which notifications were classified, they did say that it would depend on the particular case and would be looked at on a case-by-case basis and could in fact be recorded under an alleged emotional abuse heading.

Who is mandated to report?

Descriptions of mandated reporters varied from jurisdiction to jurisdiction. In the Northern Territory every person is mandated to report suspected child abuse or neglect. Other jurisdictions, except Western Australia, have lists that vary in their extent. Mandatory reporting is not in place in Western Australia, with the exception of the Family Court, but an extensive set of inter-departmental and inter-organisation protocols is observed.

Discussions in Queensland revealed that, under Sections 67Z and 67ZA of the (Commonwealth) Family Law Act, Family Court workers were mandated in every State and Territory to report suspected child abuse and neglect. However, most States and Territories did not identify this group as mandated reporters, perhaps because the requirement is not in State and Territory legislation.

2.6 Child concern reports

Overview of the comparability of child concern reports data

The concept of 'child concern reports' seems to have been introduced into AIHW statistical reporting as a means of compensating for differences in child protection approaches that have evolved in States and Territories. Currently four jurisdictions—New South Wales, Western Australia, Tasmania and the Australian Capital Territory—report child concerns to AIHW. Although there is an AIHW definition in place, this study has identified inconsistency as to how child concerns are identified by the States and Territories.

In two jurisdictions, Tasmania and the Australian Capital Territory, child concern reports are identified as an outcome of the initial screening of referrals brought to the attention of the department involving allegations of child maltreatment. In Tasmania the screening of a referral can lead to a referral being classified as 'child harm and maltreatment' (reported to AIHW as notification) or as 'child and family concerns' (reported to AIHW as child concern reports). Similarly the screening in the Australian Capital Territory leads to an outcome of a 'formal notification' or an outcome of 'consultation', with consultations being reported to AIHW as child concern reports. In both jurisdictions, child concern reports are identified as referrals of alleged child maltreatment subjected to an initial screening and determined to be not serious enough for classification as a notification.

The other two jurisdictions, New South Wales and Western Australia, employ different methods in identifying child concern reports, different from each other as well as different from Tasmania and the Australian Capital Territory.

In New South Wales, where legislation states that anyone who has formed a belief on reasonable grounds that a child has been or is in danger of being abused or is a child in need of care may notify the Director-General of that belief, a 'primary reported issue' is identified at intake and recorded on the computer system. A computer program has been written that classifies each primary reported issue into either alleging harm or risk (reported to AIHW as notifications) or not alleging harm or risk. When reporting child concern reports to AIHW,

New South Wales includes all those reports notified to their agency that are not classified as alleging harm or risk.

Western Australia uses the term 'child concern reports' to describe referrals that have been made to their agency where insufficient information is available to determine what classification they should receive. Local procedure stresses that it is only an interim classification of which, in 1997–98, less than 10% followed the path of a child maltreatment allegation (reported as notifications to AIHW). Other child concern reports would have had various other outcomes, including 'became family support', 'substantially resolved', 'no viable departmental role', and 'client to seek own solution'.

What emerges from the discussion above is the inconsistency with which States identify their child concern reports. Even for two jurisdictions appearing to use the concept in a consistent manner, Tasmania and the Australian Capital Territory, when looked at from a rate per 1,000 perspective, Tasmania reported 12 and the Australian Capital Territory reported 27.

The discussion in Chapter 3 explores some strategies to enhance comparability in other areas of child protection statistics and child concern reports are mentioned in this context. However, until some consistency is achieved in the manner in which child concern report statistics are derived, their role in enhancing comparability will be very limited.

2.7 Investigation

Overview of the comparability of investigation data

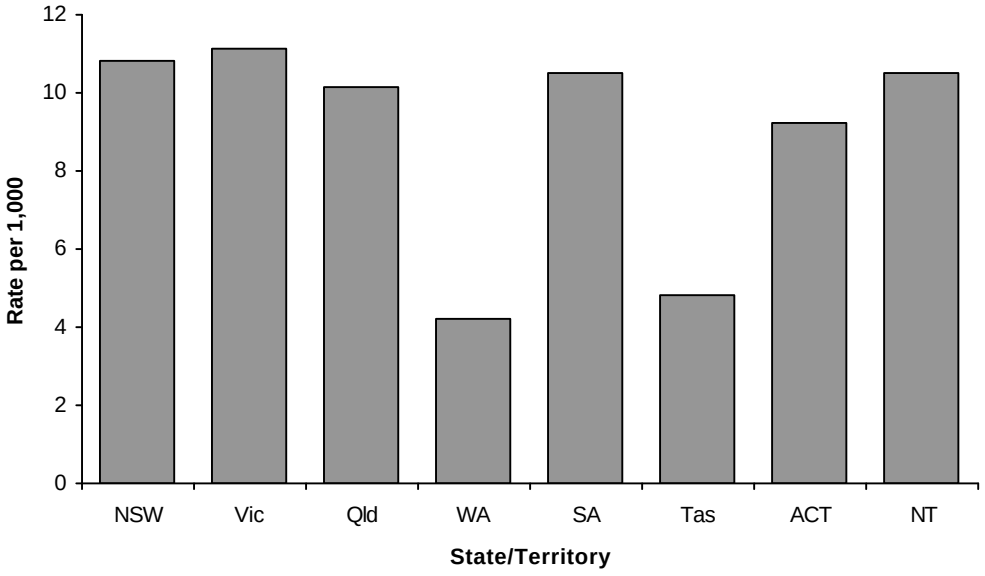
All jurisdictions have a clearly defined phase in their child protection process, broadly referred to as investigation, which follows a decision by the department that what has been referred to them requires further exploration from a child protection perspective.

The decision to investigate a referral is made after some assessment of the nature and quality of referral information. We refer to this stage as 'screening', although not all jurisdictions use this term. In some States and Territories the screening process precedes the decision to designate the referral as a notification; in others it follows the recording of a notification (see Notification section above). The screening stage may include phone calls to other agencies.

In all jurisdictions the screening stage leads to decisions being made about how the department concerned will respond to the referral. One possible decision is that the referral is of a sufficiently serious nature to warrant further investigative action. Other decisions that individual States and Territories may make are detailed in Appendix 1. It is noteworthy that in New South Wales the separation between the initial screening and the investigation phases is less clear than in other jurisdictions, perhaps due to the wording of the New South Wales legislation. In all States and Territories the decision to investigate or not is made or ratified by a team leader, case work supervisor or other senior officer.

The authors found that investigation processes were reasonably consistent across States and Territories. The point at which investigations are counted for AIHW statistics was also reasonably consistent. Figure 2, presenting the rates of children aged 0–16 years who were the subject of a finalised investigation per 1,000 children in 1997–98 across all jurisdictions, does not show the widely divergent rates that were evident for notifications (see Figure 1). The rates fall within two bands—a lower band of around 4.5 per 1,000 in Western Australia and Tasmania and an upper band of between 9 and 11 per 1,000 into which all other jurisdictions fit.

The lower rates in Western Australia and Tasmania arise from their practice of directing some concerns about children that would be investigated under a child protection heading in other jurisdictions down a child and family support pathway.



Source: Table A5.1.

Figure 2: Rates of children aged 0–16 years per 1,000 who were the subject of an investigation, by State and Territory, 1997–98

Detailed discussion of the investigation process

When does an investigation begin and end?

The question of when an investigation actually begins caused extensive discussion in some jurisdictions. Departmental procedures are moving towards or have moved to stipulating that actions in response to notifications are required within specified timeframes to achieve quality of service and performance indicator requirements. Discussion revolved around, among other things, whether the investigation commenced when first contact was made with a subject child or their family, or when contact was made with any other person relevant to the notification, or when attempts commenced to make contact with the subject child or their family.

Most jurisdictions decided that an investigation commenced when a notification was allocated to a worker for further information gathering, additional to the information gathered or provided which led to the decision that an investigation should take place.

All jurisdictions agreed that an investigation ended when an outcome was determined. Discussion also took place around the issue of how timely the recording of the investigation completion was. With growing reliance on investigation start and end dates to determine the amount of time the investigation has taken, officers are becoming more conscious of the

need for investigation end dates to reflect just that and not the date the end of the investigation was recorded.

Differences in criteria for when an investigation begins and ends do not impact on the comparability of current statistics but will need attention if performance indicators at a national level are linked to times for starting and completing investigations.

Purpose of investigation

States and Territories were asked at the beginning of the project to provide information on what they considered to be the purpose of an investigation. A variety of different explanations was provided, the most comprehensive being furnished by South Australia. In discussions with State and Territory representatives there was general agreement that the South Australian definition encapsulated the purpose of an investigation very well:

> to assess the allegation, assess safety factors, assess harm to child, assess child/family circumstances, to determine an outcome and services required to ensure child safety. (SA DHS 1998)

Components of the investigation process

Because of general uncertainty about whether the investigation process used by States and Territories was similar, how different jurisdictions went about child protection investigations was extensively explored. All available documentation was studied, comment was sought during site visits, there were telephone discussions with NCPASS representatives and a questionnaire was sent to each jurisdiction. As a result of our explorations we have concluded that any differences between the States and Territories are minor and unlikely to contribute significantly to the comparability problem.

The following components[5] are common Australia-wide (see also Appendix 1, Table A1.1):

Information systems check: Departmental information systems, manual and computerised, are 'always' checked for client history prior to the investigation stage in all jurisdictions.

Information from others: All jurisdictions, except South Australia, obtain information about subject children and their families from other relevant organisations and individuals during the investigation phase. South Australia obtains this information before the investigation phase. Queensland and Tasmania 'always' consult other relevant agencies and individuals—other jurisdictions 'sometimes' do so.

Discussion with and input from others: All departments 'sometimes' take part in discussions with and obtain input from agencies and individuals that are additional to just gathering information. Queensland, Western Australia, South Australia, Tasmania and the Northern Territory reported that if these activities did occur they would do so during the investigation phase. In New South Wales they would take place before the investigation phase, while in Victoria and the Australian Capital Territory they could take place before or during the investigation phase.

Interview/sight the subject child: All jurisdictions except the Australian Capital Territory 'always' interview or sight the subject child during the investigation phase. In the

[5] When referring to the frequency of components of an investigation, component 'always' is to be interpreted as 'in all instances where it is practicable to do so'. Tasmania has interpreted 'sometimes' as 'as appropriate'.

Australian Capital Territory interviewing or sighting the child also takes place during the investigation phase but the reported frequency was 'usually'.[6]

Identify injuries or risk of injury: All States and Territories undertake this activity during the investigation phase and it is 'always' done.

Interview parents/caregivers: In all jurisdictions the investigation phase includes interviewing parent(s) or caregiver(s). New South Wales, Victoria, Queensland, South Australia and the Northern Territory reported that this was 'always' a component of investigations; other jurisdictions, apart from the Australian Capital Territory which stated this 'usually' took place, reported that it was 'sometimes' a component.

Assess situation of family members in the house: In Victoria, Queensland and South Australia an assessment of the situation of all family members in the house is 'always' done in an investigation. In other States and Territories this is only 'sometimes' done during an investigation.

Assess protective needs of subject child and other family members: All jurisdictions assess the protective needs of the subject child during an investigation. All jurisdictions except Tasmania 'always' do this. Tasmania reported that they 'sometimes' do this.

Other issues: An issue that arose during the various discussions was whether agencies other than the responsible departments could conduct investigations on the departments' behalf. New South Wales, Victoria, Tasmania and the Northern Territory indicated that other agencies could not undertake child protection investigations on their behalf, although New South Wales stated that police attend urgent matters out of hours in rural/remote jurisdictions. In Queensland the police may assess the situation in circumstances where a matter is urgent and a departmental officer cannot get there in time; the department follows up. South Australia reported that an investigation may have a hospital-based Child Protection Service or the police in a lead role. Western Australia and the Australian Capital Territory also reported that police might take a lead role in an investigation. Asked to indicate the approximate percentage of investigations undertaken by others, only Queensland responded with less than 5% and the Australian Capital Territory identified it to be a small percentage.

Possible outcomes

Investigation outcomes for each location are shown in the Appendix 1 process flow diagrams. New South Wales and South Australia do not use the term 'substantiation'. In documentation provided, South Australia uses the alternative wording of 'child abuse confirmed' or 'child abuse not confirmed'.

New South Wales legislation requires that matters notified under the Act be investigated. These matters may or may not be confirmed. It is possible that an investigation may not confirm the matters notified but the worker finds that the child has been abused or neglected through other actions or inactions. This finding would be recorded as the 'primary assessed issue' on the New South Wales Client Information System. It is the 'primary assessed issue' that is used in reporting to AIHW. Where the primary assessed issue can be classified as child abuse or neglect it is reported to AIHW as substantiated. The 'actual harm field' on the New South Wales client information system is used as an additional check.

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[6]Although not offered as a value in the list of answers in the questionnaire distributed to all States and Territories, 'usually' was used by the Australian Capital Territory as an answer to some questions.

Appendix 1 shows that all jurisdictions are able to map their outcome values (substantiated or substantiated harm, etc.) to AIHW report requirements either directly or with minor grouping. In Queensland substantiated harm and substantiated risk of harm outcomes are consolidated to a single figure. In New South Wales a computer program groups categories of the 'primary assessed issue' into sexual, physical and emotional abuse and neglect.

Other investigation outcomes reported to AIHW include 'investigation not undertaken for resource reasons', 'investigation not possible' and other administrative outcomes. In 1996–97 AIHW reported these as 'dealt with by other means' and 'no investigation possible/no action'. The latter grouping appears problematic as 'no investigation possible' is a very different concept to 'no action'.

Recommendation 2

That for AIHW counting purposes an investigation should include, as a minimum, interviewing or sighting the subject child in all instances that it is practicable to do so, identifying harm or risk of harm to the child, determining an outcome and assessing protective needs.

Recommendation 3

That AIHW cease to aggregate 'no investigation possible' and 'no action' when reporting investigation outcomes.

2.8 Substantiation

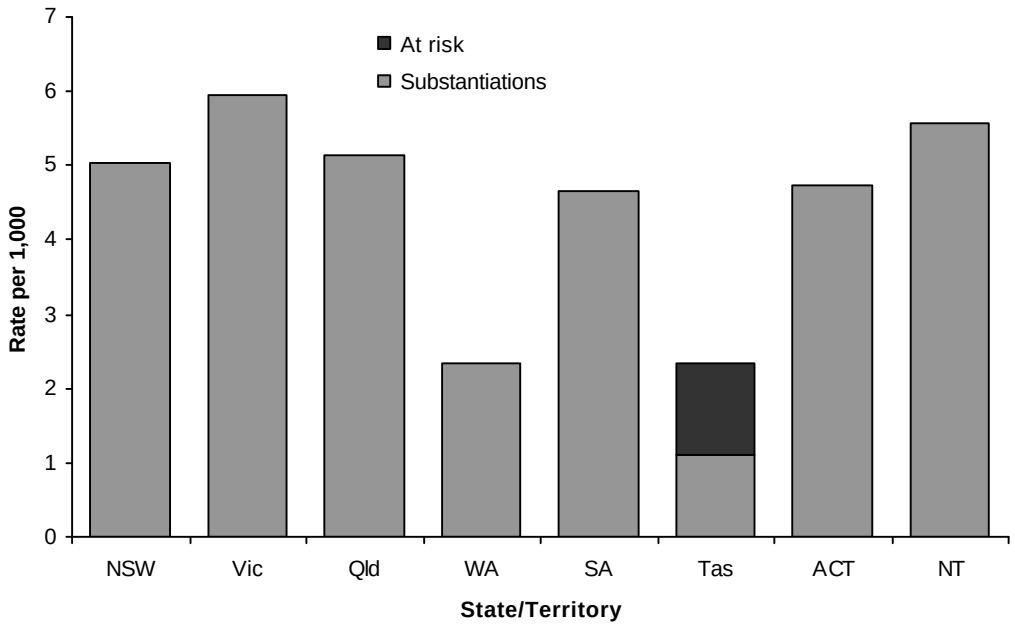
Overview of the comparability of substantiation data

The authors have identified consistency issues with substantiation that can really only be explored through studying detailed data on what was being substantiated in each jurisdiction. Unfortunately these detailed data were only available from New South Wales and Western Australia. The inconsistencies do not appear to arise from the actions taken in each jurisdiction to substantiate. These actions fall within the investigation phase and, as indicated above, appear reasonably consistent. Rather, they relate to what is being substantiated and how the concept of substantiation is being used.

Variation in how the concept of substantiation is used

Departments varied in how they used the concept of substantiation. Some said they substantiated an action or incident, others said they substantiated harm (or risk of harm) or a combination of action and harm. On the whole there seemed to be a dichotomy between those States and Territories whose primary focus was on the action or incident and those whose primary focus was on harm or risk of harm. Potentially, substantiating on the basis of action or incident can lead to quite a different outcome from substantiating on the basis of harm or risk of harm.

Figure 3 presents the rates of children aged 0–16 years who were the subject of a substantiation per 1,000 children in 1997–98. Both the Australian Capital Territory and Tasmania report the investigation decision of 'at risk' separately to substantiation decisions for the 1997–98 period; however, the Australian Capital Territory has now stopped reporting the 'at risk' decision. For the 1997–98 substantiation data presented below, 'at risk' decisions



Source: Table A5.1.

Figure 3: Rates of children aged 0–16 years per 1,000 who were the subject of a substantiation, by State and Territory, 1997–98

have been excluded from the Australian Capital Territory substantiation total but have been included in the Tasmanian substantiation total. This approach reflects the Australian Capital Territory view that their 'at risk' decisions, fully described as 'unsubstantiated, child at risk', should not be consolidated with their substantiated decisions. In Tasmania, as discussed later in this section, the group consulted saw it as more appropriate to include their 'at risk' decisions with substantiations rather than to exclude them.

When the rates of children who were the subject of a substantiation per 1,000 children for each jurisdiction are compared, the differential between Western Australia and Tasmania and the other jurisdictions remains considerable and stems from the lower rates of children who were the subject of a notification per 1,000 in the first case. Western Australia and Tasmania had rates (Tasmania including 'at risk') of just over 2 children who were the subject of a substantiation per 1,000. All other jurisdictions had rates of between 4.7 and 5.9 per 1,000.

Table 1 identifies the proportion of investigations where a decision of substantiated abuse and neglect was recorded in 1997–98. Differences are evident, with the proportions falling within a band between 40% and 54%.

Table 1: Proportion of investigations where a decision of substantiated abuse and neglect was recorded by State and Territory, 1997–98 (per cent)

State and Territory	Proportion of investigations
New South Wales	44
Victoria	51
Queensland	54
Western Australia	54
South Australia	40
Tasmania[(a)]	48
Australian Capital Territory	49
Northern Territory	50

(a) Includes at risk classifications.

Detailed discussion of the substantiation process

Definition

Definitions of substantiation varied from jurisdiction to jurisdiction and in most instances provided an indication of what was being substantiated—the notification, the harm caused to the child or the incident that occurred. Some definitions also included 'risk' in their wording. The New South Wales, Queensland, Western Australian, South Australian and the AIHW definitions made reference to the role of professional judgement in substantiation and the Northern Territory definition includes the statement: '…believes, on the balance of probability, that what is being investigated has occurred'.

Tasmania and the Australian Capital Territory stated they used the AIHW definition of substantiation:

> The matter is considered substantiated if, in the professional opinion of the officers concerned, there is reasonable cause to believe that the child has been, is being, or is likely to be abused or neglected. The level of information or evidence required for a substantiation is less than that required for a criminal prosecution. (AIHW 1998:8)

What is reported as substantiated—the allegation, harm, or incident?

The Australian Capital Territory and the Northern Territory were clear that what was substantiated was an 'incident'.

In New South Wales substantiation appears to be primarily action or incident based as it is the 'primary assessed issue' which is generally used for reporting to AIHW. These primary assessed issues are action based. However, if a harm/injury is recorded, the notification is regarded as substantiated irrespective of the primary assessed issue.

Queensland and Western Australia stated that they substantiated 'harm' or 'risk of harm' and in sexual abuse cases Western Australia will also substantiate an incident. Victoria substantiated 'harm' or 'likelihood of significant harm'.

South Australia and Tasmania said they substantiated 'harm' and 'incident' either separately or together.

Use of the 'at risk' concept

The AIHW defines 'at risk' as:

> …situations where the notification of abuse or neglect is not substantiated, but where there are reasonable grounds for suspecting the possibility of previous or future abuse or neglect and it is considered that continued departmental involvement is warranted. (AIHW 1998:8)

The number of States and Territories reporting children and young people as 'at risk' is decreasing. In 1996–97 'at risk' was still reported for four jurisdictions—Queensland, South Australia, Tasmania and the Australian Capital Territory. However, in 1997–98 only two jurisdictions, Tasmania and the Australian Capital Territory, continued to report 'at risk', and, as stated above, the Australian Capital Territory has now ceased to do so.

During discussions in Tasmania the group was asked, if the issue was forced upon them, would they reclassify their 'at risk' cases as substantiated or unsubstantiated. Unanimously the group identified 'substantiated'. The 1997–98 figures for Tasmania indicated that 135 of the referrals they investigated were substantiated and a further 146 were identified as 'at risk'.

In Queensland an assessment can have an outcome 'substantiated risk'. Queensland consolidates its substantiated risk outcomes with its substantiated outcomes, following the path for which Tasmania showed a preference.

Queensland discontinued use of 'at risk' as an outcome in March 1997. Data since then are reported as 'substantiated', which includes the sub-category of 'substantiated risk'. Officers substantiate the presence of risk factors that indicate the likelihood of the child being harmed. In practice, after implementation of this policy shift, about half of the previous 'at risk' outcomes would now be unsubstantiated and half would be substantiated.

Two jurisdictions that do not report on 'at risk', New South Wales and Victoria, however include in their actual harm or injury classification identified values which could be classified as 'at risk' decisions, such as 'no injury but at risk of injury' (New South Wales) and 'likelihood of significant harm and likelihood of significant harm due to sexual abuse' (Victoria). Discussion in Western Australia indicated that that State, too, uses risk of harm but this is not evident in the data values provided.

The inclusion and exclusion of 'at risk' from jurisdiction to jurisdiction further contributes to lack of comparability, although it seems likely that, for Tasmania, including 'at risk' in the substantiated totals—which is currently the case in some jurisdictions anyway—could enhance comparability.

Parton et al. (1997:16) have argued that, for all practical purposes, risk has become 'the key signifier for child abuse, both in policy developments and practical decision-making'. This suggests that particular attention needs to be paid to how 'risk' is reflected in the collection.

2.9 Types of abuse and neglect

Overview of comparability of types of abuse and neglect

The definitions of types of abuse and neglect across jurisdictions are reasonably consistent for most jurisdictions, although there are some subtle differences in wording which may impact on how the definitions are interpreted (see Appendix 2). In some instances the definitions are enshrined in legislation, while in others the definitions are contained in

departmental documents. In Queensland the terms 'abuse' and 'neglect' are not used—instead the types of harm are categorised as physical, sexual, emotional or neglect.

Notwithstanding the similarity of definitions, there are wide variations in the distributions of the types of substantiated abuse and neglect. These variations suggest that the States and Territories are interpreting the definitions somewhat differently. Table 2 based on the 1997–98 figures provided to the authors by AIHW, shows the distribution of types of substantiated abuse and neglect for each jurisdiction.

The table shows an erratic spread of percentages for the different types from jurisdiction to jurisdiction. The spread for emotional abuse is the most extreme. Emotional abuse as a percentage of all abuse and neglect ranges from a low of 5% in the Northern Territory to a high of 42% in Victoria. The proportions for sexual abuse are similarly divergent, ranging from 8% in Victoria and Queensland to 39% in Tasmania.

Table 2: Substantiations by type of abuse and neglect by State and Territory, 1997–98 (per cent)

Type of abuse and neglect	NSW	Vic	Qld	WA	SA	Tas[(a)]	ACT	NT
Physical	35	27	27	39	29	38	46	44
Emotional	10	42	23	7	32	11	15	5
Sexual	29	8	8	31	11	39	12	15
Neglect	18	23	42	23	28	12	27	36
Other	7	. .	. .	. .	. .	. .	. .	. .

(a) In Tasmania, more investigations had an investigation decision of 'at risk' (146) than had an investigation decision of 'substantiated' (135). The abuse types associated with the 'at risk' referrals have not been identified. The proportions shown for Tasmania relate only to substantiations and should be viewed with some caution.

In discussions with Victorian Child Protection Program Management personnel, they suggested that in Victoria emotional abuse may be masking other areas such as sexual abuse, as in their view emotional abuse is easier to substantiate than sexual abuse. However, from a rate per 1,000 perspective (Table 3), the Victorian rate of children aged 0–16 years who were the subject of a substantiation of sexual abuse per 1,000 children is comparable with rates in most other jurisdictions apart from New South Wales. Victoria's rate of children aged 0–16 years who were the subject of a substantiation of emotional abuse per 1,000 children, on the other hand, is higher than the rates in all other States and Territories. For example, the rate is 16 times greater than in Western Australia, which strongly suggests that the two States are using the category 'emotional abuse' quite differently.

Table 3: Rates of children aged 0–16 years who were the subject of a substantiation per 1,000 children by type of abuse and neglect and by State and Territory, 1997–98

Type of abuse and neglect	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Physical	1.8	1.6	1.5	0.9	1.5	0.4	2.3	2.5
Emotional	0.5	2.5	1.2	0.2	1.5	0.1	0.6	0.3
Sexual	1.5	0.5	0.4	0.7	0.6	0.4	0.6	0.9
Neglect	0.9	1.3	2.0	0.5	1.1	0.1	1.2	1.9

The differences evident in Tables 2 and 3 are problematic and raise many questions. The authors saw a potential path to understanding differences through sourcing additional data from States and Territories, beyond that reported to AIHW, on actions and harm/injuries. A request was made to each State and Territory for details for the 1997–98 reporting period on exactly what was being substantiated and how that detail was aggregated to the AIHW headings. A number of jurisdictions indicated that their data systems could not

accommodate such a request and other jurisdictions did not provide the requested data because of workload or other unstated reasons. This issue of what is being substantiated further reinforces earlier comments about the limited comparability of overall substantiation figures despite the relatively similar rates of children who were the subject of a substantiation per 1,000 children.

Detailed discussion of types of abuse and neglect

Definitions of the different natures of abuse and neglect

State and Territory definitions of the different categories of abuse and neglect can be found in Appendix 2. An overview of definitional similarities and differences is provided below.

Physical abuse

Most definitions of physical abuse make reference to non-accidental injuries resulting from certain actions. The Northern Territory also include the 'risk of' in their definition and Victoria, Western Australia and Tasmania make reference to physical injuries as a result of neglect.

Neglect

In the Northern Territory, the definitions of neglect or physical neglect largely focus on commissions or omissions that result in impairment to a child's development. The New South Wales definition is more specific and makes reference to the parent's caretaking role. Victoria, Western Australia, Tasmania and the Northern Territory include 'risk' or 'likelihood' in their definitions.

Sexual

The definition of sexual abuse or maltreatment in States and Territories, apart from Victoria and the Australian Capital Territory, is based on children being subjected to behaviours and actions inappropriate to the child's age or level of development. The Northern Territory also makes a reference to sexual abuse violating social taboos and family roles and the New South Wales definition cites the presence of coercion as being intrinsic to sexual abuse, making it different from consensual peer sexual activity.

The Victorian and Australian Capital Territory definitions make no direct reference to age appropriateness or development and instead describe actions that constitute sexual abuse.

Emotional

Emotional abuse definitions vary but most include reference to attitudes and behaviours directed at children that lead to impairment of a child's social, emotional, cognitive and intellectual development or make reference to impairment of the child's psychological, physical or emotional development.

The Victorian definition specifies actions which are classified as emotional abuse and includes the witnessing of domestic violence. Victoria refers to 'serious risk of impairment' (of emotional development), whereas other States generally refer to 'impairment' or 'significant impairment'.

Domestic violence

Although Victoria makes specific reference to domestic violence in its definition of emotional abuse, New South Wales is the only location where domestic violence is documented separately from other abuse type definitions. Other jurisdictions may record incidents of children witnessing domestic violence as emotional abuse, although definitions provided to the authors do not indicate this. The fact that domestic violence is specifically mentioned in New South Wales and Victorian definitions raises the question of whether incidents of children witnessing domestic violence are more likely to be recorded in those two jurisdictions than in other States and Territories.

Queensland

Queensland did not provide definitions of types of abuse and neglect, stating that the concept of 'harm' rather than of 'abuse and neglect' was the key concept used in that State. Information about the outcome of assessment (investigation) of a notification is recorded under the headings 'harm category', 'action responsible', and 'resulting harm/injury'.

The heading 'harm category' is used to aggregate types of abuse/neglect as 'physical, emotional, neglect, sexual' for AIHW and State data purposes. For these purposes, officers are instructed to record as the 'harm category' that which best correlates with the 'action responsible'. However, Queensland practice does not emphasise 'what was done to' the child, but rather 'what the child needs to be safe'.

The central concepts of assessing the 'resultant harm/injury' to the child and the child's 'protection needs' underpin Queensland child protection practice. This information cannot be recorded under the four categories traditionally used to record abuse and neglect, as the only types of harm experienced by the child are physical, emotional or psychological, irrespective of what actions (or inaction) caused the harm.

What is being substantiated?

So far the discussion has focused on how the term 'substantiated' is used. As some States and Territories move along the path of classifying fewer contacts as child protection and more as family support, the comparability of data becomes more problematic.

A case in point is Western Australia's *New Directions in Child Protection and Family Support* (WA FACS 1996) referred to earlier in this chapter. A decision was made in that State, following independent research, that some contacts being classified by the department as child maltreatment allegations were in fact capturing something other than maltreatment. It was evident that many reports of child maltreatment were actually about family dysfunction, poverty and social disadvantage. This has resulted in a number of presenting problems, that in other jurisdictions would be dealt with in the child protection program area, being classified differently. Tasmania has followed this path and indications are that the Northern Territory may also follow.

As an example, in New South Wales, information on actual harm/risk is collected independently of 'primary assessed issue'. Therefore, child abuse and neglect can include primary assessed issues, such as

- Family: behaviour management difficulties with child,
- Family: parent adolescent conflict,
- Family: parent skills development required,

where the assessment determined harm/risk occurred.

In Western Australia where clients are recorded as having 'reasons for contact with the department', each of the above would be recorded as 'reasons for contact' outside the child abuse and neglect program area, e.g. 'Family problem—child management/behaviour'; 'Family problem—parent/adolescent conflict'; 'Information child development/parenting', 'Parenting skills required'.

In Chapter 3, in the discussion of strategies to enhance comparability, the approach of including or excluding types of referrals is explored.

2.10 Care and protection orders

Each State and Territory has legislation in place that provides for a court, generally the children's court, under certain circumstances, to make a care and protection order in regard to a child. The wording of the legislation setting out the circumstances in which the court may make such an order varies from jurisdiction to jurisdiction.[7] All legislation appears to make some reference to a child being in need of care and protection if

- the child is being or is likely to be abused or neglected;
- the child has suffered or is likely to suffer significant harm and the parents have not protected the child.

In most jurisdictions the legislation also outlines other circumstances in which a child may be deemed to be in need of care and protection, such as abandonment, inadequate provision for the child's care, truancy and irretrievable breakdown of the relationship between the child and his or her parents. The extent to which care and protection orders are made in response to non-child protection matters such as truancy is unknown, but is presumed to be small.

Order types

The range of orders that a court may make varies considerably from jurisdiction to jurisdiction. Information was provided by States and Territories identifying the different types of care and protection orders in place in each jurisdiction. Appendix 3 presents the information supplied.

In the AIHW counting rules, care and protection orders are grouped into four categories:

- finalised guardianship or finalised custody orders sought through a court;
- finalised supervision or other finalised court orders which give the department some responsibility for the child's welfare;
- interim and temporary court orders; and
- administrative and voluntary arrangements within the community services department.

States and Territories were asked to provide information on how care and protection orders granted in their jurisdiction were reported back to AIHW for national reporting purposes. Information was provided in varying levels of detail. In discussion with some States, namely New South Wales and South Australia, it was made clear that departments other than community services departments were responsible for the collection of some care and protection order data. In these jurisdictions protocols were not in place and community

[7] AIHW (1998) provides a summary of the legal definitions of children in need of care and protection.

services departments experienced some difficulty in obtaining detailed data relating to orders. What is presented below is the authors' understanding of how jurisdictions derive their care and protection orders for reporting to AIHW.

New South Wales

The Department of Community Services (DCS) in New South Wales is not the body responsible for collecting and reporting care and protection data. Although the DCS information system provides a capacity for departmental input of care and protection application details, consultations identified that input of these data is inconsistent and progress of applications is not updated.

AIHW order classification	NSW order types included
Finalised Guardianship or Finalised Custody Order	Wardship/Custody orders; Protected person under the Commonwealth Family Law Act
Finalised Supervisory and Finalised Other Court Orders	Data were previously provided by the Department of Juvenile Justice
Interim or Temporary Orders	Orders for removal without consent; care orders during adjournment
Administrative or voluntary arrangements	Orders concerning ex-ward, ex-protected person, protected person under the Commonwealth Immigration (Guardianship of Children) Act; voluntary orders

Victoria

Victoria identified four order types—Irreconcilable Differences Order, Interim Accommodation Order, Protection Orders and Permanent Care Orders. When care and protection orders are reported to AIHW, only Protection Orders and Permanent Care Orders are included. Victoria maps its orders to AIHW classifications as follows:

AIHW order classification	Victoria order types included
Finalised Guardianship or Finalised Custody Order	Guardianship to Secretary Order; Custody to Secretary Order and Permanent Care Orders
Finalised Supervisory and Finalised Other Court Orders	Order requiring an undertaking; Supervision order; Custody to third party; Supervised custody
Interim or Temporary Orders	Interim protection order
Administrative or voluntary arrangements	Victoria does not report Administrative or voluntary arrangements

Queensland

Queensland provided the following information outlining the current situation. Queensland has new legislation before the Parliament that includes various new order types.

AIHW order classification	Queensland order types included
Finalised Guardianship or Finalised Custody Order	Care and Protection Order; Care and Control (for protective reasons) Order
Finalised Supervisory and Finalised Other Court Orders	Protective Supervision Order
Interim or Temporary Orders	Remands in Temporary Custody (including pre-court custody) for protective reasons
Administrative or voluntary arrangements	Queensland does report Administrative or voluntary arrangements

Where a child is the subject of more than one type of order as at 30 June, he/she is counted against the most serious type of order: guardianship, followed by non-guardianship (supervisory), followed by interim orders.

Western Australia

The only type of order available in Western Australia is the Care and Protection Order (Guardianship Order) which is reported to AIHW. However, see discussion under Counting Rules below.

South Australia

South Australian legislation includes Undertakings; Custody Orders; Guardianship Orders; Power to Direct a Party; and Consequential or Ancillary Orders. Currently this State relies on data provided from the Youth Court database which does not provide a breakdown of the types of orders reported as care and protection orders. This is currently being rectified.

Tasmania

When reporting on care and protection orders to AIHW, Tasmania includes Guardianship Orders; Legal Supervision Orders; Interim and Temporary Orders; and Administrative and Voluntary arrangements. The mapping of these orders to the AIHW classification is shown below.

AIHW order classification	Tasmania order types included
Finalised Guardianship or Finalised Custody Order	Wards
Finalised Supervisory and Finalised Other Court Orders	Supervision Order; 120 Hour Order (CP); 7 Day Order (CP); 30 Day Order (CP)
Interim and Temporary Orders	Interim Order; Temporary Order
Administrative and voluntary arrangements	Residential Domestic Assistance; Temporary Admission[(a)]

(a) There is no legal mandate for Temporary Admission. It is an assumed power under the Child Welfare Act allowing children to be accommodated in departmental facilities without recourse to parents/guardians or the court in emergency situations. Residential Domestic Assistance provides short-term emergency care in departmental placements for children whose parents are temporarily unable to care for them.

Australian Capital Territory

In the Australian Capital Territory, Supervision Orders, Residential Orders and Wardship Orders are available. The mapping of these orders to the AIHW classification is shown below.

AIHW order classification	ACT order types included
Finalised Guardianship or Finalised Custody Order	Ward Order and finalised Reside as Directed Orders
Finalised Supervisory and Finalised Other Court Orders	Supervision Order
Interim and Temporary Orders	Detention Orders (for child protection) and short-term Reside as Directed Orders
Administrative and voluntary arrangements	Arrangements under sections 8 and 94 of the *Children's Services Act 1986*

Northern Territory

The Northern Territory identified an extensive list of order types, which map to AIHW classifications as follows:

AIHW order classification	NT order types included
Finalised Guardianship or Finalised Custody Order	Guardianship to Minister; Joint guardianship; Guardianship to third party; Residential direction
Finalised Supervisory and Finalised Other Court Orders	S43(5)(a) Supervision Order or court direction to parents/caretakers without departmental supervision
Interim and Temporary Orders	Holding Orders S11(1) & S11(4); Interim Order
Administrative and voluntary arrangements	S62 Temporary custody Order

2.11 Counting rules

The counting rules developed by AIHW for orders for care and protection reasons appear ambiguous in some areas. The definitions for 'interim and temporary orders' and 'administrative and voluntary arrangements' are unclear. In the case of the latter, the *Child Welfare Series* table heading refers to orders but the phrase 'administrative and voluntary arrangements' implies 'not orders'. This ambiguity needs to be clarified. States and Territories appear to differ in the way that they interpret these two categories.

Western Australia has identified that the only orders in operation in that State are care and protection (guardianship) orders, but the *Child Welfare Act 1947* Section 29 (3aa) provides for court-ordered arrangements for placement, custody and access during any adjournment of care and protection hearings. The department also makes voluntary agreements with families for out-of-home care placements in a care and protection context. Neither of these situations is reported to AIHW because the assumption is made that only information on designated orders is wanted.

Queensland reports remands in temporary custody to AIHW as interim or temporary orders. Both the Queensland and the Western Australian Acts seem to have the same intent regarding care of the child pending a court determination on a care and protection matter, but one State reports these situations to AIHW and the other does not. Like Western Australia, Queensland reports that it does not have administrative and voluntary arrangements.

Victoria reports temporary and interim orders, which in its case are defined in the legislation, but also states that it does not have administrative and voluntary arrangements.

New South Wales reports on both interim and temporary orders and administrative and voluntary arrangements. From the information provided, the situations to which these data refer (namely involuntary removal, court adjournment and some categories of out-of-home care) are very similar to those that exist in Western Australia but which are not reported.

Tasmania has interim and temporary orders in its legislation and reports 'residential domestic assistance' and 'temporary admission' as administrative and voluntary arrangements.

The Australian Capital Territory reports on interim and temporary orders and on administrative and voluntary arrangements that are not orders but are provided for in the Act.

The situation for both 'interim and temporary orders' and 'administrative and voluntary arrangements' seems to the authors to be very confused. The authors suggest that NCPASS/AIHW revisit both these categories from the perspective of 'what are we trying to find out?' and redevelop the counting rules accordingly.

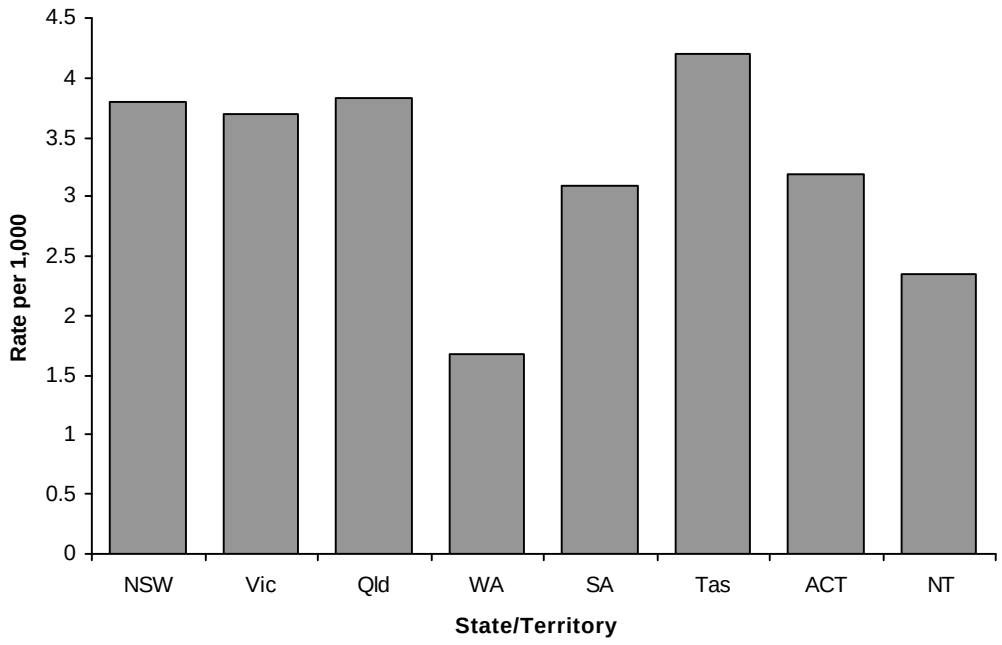
2.12 Rates for care and protection orders

Rates of children aged 0–17 years on care and protection orders per 1,000 children are presented in Figure 4. These rates incorporate finalised guardianship and custody orders, finalised other court orders (including supervisory orders), interim and temporary orders, and administrative and voluntary arrangements for care and protection.

On the surface, the rates per 1,000 look fairly similar for New South Wales, Victoria and Queensland, each of which reported very close rates within the range of 3.5 to 4 children on orders per 1,000. Tasmania, with a rate of 4.2 per 1,000, was the highest of all States and Territories, and Western Australia, with a rate of 1.7 per 1,000, was the lowest. The Northern Territory, with a rate of around 2.4 per 1,000, was also low.

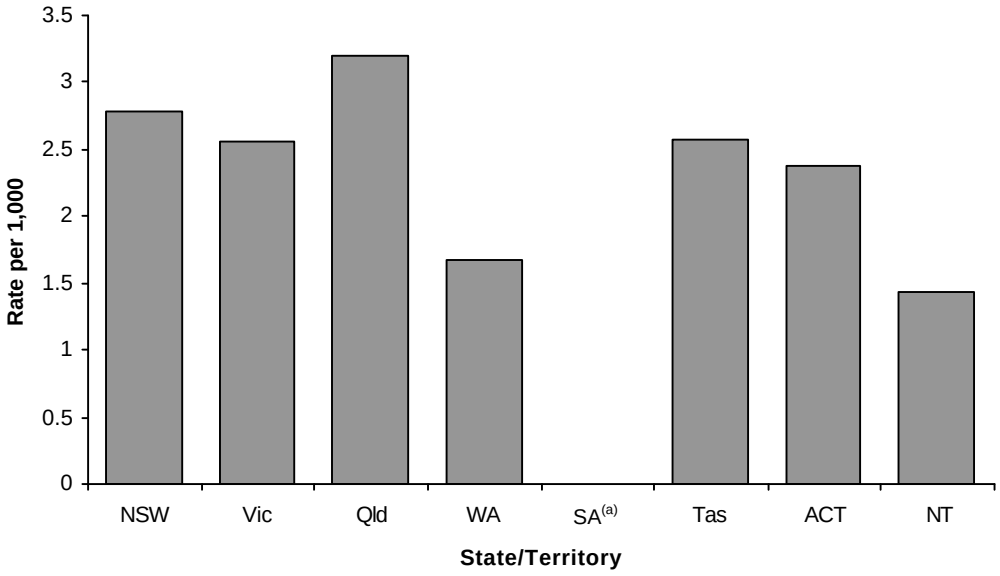
However, Figure 5, which presents rates of children aged 0–17 years on finalised guardianship and custody orders per 1,000 children, shows this apparent similarity for some States to be somewhat spurious. What is counted as care and protection orders varies from jurisdiction to jurisdiction and is not comparable Australia-wide (see also Section 2.11).

In view of this lack of comparability, it is recommended that the AIHW order types not be aggregated into one care and protection order figure. In any event there is a vast conceptual difference between orders like supervision (which leave custody and guardianship unchanged), interim or temporary orders, and finalised guardianship and custody orders. These differences also suggest that the various orders should not be aggregated.



Source: Table A5.2.

Figure 4: Rates of children aged 0–17 years per 1,000 on care and protection orders, by State and Territory, at 30 June 1998



(a) South Australia was unable to provide this data.

Source: Table A5.3.

Figure 5: Rates of children aged 0–17 years per 1,000 on finalised guardianship and custody orders, by State and Territory, at 30 June 1998

Recommendation 4

That NCPASS redevelop the counting rules for care and protection orders to remove any ambiguity.

Recommendation 5

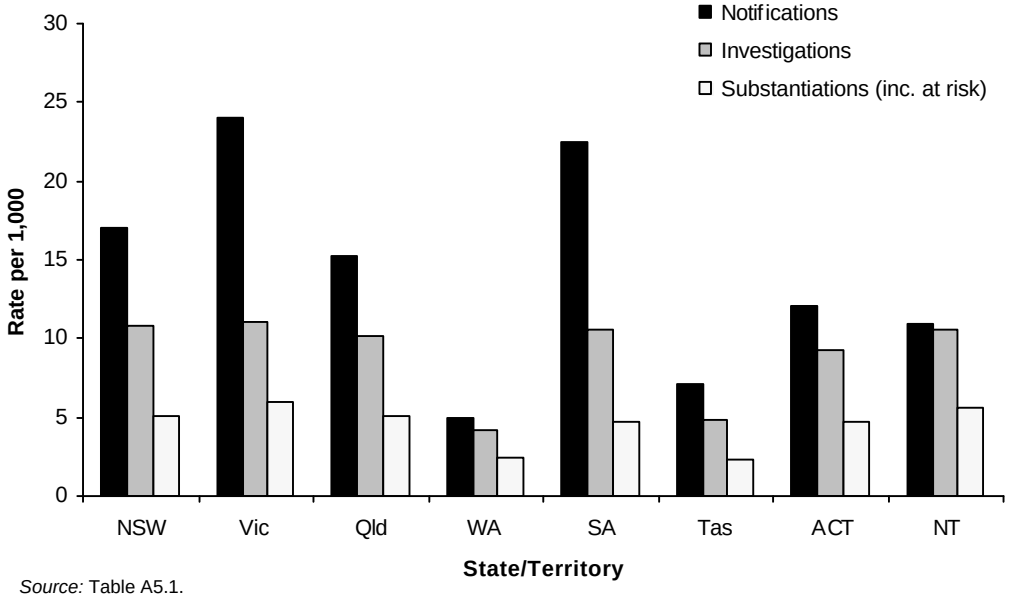
That the various care and protection orders not be aggregated in any national child protection reports.

3 Strategies to enhance comparability

3.1 Overview

This chapter discusses strategies that may lead to greater comparability of child protection data across States and Territories. A uniform framework within which the child protection processes in each jurisdiction can be studied from a data comparability perspective is proposed, along with suggestions for enhancements to the collection.

In the previous chapter, the major child protection processes were discussed highlighting similarities and differences between different States and Territories. Bar graphs were presented showing rates per 1,000 for children who were the subject of notifications, investigations and substantiations. Figure 6 brings these bar graphs together, reinforcing the view that jurisdictions are least comparable at the point of notification and superficially most comparable at the point of substantiation. A generic reporting format is proposed to improve comparability at the front end, i.e. what is currently called notification.



Source: Table A5.1.

Figure 6: Rates of children aged 0–16 years per 1,000 who were the subject of a notification, investigation and substantiation (including at risk), by State and Territory, 1997–98

3.2 Generic reporting format

Generic labels

It became clear in discussions with States and Territories that the current labels used in the AIHW collection contribute to the confusion about comparability. Either States and Territories use the same terms but mean different things or they use different terms but mean the same things—'notification' and 'investigation' are cases in point. At times, departmental officers had difficulty in separating the way their department used terminology from the way in which it was used by AIHW or other jurisdictions.

An additional complication is the fact that State and Territory statistics reported in AIHW publications do not necessarily match those reported in departmental annual reports and other similar publications. This is not surprising because the counting rules used locally may be somewhat different from those used nationally; however, because the terminology used is the same, readers expect the data to be the same also.

Part of the solution to these problems would be to introduce an agreed terminology with associated definitions and counting rules which, while relevant and meaningful, are used only for national statistics.

Generic framework

Irrespective of the State or Territory, a referral to a department which ultimately ends up being dealt with as a child abuse or neglect referral passes through a number of similar stages. It is proposed that these stages be used as a framework to facilitate national comparisons.

Three stages have been identified:

- initial contact with department;
- initial examination of contact information; and
- further examination of contact information.

Shorter descriptions for the three stages are proposed, namely Initial Contact, Screening and Investigation. These terms are suggested for use as generic labels within AIHW collections.

Included with the proposal for the new generic terms is the nomination of a new point at which comparison would take place. This point is proposed to be where decisions are made about further departmental action following the screening stage. One of these decisions is to categorise a contact as a child protection matter.

Figure 7 provides an overview of the proposed generic reporting format. Appendix 1 contains a representation of the systems in each State and Territory, separated into stages under the proposed generic labels. Each of the stages is discussed below.

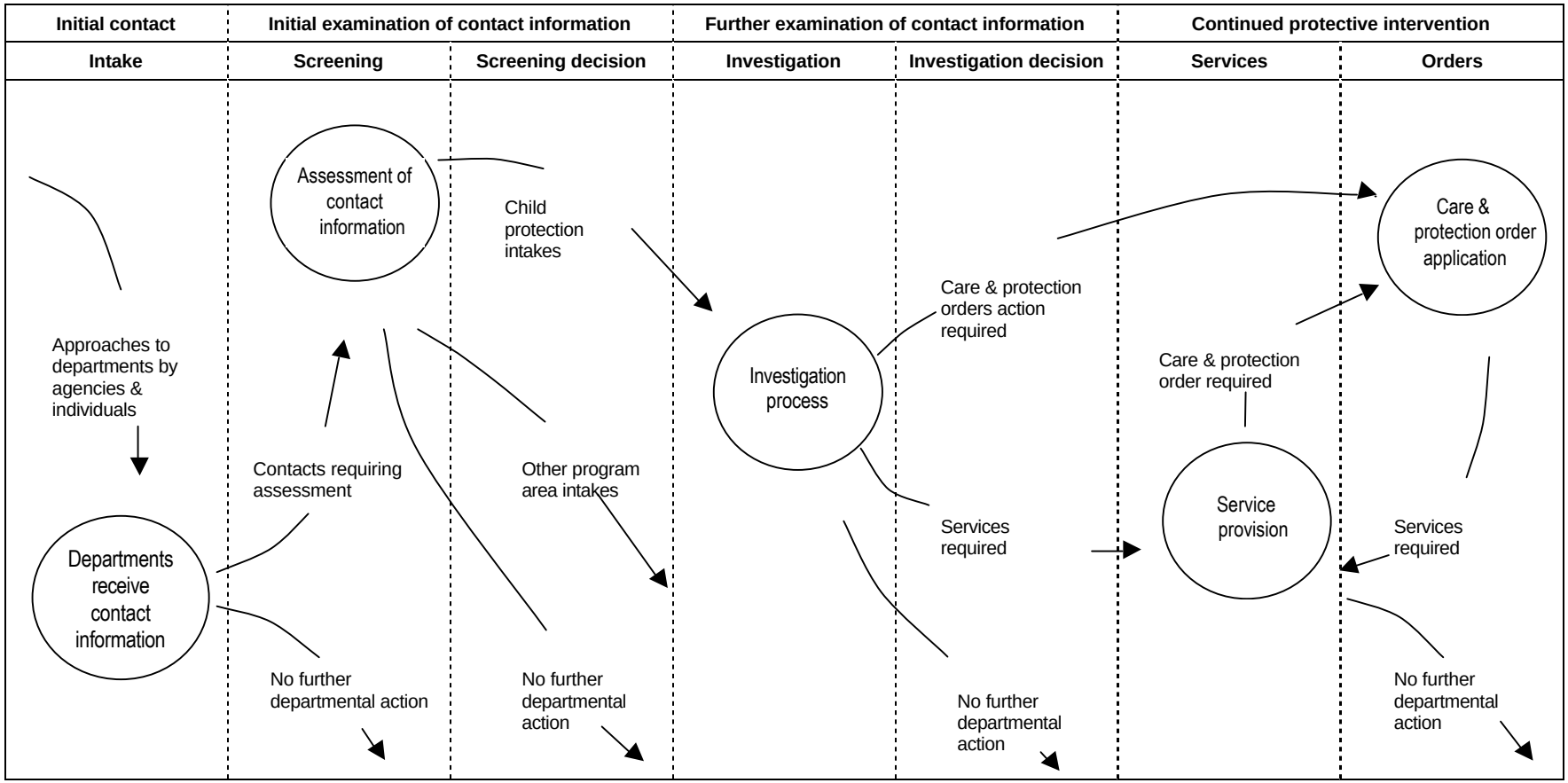


Figure 7: Overview of the proposed generic reporting framework

Initial contact

In nearly all jurisdictions the term 'intake' is used to describe the initial contact that an individual or agency, concerned about a child or requesting a service, has with a department. Where the concept of a 'notification' is caller-determined this initial contact is synonymous with 'notification', that is, the initial contact earns a child protection label and is counted as a 'notification' in AIHW publications (Victoria, South Australia and the Northern Territory). In other jurisdictions 'notification' and 'initial contact' are not synonymous although the actual reasons for contact may be similar to those in Victoria, South Australia and the Northern Territory.

The generic label 'initial contact' is proposed for this stage; however, we do not believe that real comparability in child protection data is possible at 'initial contact' because of differing departmental mandates and functions.

Screening

A second stage has been identified, described here as the 'initial examination of contact information' with a proposed shortened title of 'screening'. Screening leads to an initial decision to screen out some contacts as requiring no further action or to direct them to other (non-child protection) program areas and to screen-in other contacts as potential cases of child abuse and neglect. Only the latter contacts proceed to investigation. All States and Territories screen in this way. Some States and Territories screen before designation of a contact as a 'notification' for AIHW reporting purposes and others after (see Chapter 2).

In reality there may be little or no time lag between initial contact and screening if a referral is clearly a child protection matter. What has become clear, though, is that a point of commonality across States and Territories exists when the decision following the screening stage indicates that the contact requires further action from a child protection perspective. This decision classifies the initial contact as a child protection matter.

It is proposed that all States and Territories adopt the decision following screening as the first point at which they report to AIHW and that it be referred to as 'child protection intake'.

The new count 'child protection intake' would replace the old count of 'notifications'. Victoria, South Australia and the Northern Territory would need to develop new counting rules to reflect this change. Other States will probably be able to use the same counting rules as those used for the old notification counting point but should review their counting rules to make sure. The count 'child protection intake' will be similar to the count 'investigation' but it is unlikely that all 'child protection intakes' will end up being investigated.

Use of the term 'notification' in AIHW reporting should cease. It is used in an inconsistent manner across Australia and its retention may create confusion in some jurisdictions.

The diagrams in Appendix 1 provide clear evidence of potential comparability at the proposed point and will provide a sound foundation on which counting rules for reporting at this point can be developed.

Investigation

The next stage is 'further examination of contact information', assigned a short description of 'investigation'. This stage is referred to in some jurisdictions as 'investigation', in others as 'assessment' and also as 'field action'. The term 'forensic investigation' has also been used. In all jurisdictions it leads to the decision of 'substantiated', 'not substantiated' or to

other outcomes specific to particular jurisdictions. The activities associated with this stage are very similar across departments and it is proposed that the term 'investigation' remain as currently used in AIHW reporting.

All States and Territories appear to make a comparable decision based on the results of the investigation, but this is somewhat deceptive. As outlined in Chapter 2, there is good evidence that, although the same terminology is used, the conditions to which decisions like substantiated or confirmed are applied are not necessarily common across jurisdictions. The issue of what States and Territories actually classify as 'child abuse and neglect' needs much more exploration. Until this occurs there will be limited comparability at this point and hence no new generic label is proposed for investigation decision.

Development and/or refining of counting rules

Prior to the adoption of the proposed generic framework, it will be necessary to identify which existing counting rules remain appropriate, to refine them where necessary and to develop a new counting rule for child protection intakes. NCPASS would be the appropriate group to undertake this task.

Recommendation 6

That the stages of 'initial contact', 'initial examination of contact information' and 'further examination of contact information' be adopted as a generic framework for child protection processes Australia-wide and that the shortened terms used to describe each process be 'initial contact', 'screening' and 'investigation'.

Recommendation 7

That a new counting point called 'child protection intakes' be adopted to replace 'notifications' in AIHW reporting and that child protection intakes be identified by each State and Territory after screening of initial contact information and based on counting rules developed by NCPASS.

3.3 Enhancing the collection

Once the variability associated with the count of 'notification' is removed, States and Territories fall into two bands. Western Australia and Tasmania are in one band and the remaining States and Territories in the other.

The substantially lower rates per 1,000 reported for Western Australia and Tasmania at every stage in the child protection process are the result of these States making the policy decision to separate child protection from family support and to provide services to both types of case. These States are categorising some contacts differently from other jurisdictions. It should not automatically be assumed that these contacts, which are categorised as family support (or other non-child protection equivalent), are less serious child protection cases, although they may be.

However, even within these two bands there are obvious differences between States and Territories in terms of what is being substantiated (see Table 3, Chapter 2).

There are four possibilities for addressing this lack of comparability:

Option 1 Accept that what is categorised as child protection varies from location to location and do not attempt to compare data from different States and Territories.

Option 2 Introduce additional data items and counting rules based on agreed descriptors of substantiated abuse and neglect (i.e. actions responsible and harms/injuries).

Option 3 Broaden the collection into a child welfare data collection of which the present child protection collection would be a subset.

Option 4 Adopt both options 2 and 3 in an attempt to maximise points of comparison.

Each of these strategies has advantages and disadvantages.

Option 1

Option 1 is essentially acceptance of the status quo, apart from the new counting point for notifications. It requires no commitment by NCPASS and AIHW to anything other than clear explanatory notes and disclaimers when the data are reported.

Option 2

Properly resourced and implemented, Option 2 would provide useful information about what types of incidents and harms/injuries to children are subsequently being substantiated by departments and allow exploration of differences in response across jurisdictions. It would also allow some assessment of the severity of reported abuse and re-abuse in Australia. Some States and Territories already record this information electronically and presumably most would record it on paper files.

Option 2 is the most practical way that the authors can see for getting to the bottom of the widely different rates of substantiation and abuse types highlighted in Chapter 2. The alternative would be a massive Australia-wide qualitative study. Option 2 would enable ongoing monitoring of harms/injuries in a way that a one-off qualitative study would not. Option 2 is consistent with earlier recommendations to social welfare ministers and administrators (Thorpe 1989). Analysis of this type of data has proved very helpful to policy makers in understanding what is being categorised as child abuse and neglect by a community services department (Cant & Downie 1994) and to tailor intervention accordingly.

The authors do not underestimate the complexity of implementing Option 2 or the commitment that would be required from States and Territories to develop, implement and electronically record new definitions that would more fully (and usefully) explicate the old classifications of physical, sexual and emotional abuse and neglect.

Concern has been expressed that this option would narrowly focus the child protection discussion away from contextual issues and onto the harms/injuries and actions associated with a particular incident. The authors accept that this may be a risk, although they see these additional data as supplementing not replacing existing data. Careful development of definitions for harms/injuries and actions responsible should assist in minimising the risk.

Subjectivity in the use of descriptors is also of concern but, as Chapter 2 has shown, this problem is inherent in the collection.

Option 3

Broadening the collection into a child welfare (or children in need) collection would potentially allow some comparison of the number of referrals to departments concerning

children that the different States and Territories are dealing with at initial contact and of how they subsequently stream them. However, while it may increase comparability at initial contact and provide valuable information about the way in which departments are responding to concerns about children, it will not enhance comparability at investigation or substantiation. Substantial work would be required to ensure that broadening the collection in this way did not replace one set of comparability problems with another.

In the case of New South Wales, Tasmania and the Australian Capital Territory, adoption of this strategy might be as simple as the inclusion of what have been called 'child concern reports' or 'consultation'. For Western Australia, including 'child concern reports' would not achieve the desired end; it would be necessary to explore other 'reasons for contact' that involve children to obtain the most appropriate mix for inclusion. Consideration would also need to be given to what additional data would be required from Victoria, Queensland, South Australia and the Northern Territory.

It should be noted that it is intended through this option to more fully report at a national level referrals about children received by the relevant departments. It is not intended to broaden the collection to other departments and instrumentalities. The count would be based on 'initial contact', although detailed counting rules would be necessary.

Option 4

The fourth option, the author's preferred one if there is to be greater understanding of child protection issues Australia-wide based on data, would be to implement both Option 2 and Option 3. Both represent enhancements of the existing data collection and could be implemented without losing any of the data currently collected. Neither option could be implemented without full commitment from States and Territories. Both would require agreement on new definitions and Australia-wide implementation. Most States and Territories would need to make major changes to their information systems, which might prove to be a significant hurdle. On the other hand, neither option requires change to existing legislation, policy or practice and would be relatively impervious to future changes.

Option 4 has the advantage of offering the most comprehensive approach to achieving comparability and would provide the best data for decision-makers. The disadvantage is that it also requires most commitment from States and Territories.

Recommendation 8

That States and Territories work towards adopting Option 4 (enhancing the collection) in the longer term, while implementing Option 1 (provision of clear explanatory notes and disclaimers) in the short term.

3.4 Other strategies to enhance comparability

While the two major strategies to enhance comparability are (1) the adoption of a generic framework for child protection reporting, and (2) enhancing the existing data collection, use of computer routines (filters) in some areas and consolidating 'at risk' and 'substantiated' reports would also assist.

Use of computer routines (filters)

Computer routines would be used to select or filter existing data to create subsets of data containing information that is more comparable across jurisdictions than the original data. The use of the term 'filter' relates to filtering out certain data values, according to selection or exclusion criteria, resulting in a more reasonable point of comparison across the jurisdictions.

The idea of using filters was discussed in New South Wales with the data analysis team who voiced concern about the value of excluding items that, in the view of certain States, should validly be included. This concern has been echoed by AIHW. The authors make the point, however, that the aim is to achieve greater comparability at certain points in the process and that what is filtered out can still be reported on in different tables within the collection. Indeed, the capacity to apply different filters gives great flexibility to the ways in which the data can be presented.

Use of computer routines (filters) in conjunction with Options 2 and 3 would provide Australia with enormous capacity to explore similarities and differences between the community services departments in terms of the types of concerns about children brought to their attention and their responses to these. Data items that could be used in developing computer routines to filter records are suggested below.

Age

Data categorising the number of notifications by the age of the subject child were requested from all States and Territories but supplied only by some. Without being able to examine across Australia age separation of subject children, it is not clear what impact the imposition of an age filter would have on comparability. However, the filtering out of all notifications (or child protection intakes, in the proposed terminology) for children 17 years and older would immediately make other jurisdictions more comparable to Victoria. An age filter is essential if care and protection order data are to be compared on a like-with-like basis. It is noted that the AIHW currently applies this filter to some tables.

Perpetrator of maltreatment or abuse

A filter based on the person responsible for abuse may help to overcome differences across jurisdictions, which are the result of extra-familial or peer abuse being included. All States and Territories, apart from South Australia, record information about perpetrators. South Australia will eventually record this detail but was unable to nominate a commencement date.

Caution would be required in pursuing this path as further detailed investigation may exclude it as a viable filter. This comment is made in the light of discussion in Queensland where it was stated that in certain circumstances, where physical or sexual abuse had been perpetrated by an extra-familial person, it could be recorded as neglect perpetrated by the child's parent(s). The rationale for recording the incident in this manner would be that the parent(s) had failed to protect the person from the abuse. Some other jurisdictions alluded to a similar view but nowhere was it stated as clearly as it was in Queensland.

Consolidating at risk with substantiated reports

The number of jurisdictions recording the 'at risk' is reducing. The fact that in some jurisdictions risk is recorded as an outcome of an investigation and in other jurisdictions it is recorded in the detail of what was found during the investigation impacts on comparability.

It may be appropriate to filter out from some counts those cases where the harm/injury descriptor indicates risk of harm only or, as an alternative, to consolidate 'at risk' outcomes with substantiated outcomes. It may also be appropriate to look more closely at 'risk' in its own right.

Recommendation 9

That increased use be made of computer routines to explore similarities and differences between States and Territories in the way that they respond to concerns about children in general and child protection intakes in particular.

3.5 Information on services

States and Territories currently report on only three services delivered by community services departments in response to concerns about children:

- child protection investigations
- out-of-home overnight care
- court orders.

Excluding investigation, these services are provided only to a small percentage of children. In addition, the way in which data on out-of-home overnight care and data on care and protection orders are reported makes no linkage back to child protection intakes. All States and Territories provide a range of other intervention services to selected children and families following a child protection investigation; they also provide services to children and families outside a child protection context. None of these services is reported for national statistics.

In terms of the efficiency and effectiveness of child protection (and family support) processes, the provision of services post-investigation (or assessment) in cases of identified need is critical. Thorpe (1989) recommended the use of a 'career path' concept as a means of recording and analysing interventions post-investigation. This proved a useful device for examining child protection interventions (Thorpe 1989) but has not really 'caught on'.

In terms of State and Territory comparability, it would be of considerable interest to understand the extent to which jurisdictions are similar (or different) in their post-investigation (and post-assessment) interventions to support children and families experiencing problems and to prevent incidents of child abuse or neglect.

Recommendation 10

That NCPASS consider ways in which data on intervention post-investigation could be incorporated into the national child protection data collection.

3.6 Barriers to comparability

Information systems constraints

Consultations in States and Territories identified that there were limitations in information systems in different jurisdictions that can negatively impact on strategies to achieve comparability. Some issues that surfaced are discussed here.

Data items and data values collected

Important data items such as family structure of subject child, person responsible for abuse, and descriptors of action responsible and resulting harm/injury are not uniformly part of information systems in every State and Territory.

In addition, differences exist from jurisdiction to jurisdiction in the values that are recorded within data items such as actions and resulting harms/injuries. In some jurisdictions, lists of values provided showed a mixture of presenting problems, actions and/or resulting harms/injuries.

True comparability cannot hope to be achieved without uniformity in procedures and the data collected as a result of the procedures and practices. While differences would always exist in legislation, and program management will evolve in the light of trends and findings from child protection research, a greater degree of comparability for data collection systems should be aimed for. This would be achieved through a group like NCPASS embarking on a process to get agreement on a set of core child protection data items for each State and Territory. The values to be recorded within each data item and a uniform understanding of what each of those values represents should also be agreed. Undertaking such a task will not be easy but its successful completion would produce an agreed set of data items and agreed values that could be incorporated in any new information systems developments.

In some States it may be possible, once data items and values are agreed upon, to electronically map existing data to new agreed values. This type of task falls into the most difficult area of information technology systems development in that it requires a strong bridge between the program area experts, data analysis teams and the information technology personnel who would program the mapping process. It is likely that this mapping would also include the use of some or all of the potential filters suggested elsewhere in this chapter.

Recommendation 11

That work commence on investigating the feasibility of working towards the adoption of core data items and values to record child protection across States and Territories.

Inflexibility of the format in which child protection data is currently available

Requests for additional data from States and Territories resulted in most jurisdictions in comments about how difficult it was to extract data from existing information systems and present these data in a flexible manner. In both the Australian Capital Territory and the Northern Territory the request was met with a simple statement that it is not possible to provide ad hoc reports without significant prior notice and scheduling of the work.

The authors see the most likely short-term prospect of enhanced comparability being achieved through the application of filters to existing data. However, for this to be properly investigated, data would need to be available in a variety of flexible formats such as ad hoc reports and data extracts. There currently seems to be limited potential for most jurisdictions to provide this.

3.7 Legislative and policy changes

Given the task of working with data across eight different jurisdictions, changes in legislation and policies from time to time can have enormous impact on the comparability of data collected. Any strategies to enhance comparability of data across jurisdictions would need to be reviewed on a regular basis, either annually or every 2 years, to ensure that the strategies to maintain comparability remain accurate and relevant.

Discussions in New South Wales focussed on new legislation in that State which is proposed to come into operation in the year 2000. In conjunction with the implementation of the new legislation it is proposed that a new information system will also be established, the development of which is just commencing. The new bill in New South Wales to replace the existing *Children (Care and Protection) Act 1987* will result in substantial changes to how care and protection is dealt with in that State. Some elements of the new legislation that arose during discussion were:

- the concept of notification being replaced by 'reports' that can be made by parents or children;
- change of focus to the child being more 'at risk of harm';
- the inclusion in the bill of categories (circumstances) where a 'risk of harm' will exist;
- provision for prenatal reports to be made; and
- expansion of mandated reports.

The impact of this new legislation on the comparability of New South Wales data with data collected in other jurisdictions may be significant. The consequences of other jurisdictions adopting new legislation (or new policies) could have a similar impact.

Recommendation 12

That a regular process of review occur to ensure that levels of comparability achieved are maintained, taking into account legislative and policy changes across Australia.

4 Summary and conclusions

The findings in Chapter 2 confirm that the Australia-wide comparability of both child abuse and neglect and children on care and protection orders data is problematic.

4.1 Comparability of child protection data

Definitional problems with child protection

The authors found that there are major definitional problems with key terms like 'child protection', 'abuse', 'notification' and substantiation'. The AIHW has already quite correctly stated that there is no clear definition of what constitutes child abuse and neglect in Australia. Even when similar Australia-wide definitions exist, as with abuse types, there is strong evidence they are used differently. The different rates per 1,000 for children who are the subject of notifications, investigations and types of substantiations of abuse and neglect presented in Chapter 2 vividly illustrate this.

These definitional differences, rooted as they are in legislative, policy, service and above all philosophical differences, cannot be easily resolved. The development of common definitions will not help unless the definitions reflect shared policy, philosophy and ultimately legislation.

Australia is not alone in facing this problem. The influential *Child Protection: Messages from Research* starts off with, but does not resolve, the problem of definition (Dartington Social Research Unit 1995). It is critical that differences in definition and meaning are not glossed-over in any way and that their impact on the data is clearly identified and understood.

What is child protection?

Deciding what is and is not a child protection matter is fundamental as this determines how departments intervene and therefore in a data context what they record.

In recent years the definition of child abuse has broadened considerably with the growth in professional and public awareness. There has been concern, however, that the broadening of the definition has drawn more children and families into the net, exposing them to child protection investigations without necessarily increasing service provision to them. It has also increased the pressure on community services departments to cope with burgeoning investigatory requirements with limited resources. All this is well documented in the literature (e.g. Parton et al. 1997).

The decision by some States to specifically target their child protection responses to address maltreatment of children is one response to this situation. These States address other concerns about children under response categories like 'family support' or 'child and family concern'. As a result there is now an obvious difference between States as to what is included under 'child protection' services, which has impacted markedly on the comparability of national child protection data across Australia.

Child concern reports

In an effort to improve comparability, the AIHW has begun to collect data on child concern reports. Currently four jurisdictions provide these data. However, the authors found that there were inconsistencies in the ways in which jurisdictions were using this concept. Until these inconsistencies are resolved, their role in enhancing comparability is limited.

Notifications are counted at different points in the process

The authors found that jurisdictions varied on the point at which they categorised a contact as a notification for AIHW reporting and that this greatly affected the comparability of data. In some jurisdictions the initial caller-defined categorisation of a contact as a notification was reported to AIHW, while in other jurisdictions a contact was only designated as a notification for AIHW purposes after the department had done some initial screening.

Investigation processes are similar

It was hypothesised that one of the causes of the lack of comparability in child protection data across Australia was differences in what States and Territories viewed as an investigation. However, the authors found that investigation processes were reasonably consistent across jurisdictions. At a minimum all jurisdictions considered that an investigation involved sighting or interviewing the child whenever practicable, identifying harm/injury to the child or risk thereof, determining an outcome and assessing safety needs.

Substantiation and abuse types are used differently

States and Territories define substantiation differently. Some jurisdictions substantiate harm or risk of harm, others an incident and still others a combination of the two. In addition, two jurisdictions are still reporting 'at risk' whereas other jurisdictions do not, although most have the category 'risk of harm' as a value within substantiation.

The definitions of abuse types are fairly similar across Australia but the authors found strong evidence that the way in which they are used varies considerably. In the absence of more detailed information about what is being substantiated, the variation in the rates per 1,000 for types of substantiated abuse and neglect provides the only real insight into the differences in how jurisdictions are categorising different concerns about children. For example, it is a reasonable working hypothesis that the high rate of children who are the subject of substantiated emotional abuse in Victoria may have something to do with the way in which that department is responding to domestic violence when there are children in the family.

4.2 Comparability of care and protection orders data

In the 1997–98 AIHW collection, care and protection orders are grouped into four categories:

- finalised guardianship or finalised custody orders sought through a court;
- finalised supervision or other finalised court orders;
- interim and temporary court orders; and
- administrative and voluntary arrangements with the community services departments.

While this grouping appears reasonable and reflects the options available to the courts in each jurisdiction, the authors found that the counting rules for two of the categories are ambiguous and open to different interpretations. There is clear evidence that States and Territories with similar provisions in their legislation have made opposite decisions in relation to reporting on 'interim and temporary court orders' and 'administrative and voluntary arrangements'.

The authors also found that there was limited comparability when the four categories are aggregated into a single category and States and Territories compared as, for example, in rate per 1,000 by Indigenous status. These sorts of comparisons would be better done on the categories individually.

4.3 Options to improve comparability

The authors have identified several options for improving comparability. The options fall within two areas; the adoption of a generic reporting framework, and the undertaking of enhancements to the collection.

A generic reporting format

Once departments have decided that a contact about a child should be treated as a child protection matter (however defined), there is considerable commonality in the processes used. A simple generic framework for national reporting is therefore feasible. A new counting point called child protection intake is suggested to replace the current notification count.

In summary, the proposed generic reporting format comprises:

Initial contact	not reported (future child welfare reporting)
Screening	not reported
Child protection intake	new counting point for child protection
Investigation	reported for child protection
Investigation decision	reported for child protection
Services	future reporting
Orders	reported as children under orders

The investigation decision could usefully be recorded as both:

- Substantiated, not substantiated, or no investigation possible; and
- Services required (including care and protection applications), or no further departmental action.

While the adoption of a generic reporting format with common counting points would not resolve differences in what States and Territories count as a 'child protection intake' or 'substantiated abuse or neglect', differences in how they count it would be eliminated. All jurisdictions should be able to adopt the generic framework without any major modifications to existing data collections, although detailed counting rules would need to be developed by NCPASS.

Enhancements to the collection

Several enhancements to the collection were proposed in Chapter 3. They provide an ongoing approach to 'unpicking' what jurisdictions are defining as child protection matters. The suggested enhancements include:

1. Enhancing the existing data collection by introducing new data items and counting rules based on agreed descriptors of harms/injuries and actions responsible data for substantiated child abuse and neglect.
2. Broadening the collection to a child welfare or children in need data collection of which the present child abuse and neglect collection would be a subset.
3. Increasing the use of computer routines to select records to facilitate exploration of issues of comparability.
4. Including information about supportive and therapeutic services, as well as out-of-home care and care and protection orders, in the collection.

The first and third strategies would enable comparison of what States and Territories are dealing with under the child protection banner. They would also allow some assessment of the severity of abuse and re-abuse in Australia.

The second and fourth strategies would allow Australia-wide comparisons of referrals to community services departments about children and how the referrals are managed by them. The starting point for broadening the collection would be initial contact with the relevant departments about children. The proposal only relates to departments currently contributing to the child protection collection. Collection of data about the nature of intervention offered to children and families post-investigation (or family support assessment) would be a valuable adjunct to the existing child protection collection. At present data are only available on out-of-home care and care and protection orders.

Implementing these strategies would present some difficulties. None could be implemented without full commitment from States and Territories as they would require agreement on new definitions and Australia-wide implementation. Most jurisdictions would also need to make major changes to their information systems, which might prove to be a significant obstacle. On the other hand, none of the strategies would require change to existing legislation or policy and would be relatively impervious to future changes. The data gathered would be of substantial benefit to future policy making.

Appendix 1 Child protection processes in States and Territories

Overview and explanatory notes for Appendix 1

Appendix 1 presents information gathered relating to child protection processes in Australian States and Territories in graphical and table formats.

Table A1.1 provides information about the tasks that constitute an investigation in each jurisdiction. The data presented were gathered in a brief survey instrument provided to each NCPASS member. Members were presented with a list of tasks and asked to identify if the task was performed before or during the investigation stage. Members were also asked if the frequency of the task being performed was 'Never', 'Sometimes' or 'Always'. Responses are presented in the table. The survey also asked NCPASS members to identify those components that usually constituted an investigation and also the minimum components that would constitute an investigation. Table A1.2 shows the usual and minimum components of the investigation process for each jurisdiction.

Figures A1.1–A1.8 are representations of the child protection systems in each State and Territory, presented in the proposed generic framework discussed in Chapter 3, separated into stages under the proposed generic labels. Each diagram is accompanied by a description of the processes undertaken during each stage in each jurisdiction, incorporating the terminology used in that jurisdiction.

Table A1.1: Tasks that constitute an investigation in each jurisdiction

	Components of an investigation	New South Wales		Victoria		Queensland		Western Australia		South Australia		Tasmania		Australian Capital Territory[(a)]		Northern Territory	
		Stage	*Freq.*	*Stage*	*Freq.*	*Stage*	*Freq.*	*Stage*	*Freq.*	*Stage*	*Freq.*	*Stage*	*Freq.*	*Stage*	*Freq.*	*Stage*	*Freq.*
1	Check information systems for previous client contact	Before	A	Before and During	A	Before	A	Before	A	Before	A	Before	A	Before	A	Before and During	A
2	Obtain information regarding child/family from other agencies or individuals	During	S	Before and During	S	During	A	During	S	Before	S	During	A	Before and During	S	Before and During	S
3	Take part in discussions – obtain input from other relevant agencies	Before	S	Before and During	S	During	S	During	S	Before and During	A S	During	S	Before and During	S	During	S
4	Interview/sight subject child	During	A	During	A	During	A	During	A	During	A	During	A	During	U	During	A
5	Identify injuries and determine risk of injury	During	A	During	A	During	A	During	A	During	A	During	A	During	A	During	A
6	Interview parents	During	A	During	A	During	A	During	S	During	A	During	S	During	U	During	A
7	Assess situation of all family members in the house	During	S	During	A	During	A	During	S	During	A	During	S	During	S	During	S
8	Assess protective needs of the subject child and other family members	During	A	During	A	During	A	During	A	During	A	During	S	During	A	During	A

(a) The Australian Capital Territory survey response recorded a frequency of 'usually' (U) in some questions. This value was not within the list of values requesting frequency.

Notes
1. Stage: Before investigation = Before; During investigation = During.
2. Frequency: Always = A; Sometimes = S; Never = N.

Table A1.2: Usual and minimum components of an investigation in each jurisdiction

State/Territory	Usual components	Minimum components
New South Wales	2,3,4,5,6,7,8	2
Victoria	1,2,3,4,5,6,7,8	1,2,3,4,5
Queensland	1,2,4,5,6,7,8	1,4,5,6,8
Western Australia	1,2,3,4,5,6,7,8	1,4,5,8
South Australia	3,4,5,6,7,8	3,4,5,6,7,8
Tasmania	1,2,3,4,5,6,7,8	1,2,4
Australian Capital Territory	1,2,3,4,5,6,7,8	1,2
Northern Territory	1,2,4,5,6,7,8	1,4,5,6,8

Notes

1 = Check information systems for previous client contact.
2 = Obtain information regarding child/family from other agencies or individuals.
3 = Take part in discussions—obtain input from other relevant agencies.
4 = Interview/sight subject child.
5 = Identify injuries and determine risk of injury.
6 = Interview parents.
7 = Assess situation of all family members in the house.
8 = Assess protective needs of the subject child and other family members.

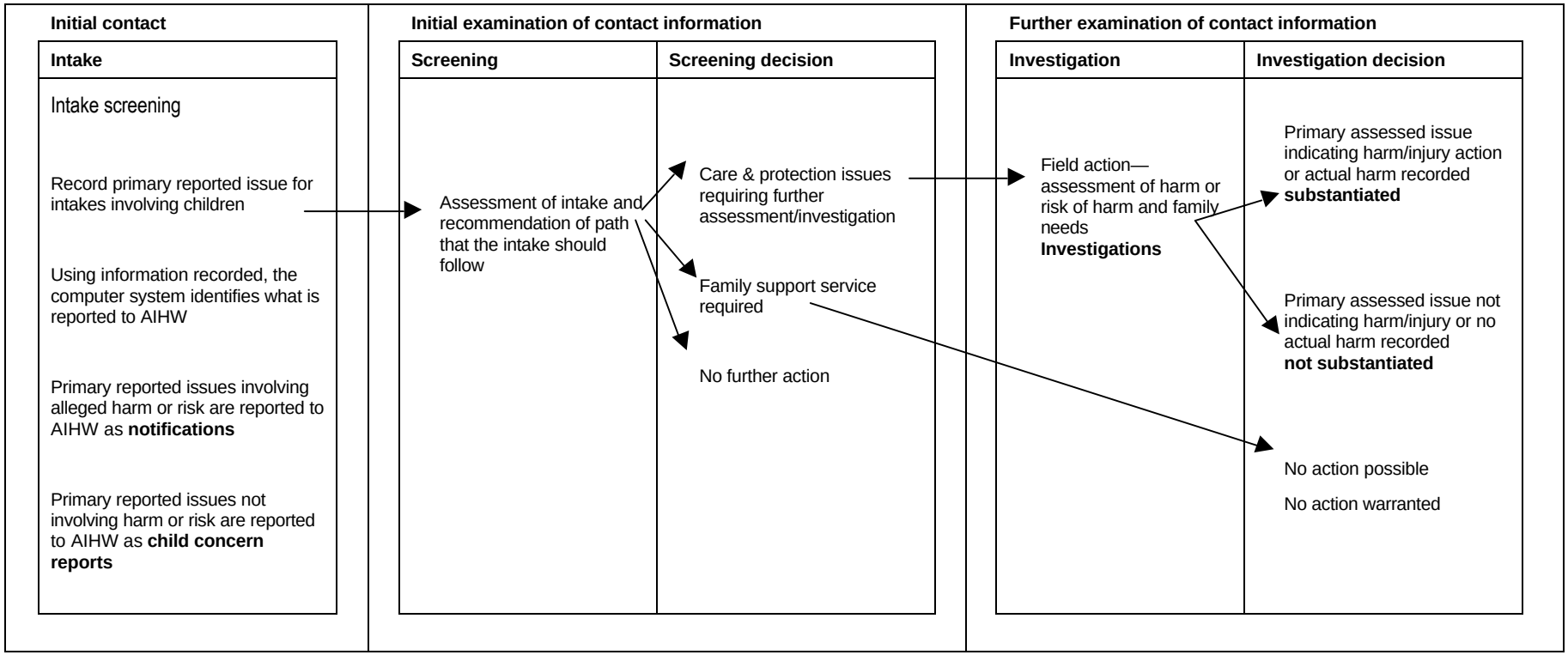


Figure A1.1: New South Wales processes

New South Wales

Initial contact

Intake

The initial contact with the agency results in intake screening. For intakes involving children a primary reported issue is recorded. The primary reported issues are classified by the agency computer system into those where harm/injury to the child is alleged or where there is a risk. These intakes are reported to AIHW as notifications.

Other intakes involving children where the primary reported issue is not categorised as alleging harm or a risk of harm are reported to AIHW as child concern reports.

Initial examination of contact information

Screening

The assessment of intakes involves obtaining available information from the caller, other agencies and/or professionals to determine the validity of the allegation and to assist in determining the path the intake should follow.

Screening decision

Where the assessment identifies that the alleged harm or risk of harm is likely to have occurred, continuing involvement will be deemed necessary in the form of field actions. Cases where the assessment identifies that family support services are required will be directed along that path and in some instances the assessment will identify that no further action is required.

Further examination of contact information

Investigation

Where care and protection issues for further assessment and investigation are identified they are subjected to field action which involves the officer making attempts to see the subject child and caregiver to determine actual (assessed) harm or risk of harm and to enable appropriate actions to ensure the comfort and safety of the child. These intakes are reported to AIHW as investigations.

Investigation decision

The field action leads to the recording in the agency information system of primary assessed issue, as well as harm or actual injuries. Where primary assessed issue indicates a harm/injury action or if an actual harm is recorded, it is reported to AIHW as substantiated. Where the primary assessed issue does not indicate harm or injury and where no actual harm is recorded, it is reported to AIHW as not substantiated.

A further outcome dealt with by other means is reported only by New South Wales. It is derived not from primary assessed issues or actual harm recorded but from outcome information with respect to the assessment/investigation.

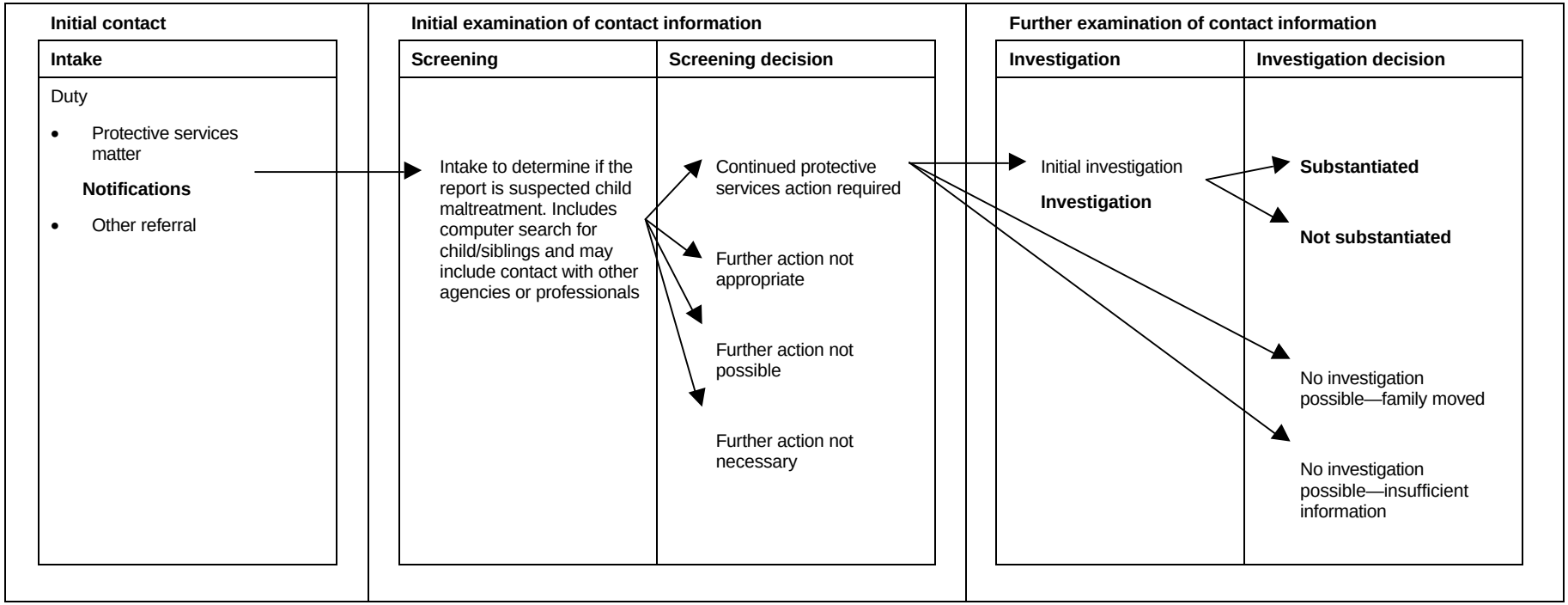


Figure A1.2: Victorian processes

Victoria

Initial contact

Intake

The first point of contact between an individual and the agency is referred to as 'duty'. Duty is usually undertaken by a child protection duty worker and results in the contact being designated as a 'protective services referral' or an 'other referral'. All duty classified as protective services referrals are reported to AIHW as notifications.

Initial examination of contact information

Screening

The initial action referred to as 'intake' involves an intake worker discussing the notification with the inquirer to determine if the report is suspected child maltreatment (circumstances fall within legal definition) or not. The information system is also searched for the child or their siblings and contact with other agencies may also take place.

The goal of this stage is to determine if continued protective services are warranted.

Screening decision

Where the intake identifies that the notification does not fit within the definition of maltreatment, an outcome of 'further action not appropriate' is recorded. Where the intake worker was unable to obtain from the caller the identity of the child, an outcome of 'further action not possible' is recorded. Where it is determined that the protective concerns identified at intake are minor and can be managed through community supports and/or specialised services, an outcome of 'further action not necessary' is recorded.

Intakes that require continued protective services involvement are directed towards an initial investigation.

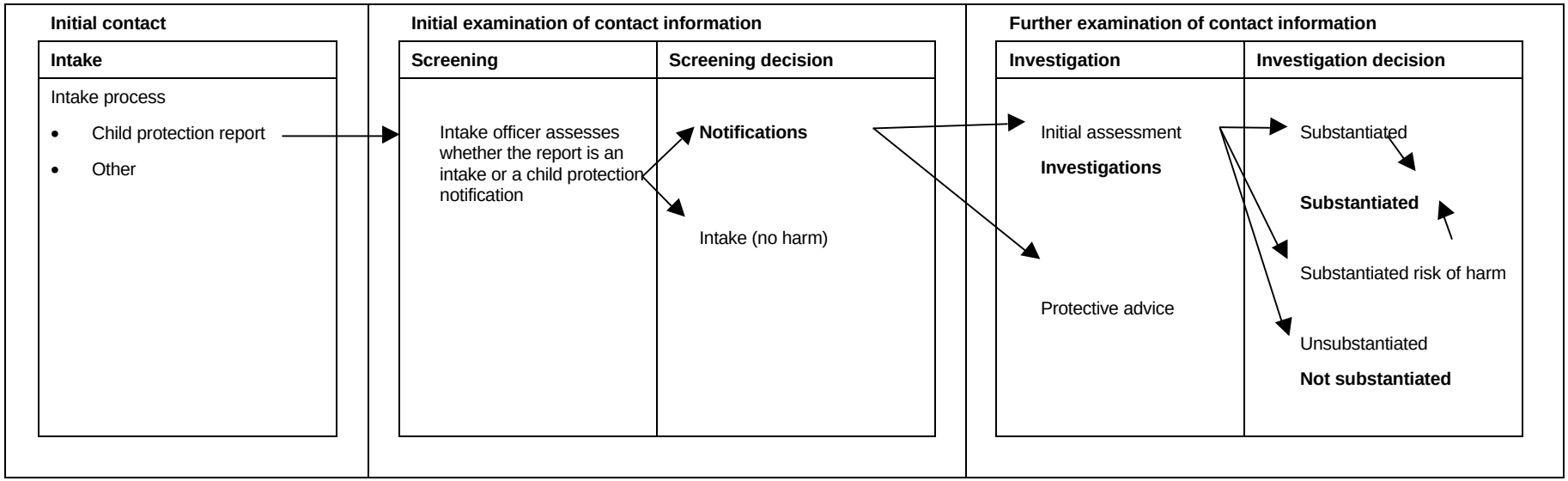
Further examination of contact information

Investigation

The initial investigation involves a departmental officer in direct contact with the child subject of the notification and their family. The objective is to investigate the child's situation and to determine the best way to ensure their safety and wellbeing. Contact with other agencies may also be involved. Initial investigations are reported to AIHW as investigations.

Investigation decision

The initial investigation can lead to 'substantiated' or 'not substantiated' outcomes. Both of these are reported to AIHW. In instances where an investigation was not possible because the family involved had moved or insufficient information meant they could not be located, outcomes of no investigation possible—family moved, or no investigation possible—insufficient information, would be recorded.



Note: Initial contact and initial examination of contact information are considered to be a single process in Queensland.

Figure A1.3: Queensland processes

Queensland

Initial contact

Intake

The intake process records the referral of a client or a client's request for a service and involves the gathering of information from the client or referee. All intakes are subjected to an initial assessment to determine if they are to become notifications.

Initial examination of contact information

Screening

The assessment information determines if the child/children involved in the referral have suffered harm or are at risk of suffering harm. This determination is made from the information provided at intake. No external checking is undertaken at this stage.

Screening decision

Where the assessment has determined that a child/children have been harmed or are at risk of harm, these are recorded as notifications and are reported to AIHW as notifications.

Where no concerns about harm or risk of harm are identified through the assessment, the referral or request is designated as intake (no harm).

Further examination of contact information

Investigation

A senior officer studies details of notifications and determines, based on the level of harm or risk of harm to the child/children, if the notification is to be subjected to an initial assessment or if protective advice only will be offered. Initial assessments are reported to AIHW as investigations.

Investigation decision

The initial assessment can lead to three types of outcomes. Substantiated outcomes encompass substantiated and substantiated risk of harm and are reported to AIHW as substantiated. The second outcome type is unsubstantiated and is reported under that title to AIHW. Thirdly, there are a number of administrative outcomes where investigations could not be completed or undertaken, etc.

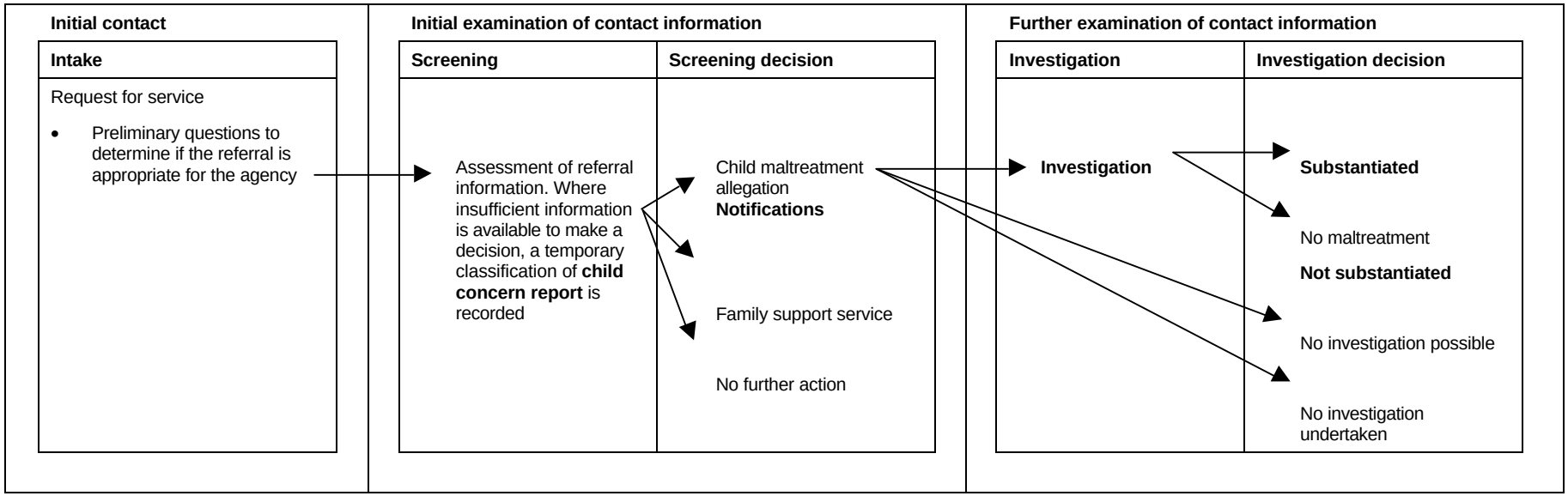


Figure A1.4: Western Australian processes

Western Australia

Initial contact

Intake

A request for service results in an experienced intake officer asking questions of the client or caller to establish if the referral is appropriate for the agency or if it should be redirected.

Initial examination of contact information

Screening

This stage is referred to as assessment and involves the obtaining of further information from other sources, such as school, hospital, departmental records, to build a full understanding of the case. An urgency of required response is also determined. The assessment leads to the classification of the contact into a departmental reason for contact.

During the assessment stage in instances where insufficient information is available on which to make any decision about the classification of a contact, it can be temporarily classified as a child concern report pending further assessment. However, the outcome of this temporary classification must be that it become a child maltreatment allegation, it be classified as a family support contact, or no further action be taken. The percentage of child concern reports that become child maltreatment allegations is quite small (less than 10% in 1997–98). Child concern reports are reported to AIHW under that title.

Screening decision

The assessment results in one of three outcomes. Where the assessment has identified that the child/children have been subject to, or are at risk of maltreatment and the severity of which has, or is likely to, result in significant harm, a classification of child maltreatment allegation reason for contact is made. Child maltreatment allegations are reported to AIHW as notifications.

The second outcome that can result from an assessment is for the contact to be allocated a reason relating to family support. It is possible also for no further action to be taken following the assessment.

Further examination of contact information

Investigation

Further action is referred to as an investigation and usually involves seeing the child and the child's parents/guardian, assessment of harm or risk of harm, assessment of the safety of the child/children and the assessment of family needs. These cases are reported to AIHW as investigations.

Investigation decision

The investigation leads to outcomes of substantiated or no maltreatment. These are reported to AIHW as substantiated and not substantiated respectively. Other outcomes for a notification could be where a decision was made that there would be no investigation, referred to as no investigation undertaken, or where an investigation was deemed to be appropriate but could not be undertaken, which are designated no investigation possible.

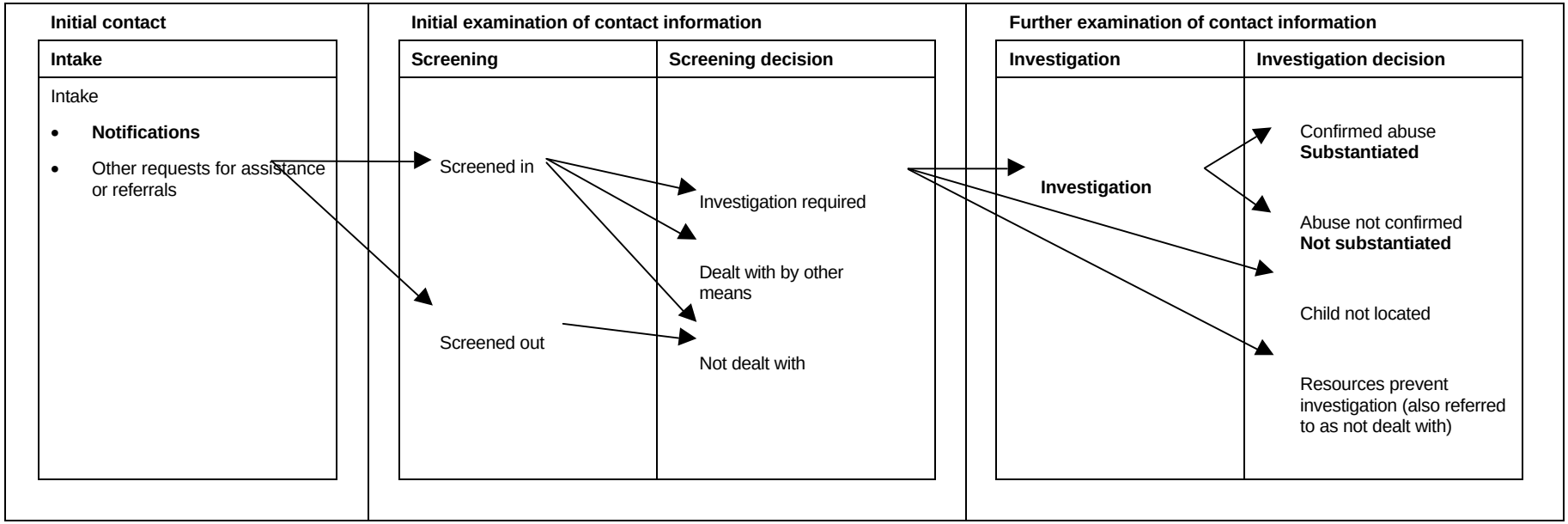


Figure A1.5: South Australian processes

South Australia

Initial contact

Intake

The intake process results in some requests for assistance or referrals to the agency being designated as a child protection referral. All referrals involving children where the caller believes there are child protection issues are recorded as notifications. The total notifications for a reporting period are reported to AIHW.

Initial examination of contact information

Screening

A Central Intake Team operates 24 hours a day, staffed by qualified social workers with child protection experience. This structure results in a high quality initial assessment of child protection notifications. Two tools are used to undertake the assessment and identify safety requirements. The assessment results in notifications being either screened in for possible further action or screened out. Screened out notifications are those where the Central Intake Team does not accept that the information provided by a caller amounts to a child protection referral requiring departmental action. These are designated as 'notifier concerns'.

Screening decision

Notifications screened in are allocated a tier classification identifying the urgency of required response at field level. Of those referrals screened in, Tier 1 and Tier 2 notifications follow an investigation path. Those screened in deemed dealt with by other means, Tier 3, follow an alternative response path. Some referrals may be considered to be extra-familial, which require police follow-up rather than departmental follow-up.

Screened out notifications, deemed not dealt with, are referrals where there are no grounds for departmental investigation (i.e. the child is safe and the parents are protective). It is possible in some circumstances for screened notifications in Tiers 1, 2 and 3 not to be dealt with but this is rare.

Further examination of contact information

Investigation

Further action includes investigation or family meeting. Although intake is a central process, all investigations are undertaken by field officers. Tier 1 notifications require a further detailed safety assessment as part of the investigation and, where identified as appropriate, the assessment is completed for Tier 2 cases also. Tier 1 and Tier 2 notifications where an investigation has been/is being undertaken are reported to AIHW as investigations.

Investigation decision

Investigation outcomes are abuse confirmed, or abuse not confirmed, reported respectively as substantiated and not substantiated to AIHW. In instances where an investigation is required but the department is unable to locate the child, an outcome of child not located is recorded. For some notifications where the intake process has identified that an investigation is warranted, no investigation is undertaken due to lack of resources. An outcome is recorded to reflect this.

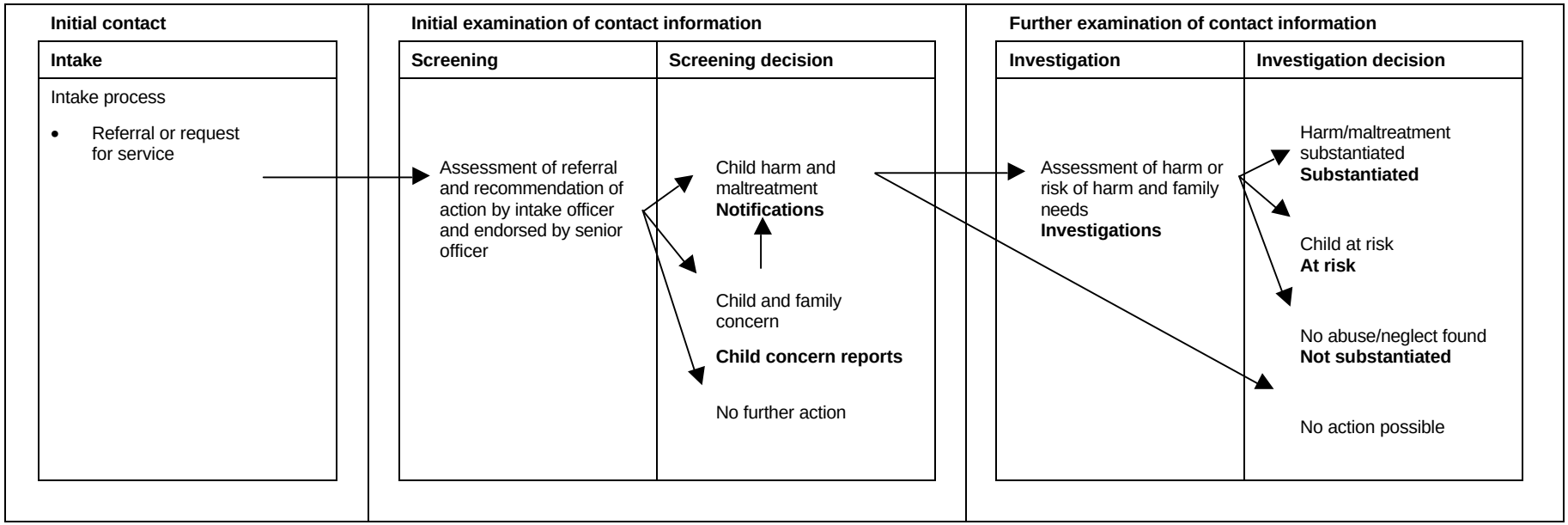


Figure A1.6: Tasmanian processes

Tasmania

Initial contact

Intake

The intake process records the referral of a client or a client's request for a service. No decision is made with respect to a referral being a notification at this stage, only whether it is appropriate to be dealt with by the agency.

Initial examination of contact information

Screening

All requests for assistance or referrals are subjected to an initial assessment. The initial assessment is conducted by an experienced staff member and includes a decision about classification of the request/referral, a decision about urgency of response and a recommended plan for action. All of these decisions are endorsed or amended by a senior officer.

Screening decision

The initial assessment results in one of three outcomes. Where the initial assessment has identified the need to determine whether or not maltreatment has occurred and of protecting the child, it is recorded as child harm and maltreatment. All child maltreatment and harm requests and referrals are reported to the AIHW as notifications.

Where concerns about the welfare of the child are raised or where the precise nature of the issue or problem is not clear and requires further assessment, an outcome of child and family concern is recorded. Child and family concerns can lead to child harm and maltreatment outcomes on further assessment. Request and referrals with the child and family concern outcome from the initial assessment are reported to AIHW as child concern reports. Initial assessment can also result in an outcome of no further action.

Further examination of contact information

Investigation

Further action is referred to as assessment of harm or risk of harm, assessment of the safety of the child/children and the assessment of family needs. These cases are reported as being investigations to AIHW.

Investigation decision

Assessment of harm or risk of harm can result in outcomes of harm/maltreatment substantiated which are reported to AIHW as substantiated, child at risk reported to AIHW as at risk, and no abuse/neglect found which are reported to AIHW as not substantiated.

For some cases where the initial assessment has resulted in a child harm and maltreatment outcome, no assessment of harm or risk of harm can be undertaken. These have an outcome of no action possible recorded.

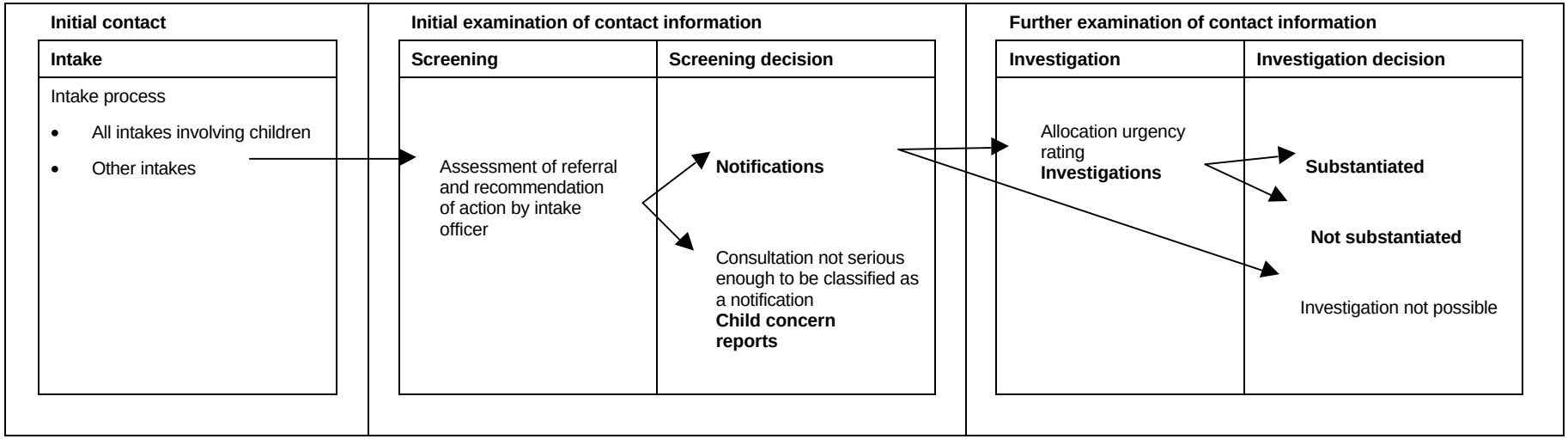


Figure A1.7: Australian Capital Territory processes

Australian Capital Territory

Initial contact

Intake

The intake process records the referral of a client or a client's request for a service and involves the gathering of information and the checking of the client's previous history with the agency. No decision is made with respect to a referral being a notification at this stage.

Initial examination of contact information

Screening

The intake worker makes an appraisal of the information and recommends whether the information will be recorded as a formal notification of child abuse and neglect, or will remain classified as a consultation. Most consultations are less serious and do not involve further action.

Screening decision

For those cases where statutory involvement is warranted, an outcome of notification is recorded. These intakes are reported to AIHW as notifications.

In instances where the intake officer assesses that statutory involvement is not required, an outcome of consultation is recorded. The intakes that result in a consultation outcome are reported to AIHW as child concern reports.

Further examination of contact information

Investigation

A supervisor studies recommendations regarding intakes and, for those which are recorded as notifications, determines if an investigation is to take place and also allocates an urgency of response rating. Those notifications investigated involve the gathering of further information and are reported to AIHW as investigations.

Investigation decision

Investigation leads to outcomes of substantiated or not substantiated, both of which are reported to AIHW.

Notifications not subjected to an investigation can result in outcomes of investigation not possible.

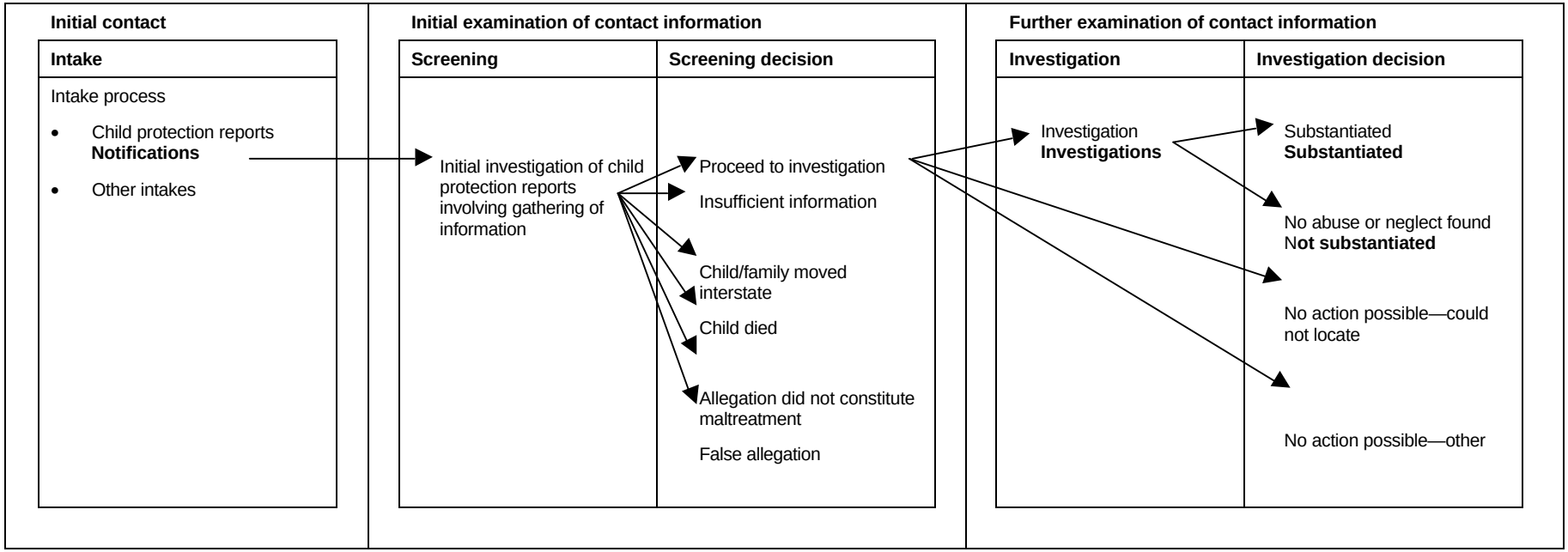


Figure A1.8: Northern Territory processes

Northern Territory

Initial contact

Intake

The intake process involves an informal screening to determine if the reported referral is appropriate for the agency to deal with. In all instances, where the reporter informs of a child protection referral it becomes a child protection report. Child protection reports are reported to AIHW as notifications.

Initial examination of contact information

Screening

The initial investigation is undertaken to identify if the child protection report is an authentic report of child maltreatment. The reporter is questioned and further information is obtained. Other agencies and professionals can be contacted at this stage also.

Screening decision

The initial investigation of a child protection report can result in a decision that the report should proceed to investigation. These are reported to AIHW as investigations. Other possible outcomes from this stage are insufficient information and child/family moved interstate.

Two other outcomes can be recorded, the allegation did not constitute maltreatment or the allegation was deemed, following initial investigation, to be false. An outcome can also be recorded indicating that the child died.

Further examination of contact information

Investigation

The investigation involves a departmental officer in direct contact with the child subject of the child protection report. The objective is to investigate the child's situation and to determine the best way to ensure their safety and wellbeing. Contact with other agencies may also be involved. Investigations are reported to AIHW as investigations.

Investigation decision

The investigation can lead to 'substantiated' or 'no abuse or neglect found' outcomes. Both of these are reported to AIHW, as substantiated and not substantiated respectively. In instances where an investigation was not possible because the family involved had moved, an outcome indicating that the child could not be located is recorded. A further possible outcome is no action possible—other.

Appendix 2 Definitions of abuse and neglect

Table A2.1: Definitions of types of abuse and neglect for each State and Territory

State/Territory	Definition of physical abuse
New South Wales	Physical abuse refers to non-accidental injury to a child by a parent, caregiver or another person responsible for the child. It includes injuries which are caused by excessive discipline, severe beatings or shakings, bruising, lacerations or welts, burns, fractures or dislocation, female genital mutilation, attempted suffocation or strangulation and death.
Victoria	Physical abuse consists of any non-accidental form of injury or serious harm inflicted on a child by any person. Physical abuse does not mean reasonable discipline though it may result from excessive or inappropriate discipline. Physical abuse can include beating, shaking, and assault with weapons. Physical injury and significant harm to a child may also result from neglect by a parent/caregiver. The failure of a parent/caregiver to adequately ensure the safety of a child may expose the child to extremely dangerous or life threatening situations which may result in physical injury and significant harm to the child. Physical abuse also includes Munchausen's Syndrome by Proxy.
Queensland	The terms 'abuse and neglect' are not used. Types of harm are categorised as physical, emotional, sexual, neglect. The 'actions of causing harm' are also recorded separately.
Western Australia	Physical maltreatment describes significant harm or injury experienced by a child as a result of severe and/or persistent actions or inactions. It includes deliberate denial of a child's basic needs such as food, shelter and supervision to the extent that injury or impaired development is indicated.
South Australia	Physical abuse is any non-accidental act inflicted upon a child which results in physical injury to the child.
Tasmania	Physical maltreatment describes significant physical harm or injury experienced by a child as a result of severe and/or persistent actions or inactions. Physical maltreatment also includes the deliberate denial of a child's basic needs such as food, shelter or supervision to the extent that injury or impaired development is indicated.
Australian Capital Territory	Physical abuse refers to non-accidental injury to a child. It includes any injury caused by excessive discipline, severe beatings or shakings. Physical abuse may result in a range of injuries, from soft tissue injuries to dislocations and fractures. It may also include poisoning, attempted suffocation or strangulation and death. Physical abuse also refers to assaults to parts of the body which result in serious or life threatening injury, e.g. head, kidneys, throat, abdomen.
Northern Territory	Any non-accidental injury or harm inflicted on a child by any person having custody, care or charge of the child, or where there is substantial risk of serious bodily harm.
State/Territory	**Definition of sexual abuse**
New South Wales	Sexual abuse is any sexual act or sexual threat imposed on a child. Adults or adolescents who perpetrate child sexual abuse exploit the dependency and immaturity of children. Coercion which may be physical or psychological is intrinsic to child sexual abuse and differentiates such abuse from consensual peer sexual activity.
Victoria	A child is sexually abused when any person uses their authority over the child to involve the child in sexual activity. Child sexual abuse involves a wide range of sexual activity including fondling genitals, masturbation, oral sex, vaginal or anal penetration by a finger, penis or any other object, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution.
Queensland	The terms 'abuse and neglect' are not used. The types of harm are categorised as physical, emotional, sexual, neglect. The 'actions of causing harm' are also recorded separately.
Western Australia	Sexual maltreatment occurs when a child has been exposed or subjected to sexual behaviours or acts which are exploitative and/or inappropriate to his or her age or developmental level. Harm which results from sexual maltreatment includes significant emotional trauma, physical injury, or impaired development, although in some circumstances harm may not be identifiable.
South Australia	Sexual abuse is any sexual behaviour imposed on a child. The child concerned is considered to be unable to alter and/or understand the perpetrator's behaviour due to his or her early stage of development and/or powerlessness in the situation.
Tasmania	Sexual maltreatment occurs when a child has been exposed or subject to sexual behaviours or acts which are exploitative and/or inappropriate to his or her age or developmental level.
Australian Capital Territory	Child sexual abuse refers to any sexual behaviour between a child and an adult or an older or bigger person, for that person's sexual gratification. The range of sexual behaviours that are considered harmful to children is very broad. It includes: any form of sexual touching; any form of sexual suggestion to children, including the showing of pornographic videos; the use of children in the production of pornographic videos or films; exhibitionism; and child prostitution.

Table A2.1 (continued): Definitions of types of abuse and neglect for each State and Territory

State/Territory	Definition of sexual abuse
Northern Territory	Sexual abuse is the involvement of a dependent and developmentally immature child or adolescent in the sexual activities of an older person/adult where the younger person is used for the gratification of sexual desires or needs of the older person, where social taboos or family roles are violated, or where the child's caregivers are unable or unwilling to protect the child from sexual abuse or exploitation.
State/Territory	**Definition of emotional abuse**
New South Wales	Emotional abuse encompasses a range of behaviours that harm a child. It is behaviour by a parent or caregiver which can destroy the confidence of the child resulting in significant emotional deprivation and trauma. It involves impairment of a child's social, emotional, cognitive, intellectual development and/or disturbance of a child's behaviour.
Victoria	Emotional abuse occurs when a child is repeatedly rejected, isolated or frightened by threats or the witnessing of family violence. It also includes hostility, derogatory name calling and put-downs, or persistent coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired.
Queensland	The terms 'abuse and neglect' are not used. The types of harm are categorised as physical, emotional, sexual, neglect. The 'actions of causing harm' are also recorded separately.
Western Australia	Emotional maltreatment describes significant impairment of a child's social, emotional, cognitive, intellectual development and/or disturbance of the child's behaviour, resulting from behaviours such as persistent hostility, rejection or scapegoating.
South Australia	Emotional abuse is a chronic attitude or behaviour directed at a child, or the creation of an emotional environment which adversely impacts on a child's development.
Tasmania	Emotional maltreatment describes the significant impairment of a child's social, emotional, cognitive, intellectual development and/or disturbance of the child's behaviour resulting from behaviours of family members or other caregivers such as persistent hostility, rejection or scapegoating.
Australian Capital Territory	Emotional abuse refers to a chronic attitude or behaviour directed at a child, or the creation of an emotional environment, which is seriously detrimental to or impairs the child's psychological and/or physical development.
Northern Territory	Emotional abuse involves behaviour by the caregiver towards a child, such as hostility, persistent coldness or rejection, which impairs, or threatens to impair, the child's normal physical and/or emotional development or lead to behavioural disturbances.
State/Territory	**Definition of neglect**
New South Wales	Neglect occurs when a child is harmed by the failure to provide the basic physical and emotional necessities of life. Neglect is characterised as a continuum of omissions in parental caretaking.
Victoria	Neglect includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent where the health and development of the child/young person are significantly impaired or placed at serious risk. A child is neglected if they are left uncared for over long periods of time, or abandoned. Neglect of medical care refers to a situation 'where a parent's refusal to agree to a certain medical procedure may be determined to be an unacceptable deprivation of the child's basic rights to life or health'.
Queensland	The terms 'abuse and neglect' are not used. The types of harm are categorised as physical, emotional, sexual, neglect. The 'actions of causing harm' are also recorded separately.
Western Australia	Neglect is experienced by a child when he or she does not receive available food, shelter, medical attention or supervision to such a severe and/or persistent extent that his or her development is or is likely to be significantly damaged or injury occurs or is likely to occur.
South Australia	Neglect is any serious omission or commission by a person which jeopardises or impairs a child's psychological, intellectual or physical development.
Tasmania	Neglect is experienced by a child when family/carer does not provide food, shelter or medical attention or supervision to such a severe and/or persistent extent that his or her development is or is likely to be significantly damaged or injury occurs or is likely to occur.
Australian Capital Territory	Neglect refers to any serious omission or commission by a person which jeopardises or impairs the child's psychological, intellectual, or physical development. The most common forms of neglect are: inadequate supervision of young children for long periods; failure to provide adequate nutrition, clothing, personal hygiene; failure to seek needed or recommended medical care which may otherwise result in serious harm to the child; and disregard for potential serious hazards in the home.
Northern Territory	Physical neglect is a failure by caregivers to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to such an extent that the child's health and development are impaired or placed at serious risk.

Appendix 3 Types of care and protection orders

Table A3.1: Care and protection order types

State/Territory	Order types
New South Wales	Order for:
	The person responsible for a child to include undertaking with respect to care of the child;
	The person responsible for a child to include undertaking with respect to conduct of the child;
	Placing the child under the supervision of an officer with respect to care or conduct or both;
	Placing the child in the custody of a suitable person including undertakings of care, conduct, or both;
	On order that declares the child to be a ward of the state.
Victoria	Irreconcilable differences orders
	Interim accommodation orders
	Protection orders - An order requiring a person to give an undertaking - A supervision order - A custody to a third party order - A supervised custody order - A custody to Secretary order - A guardianship to Secretary order
	Interim protection order
Queensland	Protective supervision to 18 years
	Protection and care order
Western Australia	Care and protection order (guardianship order)
South Australia	Undertakings (with or without supervision)
	Custody orders
	Guardianship orders to 12 months
	Guardianship orders to 18 years
	Power to direct a party
	Consequential or ancillary orders (i.e. access)
Tasmania	Statutory orders
	Temporary order (up to 7 days and can be extended twice for periods up to 7 days)
	Warrant (Section 22) to bring child before Children's Court
	Child protection orders (120 hrs, 7 days and 30 days)
	Interim order (guardianship retained by parents)
	Guardianship orders
	Legal supervision

Table A3.1 (continued): Care and protection order types

State/Territory	Order types
Australian Capital Territory	A supervision order (usually the child remains at home under supervision of Family Services). A residential order (the child is usually placed in the care of a Family Services-funded substitute care agency). Under a residential order the parents remain the guardians of the child and must be significantly involved in all decisions involving the child. A wardship order (the Director of Family Services becomes the guardian of the child who is usually placed in kinship care or foster care). It is the policy of Family Services to involve parents of the children under the guardianship of the Director in all significant decisions concerning their children.
Northern Territory	Care and protection authority types as follows: – Holding order S11(1) Emergency protective action— take child into custody—48 hours – Holding order S11 (4) Emergency protective action— take child into custody—14 days – S57 Interstate transfer pending – S58 Transfer from another State – S43(5)(a)—final order—supervision – S43(5)(b)—final order—residence direction – S43(5)(c)—final order—joint guardianship – S43(5)(d)—final order—sole guardianship to minister – S43(5)(d)—final order—sole guardianship to third party – S47 interim order – Order under Family Law Act – Supreme Court order – Other court order Other authority types as follows: – S62 temporary custody order – Immigration Act (adoption) – Immigration Act (unattached minor) – S44 adjournment of proceedings – Consent to adopt

Appendix 4 State and Territory consultations

South Australia consultation

Adelaide 9–10 November 1998

Name	Position
Helen Shepherd	Project Officer, Field Services Support
Ros Wilson	Project Officer, Field Services Support
Roger McCarron	Supervisor, Central Intake Team
Fiona Ward	Supervisor, Intake and Assessment Team
Krystyna Slowinski	Project Officer, Policy and Development
Graeme Tucker	Senior Analyst, Policy and Development
Joe Walker	Senior Data Officer, Technology Services
Zofia Nowak	Manager, Policy and Evaluation, Policy and Development

Tasmania consultation

Hobart 11 November 1998

Name	Position
David Gardiner	Senior Consultant, Planning and Development
Sielito	Coordinator, Intake and Assessment
Anne Foot	Service Centre Manager, South
Anita Torak	Consultant, Priority Projects Team
Helen Spaulding	Assistant to the Commissioner for Children
Lee Hodge	Consultant, Priority Projects Team
Bill Crerar	A/Coordinator, Intake and Assessment
Iris Bennett	Senior Practitioner
Scilla Weber	Consultant, Priority Projects Team
Marlene Horne	Coordinator, Intake, Intensive Family Support after hours
Jo Magee	Consultant, Priority Projects Team
Stewart Miller	Senior Practice Consultant
Kathy Bergin	CWIS Coordinator, Business Support Unit
Alison Pullen	Project Officer, Policy and Project Management
Mary Bailey	A/Senior Consultant, Policy and Project Management

Victoria consultation

Dandenong, Melbourne 12 November 1998

Name	Position
Karen Mouk	Child Protection Project Manager
John Gates	Child Protection Unit Manager
Natasha Courtney	Child Protection Response Team Leader
Christina Fleischer	Manager, Child Protection
Tony Carr	Project Manager, Information Management
Stuart Jackson	Manager, Research and Information

New South Wales consultation

Ashfield 13 November 1998

Name	Position
Trish McGaulley	Team Leader, Service Improvement
Richard Dixon	Team Leader, Policy and Planning
Rachel Nibbs	Project Officer, Service Practice and Standards
John Hansen	Consultant
Tony Giardina	Project Officer, Service Improvement
Eija Roti	Senior Legal Policy Advisor
John Van Dyke	Project Manager, New Client System
Meng Foo	Systems Development Coordinator
Coralie Le Nevez	Manager, Information and Research Unit
Patsy Gallagher	Senior Project Officer, Information and Research Unit
Carol Peltola	Director, Child and Family Services

Australian Capital Territory consultation

Canberra 16 November 1998

Name	Position
Lisa Gooley	AS04 Statistics Coordinator
Gail Winkworth	Manager, Prevention and Education
Sandy Hudd	Manager, Child Protection Services
Susie Kelly	AIHW (Observer)
Helen Johnstone	AIHW (Observer)

Queensland consultation

Brisbane 17 November 1998

Name	Position
Anne Elliott	Manager, Legislation, Families Program
Claire Tilbury	Families Program
Gail Bradford	Manager, Child Protection Information Section
Rick Lennon	Manager, Statistical Services
Rob Spencer	Statistical Services

Northern Territory consultation

Darwin 18 November 1998

Name	Position
Gary Sherman	Child Protection
Colin Dyer	Family Services
Jenny Scott	Sub-care

Western Australia consultation

Perth 7–8 December 1998

Name	Position
Dr Barbara Meddin	Senior Adviser, Social Work Services
Marilyn Treacey	Senior Service Support Officer, Protection of Children
Kay Benham	Protection and Care Team Leader, SE Metro Area
Diane Seneque	A/Senior Information Officer, Research and Information
Jenette Ward	Manager, Client and Community Services System
Julie Dixon	Service Design Officer, Protection of Children, Industry Development and Service Specification
Rosemary Kerr	Service Design Officer, Protection of Children, Industry Development and Service Specification
Margaret Dawkins	NCPASS Representative and A/Principal Research and Information Officer

Appendix 5 Additional tables

Table A5.1: Rates of children per 1,000 who were the subject of a notification, investigation and substantiation (including child at risk) of child abuse and neglect, 1997–98

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Rate of children subject of a notification	17.1	24.0	15.3	4.9	22.5	7.1	12.0	10.9
Rate of children subject of an investigation	10.8	11.1	10.2	4.22	10.5	4.8	9.2	10.5
Rate of children subject of a substantiation	5.0	5.9	5.1	2.4	4.7	1.1	4.7	5.6
Rate of children at risk	. .	. .	. .	. .	. .	1.2	. .	. .

Table A5.2: Rates of children per 1,000 who were on a care and protection order, at 30 June 1998

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Rate	3.8	3.7	3.8	1.7	3.1	4.2	3.2	2.4

Table A5.3: Rates of children per 1,000 who were on a finalised guardianship and custody order, at 30 June 1998

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Rate	2.8	2.6	3.2	1.7	n.a.	2.6	2.4	1.4

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Part 2
NCPASS recommendations accepted by NCSIMG

1 Background

The Comparability of Child Protection Data Project was commissioned in August 1998 to map the commonalities and differences for key output categories for child protection. The project was undertaken for the NCPASS by Social Systems and Evaluation and was finalised in April 1999. Funding and administration for the project has been provided through the AIHW.

NCPASS prepared an issues paper summarising the main findings of the report and proposing a response. The paper was tabled at the May 1999 meeting of the NCSIMG. NCPASS members then conducted consultations on the comparability report and the issues paper in their respective jurisdictions with executive staff responsible for child protection policy and information. Responses from staff in the various jurisdictions were considered at an NCPASS meeting in July 1999 and a paper was subsequently prepared for the September 1999 NCSIMG meeting. This paper detailed the NCPASS response to the recommendations contained in the comparability report and put forward a set of proposals for consideration by the NCSIMG. The NCPASS report is contained in Sections 2, 3, 4, 5 and 6; Section 7 outlines the NCPASS recommendations accepted by the NCSIMG.

2 Purposes of report

The commissioning of the comparability report reflects interest from a number of stakeholders in better understanding differences in child protection and supported placement data and in improving comparability where this is currently impaired by counting rule issues. Specific reasons for the commissioning of the report include:

(a) when data for all States and Territories are published concurrently, as in the AIHW reports, comparison is inevitable, and it is therefore desirable that the comparability of data be increased;

(b) more accurate comparisons of State and Territory performance are required by the *Report on Government Services*; and

(c) there is a need for high levels of public accountability for a critically important and highly intrusive service, and this requires both accurate data and an understanding of differences between jurisdictions where they exist.

By way of example, comparisons of performance between jurisdictions in relation to targets for the commencement and completion of investigations can only be made if the base unit of investigations is commonly defined across jurisdictions. Likewise, a measure of outcome such as resubstantiation is significantly more powerful if it is based on an accurate comparison with other States and Territories.

3 Constraints

It is important to recognise that efforts to improve the comparability of child protection data are taking place within a set of powerful constraints. These include the fact that child protection services operate under varying State and Territory legislation and related policies, and not national legislation. For example, difference in policies about target groups for child protection and on what basis substantiations of child abuse and neglect should be recorded may be legislatively based. Where differences in data are policy based (see Section 5), it is obvious (and yet important to note) that these differences cannot be addressed by

counting rules. These differences do, however, raise issues for jurisdictions which may be worthy of further policy discussion.

A second critical factor limiting the comparability of data is the subjective nature of some child protection outputs such as substantiation (see also Section 4.4). The assessment of a substantiation of child abuse and neglect by a protective worker is necessarily based on guidelines and the judgement of the protective worker. This provides significant scope for varying interpretations, both across States and Territories, and even between workers within the same jurisdiction.

4 Comparability report's recommendations endorsed by NCPASS

4.1 Background

There are three existing output measures—notification/allegation, investigation, and court orders—where reasonable comparability can potentially be achieved between most States. The comparability report has been instrumental in making recommendations which could significantly improve comparability across jurisdictions for each of these output categories. This does not, however, apply to Western Australia and Tasmania where significant policy differences impact on their data for these measures.

The report has also highlighted significant differences between jurisdictions in the use of the term 'substantiations' which require further consideration. Finally, it has recommended an additional category be developed to measure the provision of services which are provided through child protection to support families.

4.2 Generic framework

A new generic framework for the initial stages of child protection contact is considered to be desirable as a way of moving towards greater comparability. Amongst other benefits a generic framework could assist in addressing various approaches to counting what are currently called notifications and uncertainty about how or whether to include child concern reports. The generic framework is considered to have merit but requires further discussion with policy makers. Each State and Territory has its own terms for child protection which are deeply embedded in legislation, policy, and information systems. Further work is required about the specific way of achieving this goal.

4.3 Investigation

Investigation is an existing term which is endorsed by the comparability report as there was found to be a high degree of commonality in processes, practice and counting across States and Territories. A new counting rule for investigation is, however, proposed to further improve comparability. It will require that an investigation include the interview or sighting of the child by a departmental worker for national counting purposes. Following national consultation this recommendation is endorsed by NCPASS.

4.4 Substantiation

Consultations undertaken by the consultants identified several different ways in which the term 'substantiation' was defined by States and Territories. These ranged from a likelihood of harm, to confirmation of an incident which may be harmful, to actual harm. A further

layer of complexity impacting on the data is that, for a number of States and Territories where harm is proven, there is no substantiation recorded if the parents are seen to be acting to protect their child. Consideration could be given to moving towards a national definition for substantiation. It should be noted that this may require change to legislation and/or policy.

4.5 Court orders

Court orders is an existing term which is endorsed by the report but revised counting rules are proposed. These will address complexities arising from the wide range of orders in some States and Territories and variations in the counting of interim and administrative orders. Following national consultation this recommendation is endorsed by NCPASS.

4.6 Services

Services is a new category proposed by the report. It will count responses provided following investigation and substantiation. The concept 'services' could include the intensive support services provided or funded by jurisdictions which serve to prevent the removal of children from home or are critical to facilitate the reunification of children and their families. It is acknowledged, however, that significant work is required to collect information about services and that an appropriate collection method will need to be established. National reporting may initially be descriptive.

5 Recommendations NCPASS considered needed further consideration

A number of recommendations made by the report to enhance the data collection are considered by NCPASS to require further consideration. These include the proposals to broaden the base of the collection to include child welfare or children in need and to introduce agreed descriptors of harm/injuries and actions responsible.

(a) Broadening the base of the data collected may assist in the way child concern reports are considered for national reporting. Other ways of broadening the base may introduce additional complexities as each jurisdiction has significantly different ways of responding to children in need, including through services not provided nor funded by community services departments. While there may be merit in exploring inclusion of some related child protection data for the AIHW report and the *Report on Government Services* it is not expected to assist comparability.

(b) Descriptors of harm and injury are considered to be highly subjective and unlikely to generate improved comparisons for the more severe categories of harm. Again, while it is not expected to aid comparability, there may be merit in exploring these concepts further.

6 Other policy implications

An issue which has emerged from the report is the extensive variation in some rates of protective interventions across jurisdictions. This applies in particular at the point of investigation where the rate varies from 4.5 per 1,000 children in one State to over 11 per 1,000 children in another. These differences largely remain at the point of substantiation and diminish somewhat at the point of court orders, although even here some States have more than double the number of children on court orders compared to others.

These substantial differences in data are considered to largely reflect differences in State policy about the delivery of child protection services. In so far as differences in the data reflect underlying policy differences, they should be noted by policy makers but they are not considered to be matters for further investigation by NCPASS.

7 NCPASS recommendations accepted by the NCSIMG

NCSIMG accepted that NCPASS should:

1. further consider the most appropriate generic framework for the initial stages of child protection for national reporting purposes;
2. for national reporting purposes, define an 'investigation' to include the interviewing or sighting of the child who is the subject of the notification, where it is practicable to do so;
3. work towards a consistent definition of 'substantiation' in consultation with State and Territory policy stakeholders;
4. revise the counting rules for court orders.

NCSIMG also agreed that NCPASS should give consideration to the practicalities and cost of collecting information on 'services'.