

# Appendix 1: Detailed tables

## Child protection

Table A1.1: Substantiations: type of abuse or neglect, by state and territory, 2003–04

Type of abuse or neglect substantiated	NSW <sup>(a)</sup>	Vic	Qld	WA	SA	Tas	ACT	NT
				<b>Number</b>				
Physical	n.a.	1,747	4,042	277	518	137	95	200
Sexual	n.a.	627	1,000	235	157	71	46	72
Emotional	n.a.	3,422	5,667	135	725	37	319	64
Neglect	n.a.	1,616	6,764	321	1,090	182	170	191
<b>Total</b>	<b>n.a.</b>	<b>7,412</b>	<b>17,473</b>	<b>968</b>	<b>2,490</b>	<b>427</b>	<b>630</b>	<b>527</b>
				<b>Per cent</b>				
Physical	n.a.	24	23	29	21	32	15	38
Sexual	n.a.	8	6	24	6	17	7	14
Emotional	n.a.	46	32	14	29	9	51	12
Neglect	n.a.	22	39	33	44	43	27	36
<b>Total</b>	<b>n.a.</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

(a) New South Wales was unable to provide these data due to the ongoing implementation of the data system.

**Table A1.2: Children in substantiations: type of abuse or neglect, by sex and state and territory, 2003–04**

<b>Sex and type of abuse or neglect</b>	<b>NSW<sup>(a)</sup></b>	<b>Vic</b>	<b>Qld</b>	<b>WA</b>	<b>SA</b>	<b>Tas</b>	<b>ACT</b>	<b>NT</b>
<b>Males</b>								
Physical	n.a.	835	1,560	143	267	67	32	93
Sexual	n.a.	232	237	40	41	26	9	11
Emotional	n.a.	1,637	2,125	67	274	12	129	29
Neglect	n.a.	766	2,373	167	377	67	69	79
<b>Total</b>	<b>n.a.</b>	<b>3,470</b>	<b>6,295</b>	<b>417</b>	<b>959</b>	<b>172</b>	<b>239</b>	<b>212</b>
<b>Females</b>								
Physical	n.a.	824	1,529	125	219	40	44	88
Sexual	n.a.	378	588	188	103	31	27	58
Emotional	n.a.	1,561	2,064	57	300	14	122	32
Neglect	n.a.	748	2,265	139	361	61	54	102
<b>Total</b>	<b>n.a.</b>	<b>3511</b>	<b>6,446</b>	<b>509</b>	<b>983</b>	<b>146</b>	<b>247</b>	<b>280</b>
<b>Unknown</b>								
Physical	n.a.	13	—	—	1	4	—	—
Sexual	n.a.	1	—	—	—	1	—	—
Emotional	n.a.	24	—	2	2	2	3	—
Neglect	n.a.	7	—	1	8	4	—	—
<b>Total</b>	<b>n.a.</b>	<b>45</b>	<b>—</b>	<b>3</b>	<b>11</b>	<b>11</b>	<b>3</b>	<b>—</b>
<b>Persons</b>								
Physical	n.a.	1,672	3,089	268	487	111	76	181
Sexual	n.a.	611	825	228	144	58	36	69
Emotional	n.a.	3,222	4,189	126	576	28	254	61
Neglect	n.a.	1,521	4,638	307	746	132	123	181
<b>Total</b>	<b>n.a.</b>	<b>7,026</b>	<b>12,741</b>	<b>929</b>	<b>1953</b>	<b>329</b>	<b>489</b>	<b>492</b>

(a) New South Wales was unable to provide these data due to the ongoing implementation of the data system.

Note: If a child was the subject of a substantiation for more than one type of abuse or neglect, then type of abuse and/or neglect is the one considered by the child protection workers to cause the most harm to the child.

**Table A1.3: Children in substantiations, by age, Indigenous status and state and territory, 2003–04**

Age group (years)	NSW <sup>(a)</sup>	Vic	Qld	WA	SA	Tas	ACT	NT
<b>Indigenous children</b>								
< 1	n.a.	125	84	61	43	—	5	75
1–4	n.a.	226	214	83	132	3	14	154
5–9	n.a.	162	397	94	145	5	9	76
10–14	n.a.	156	425	76	110	3	12	61
15–17	n.a.	31	75	11	10	1	4	8
Unknown	n.a.	—	—	—	2	—	—	2
<b>Total</b>	<b>n.a.</b>	<b>700</b>	<b>1,195</b>	<b>325</b>	<b>442</b>	<b>12</b>	<b>44</b>	<b>376</b>
<b>Other children</b>								
< 1	n.a.	823	1,100	56	115	14	54	6
1–4	n.a.	1,570	2,979	140	398	59	129	27
5–9	n.a.	1,741	3,567	185	495	77	127	35
10–14	n.a.	1,785	3,251	183	416	76	106	46
15–17	n.a.	407	649	40	78	20	29	2
Unknown	n.a.	—	—	—	9	71	—	—
<b>Total</b>	<b>n.a.</b>	<b>6,326</b>	<b>11,546</b>	<b>604</b>	<b>1,511</b>	<b>317</b>	<b>445</b>	<b>116</b>
<b>Total children</b>								
< 1	n.a.	948	1,184	117	158	14	59	81
1–4	n.a.	1,796	3,193	223	530	62	143	181
5–9	n.a.	1,903	3,964	279	640	82	136	111
10–14	n.a.	1,941	3,676	259	526	79	118	107
15–17	n.a.	438	724	51	88	21	33	10
Unknown	n.a.	—	—	—	11	71	—	2
<b>Total</b>	<b>n.a.</b>	<b>7,026</b>	<b>12,741</b>	<b>929</b>	<b>1,953</b>	<b>329</b>	<b>489</b>	<b>492</b>

(a) New South Wales was unable to provide these data due to the ongoing implementation of the data system.

Note: Where the child was the subject of more than one substantiation in the year, the age of the child was counted at the time of the first substantiation.

**Table A1.4: Children aged 0–17 years who were the subject of a substantiation: type of abuse or neglect, by Indigenous status and state and territory, 2003–04**

Type of abuse or neglect	NSW <sup>(a)</sup>	Vic	Qld	WA	SA	Tas	ACT	NT
<b>Indigenous children</b>								
Physical	n.a.	169	308	104	75	5	7	136
Sexual	n.a.	38	47	55	21	—	4	39
Emotional	n.a.	321	315	25	149	1	22	50
Neglect	n.a.	172	525	141	197	6	11	151
<b>Total</b>	<b>n.a.</b>	<b>700</b>	<b>1,195</b>	<b>325</b>	<b>442</b>	<b>12</b>	<b>44</b>	<b>376</b>
<b>Other children</b>								
Physical	n.a.	1,503	2,781	164	412	106	69	45
Sexual	n.a.	573	778	173	123	58	32	30
Emotional	n.a.	2,901	3,874	101	427	27	232	11
Neglect	n.a.	1,349	4,113	166	549	126	112	30
<b>Total</b>	<b>n.a.</b>	<b>6,326</b>	<b>11,546</b>	<b>604</b>	<b>1,511</b>	<b>317</b>	<b>445</b>	<b>116</b>

(a) New South Wales was unable to provide these data due to the ongoing implementation of the data system.

Note: If a child was the subject of a substantiation for more than one type of abuse or neglect, then type of abuse and/or neglect is assigned to the category nearest the top of the list.

**Table A1.5: Number of investigations: source of notification, by state and territory, 2003–04**

Source of notification	NSW <sup>(a)</sup>	Vic	Qld	WA	SA	Tas	ACT	NT
Subject child	n.a.	51	620	52	95	15	5	3
Parent/guardian	n.a.	920	3,253	267	582	59	143	45
Sibling	n.a.	57	96	7	17	—	5	—
Other relative	n.a.	929	2,499	165	528	95	—	121
Friend/neighbour	n.a.	638	3,204	124	722	63	120	68
Medical practitioner	n.a.	426	480	23	212	2	19	37
Other health personnel	n.a.	645	91	6	105	29	38	19
Hospital/health centre	n.a.	607	1,107	235	459	35	134	151
Social worker	n.a.	285	1,135	—	338	49	13	29
School personnel	n.a.	2,011	3,494	216	1,149	176	192	79
Childcare personnel	n.a.	138	320	35	39	7	20	7
Police	n.a.	2,371	3,575	364	1,202	139	240	251
Departmental officer	n.a.	649	839	309	315	92	104	51
Non-government organisation	n.a.	1,630	840	71	5	77	150	99
Anonymous	n.a.	—	572	28	154	—	40	20
Other	n.a.	235	1,348	122	461	97	168	30
Not stated	n.a.	282	130	—	—	—	—	1
<b>Total</b>	<b>n.a.</b>	<b>11,874</b>	<b>23,603</b>	<b>2,024</b>	<b>6,383</b>	<b>935</b>	<b>1,400</b>	<b>1,011</b>

(a) New South Wales was unable to provide these data due to the ongoing implementation of the data system.

Note: 'Other' category may include the person responsible.

## Care and protection orders

Table A1.6: Children substantiated in 2002–03 and subsequently placed on care and protection orders within 12 months, for selected states and territories

State/territory	Number subsequently placed on a care and protection order	Percentage of all children substantiated in 2002–03
Victoria	1,726	25
Queensland	1,500	12
Western Australia	261	24
South Australia	261	14
Tasmania	120	58
Australian Capital Territory	87	33
Northern Territory	94	30

Note: New South Wales was unable to provide these data.

Table A1.7: Children on care and protection orders, by sex and state and territory, at 30 June 2004

Sex of child	NSW <sup>(a)</sup>	Vic	Qld	WA	SA	Tas	ACT	NT
<b>Number</b>								
Male	n.a.	2,711	2,572	823	752	350	191	153
Female	n.a.	2,526	2,378	816	696	282	162	191
Unknown	n.a.	14	—	—	7	2	—	1
<b>Persons</b>	<b>n.a.</b>	<b>5,251</b>	<b>4,950</b>	<b>1,639</b>	<b>1,455</b>	<b>634</b>	<b>353</b>	<b>345</b>
<b>Per cent</b>								
Male	n.a.	52	52	50	52	55	54	44
Female	n.a.	48	48	50	48	45	46	56
<b>Persons</b>	<b>n.a.</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

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

**Table A1.8: Children on care and protection orders, by age and living arrangements, at 30 June 2004**

Age (years)	Family care	Home-based out-of-home care	Residential care	Family group homes	Independent living	Other	Total
<b>Number</b>							
< 1	138	294	11	—	1	14	<b>458</b>
1–4	690	2,173	37	11	1	59	<b>2,971</b>
5–9	853	3,083	80	33	—	89	<b>4,138</b>
10–14	820	3,186	299	69	17	210	<b>4,601</b>
15–17	348	1,310	269	58	184	287	<b>2,456</b>
Unknown	—	2	—	1	—	—	<b>3</b>
<b>Total</b>	<b>2,849</b>	<b>10,048</b>	<b>696</b>	<b>172</b>	<b>203</b>	<b>659</b>	<b>14,627</b>
<b>Per cent</b>							
< 1	30	64	2	—	—	3	<b>100</b>
1–4	23	73	1	—	—	2	<b>100</b>
5–9	21	75	2	1	—	2	<b>100</b>
10–14	18	69	6	1	—	5	<b>100</b>
15–17	14	53	11	2	7	12	<b>100</b>
<b>Total</b>	<b>19</b>	<b>69</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>100</b>

*Notes*

1. Data exclude children from New South Wales.
2. In Western Australia, the category 'residential care' includes some children placed in family group homes.

## Out-of-home care

Table A1.9: Children in out-of-home care, by age and state and territory, at 30 June 2004

Age (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
<b>Number</b>									
<1	194	127	182	58	38	6	4	12	621
1–4	1,721	747	1,034	369	210	95	64	74	4,314
5–9	3,151	1,164	1,358	521	346	147	74	75	6,836
10–14	3,087	1,421	1,343	515	416	150	112	73	7,117
15–17	987	850	496	218	194	88	44	24	2,901
Unknown	5	—	—	—	—	1	—	—	6
<b>Total</b>	<b>9,145</b>	<b>4,309</b>	<b>4,413</b>	<b>1,681</b>	<b>1,204</b>	<b>487</b>	<b>298</b>	<b>258</b>	<b>21,795</b>
<b>Per cent</b>									
<1	2	3	4	3	3	1	1	5	3
1–4	19	17	23	22	17	20	21	29	20
5–9	34	27	31	31	29	30	25	29	31
10–14	34	33	30	31	35	31	38	28	33
15–17	11	20	11	13	16	18	15	9	13
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Table A1.10: Children in out-of-home care, by sex and state and territory, at 30 June 2004

Sex	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
<b>Number</b>									
Male	4,794	2,203	2,237	866	622	266	162	122	11,272
Female	4,351	2,104	2,176	815	574	220	136	135	10,511
Unknown	—	2	—	—	8	1	—	1	12
<b>Total</b>	<b>9,145</b>	<b>4,309</b>	<b>4,413</b>	<b>1,681</b>	<b>1,204</b>	<b>487</b>	<b>298</b>	<b>258</b>	<b>21,795</b>
<b>Per cent</b>									
Male	52	51	51	52	52	55	54	47	52
Female	48	49	49	48	48	45	46	53	48
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

**Table A1.11: Children in out-of-home care, by age, type of placement and state and territory at 30 June 2004**

Type of placement/ age (years)	NSW	Vic	Qld	WA <sup>(a)</sup>	SA	Tas	ACT	NT	Total
<b>Home-based</b>	<b>Number</b>								
<1	193	124	182	52	38	6	4	11	610
1-4	1,718	738	1,034	352	210	84	64	69	4,269
5-9	3,130	1,131	1,354	475	345	133	74	71	6,713
10-14	2,933	1,261	1,318	451	386	110	91	62	6,612
15-17	731	647	478	149	166	46	29	20	2,266
Unknown	5	—	—	—	—	—	—	—	5
<b>Total</b>	<b>8,710</b>	<b>3,901</b>	<b>4,366</b>	<b>1,479</b>	<b>1,145</b>	<b>379</b>	<b>262</b>	<b>233</b>	<b>20,475</b>
<b>Residential</b>									
<1	1	3	—	6	—	..	—	—	10
1-4	2	9	—	17	—	..	—	3	31
5-9	19	33	4	45	1	..	—	—	102
10-14	151	160	25	59	27	..	18	7	447
15-17	123	175	18	34	18	..	8	4	380
Unknown	—	—	—	—	—	..	—	—	—
<b>Total</b>	<b>296</b>	<b>380</b>	<b>47</b>	<b>161</b>	<b>46</b>	<b>..</b>	<b>26</b>	<b>14</b>	<b>970</b>
<b>Home-based</b>	<b>Per cent</b>								
<1	2	3	4	4	3	2	2	5	3
1-4	20	19	24	24	18	22	24	30	21
5-9	36	29	31	32	30	35	28	30	33
10-14	34	32	30	30	34	29	35	27	32
15-17	8	17	11	10	14	12	11	9	11
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Residential</b>									
<1	—	1	—	4	—	..	—	—	1
1-4	1	2	—	11	—	..	—	21	3
5-9	6	9	9	28	2	..	—	—	11
10-14	51	42	53	37	59	..	69	50	46
15-17	42	46	38	21	39	..	31	29	39
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>..</b>	<b>100</b>	<b>100</b>	<b>100</b>

(a) In Western Australia, the category 'residential care' includes some children placed in family group homes.



# Appendix 2: Technical notes

## Calculation of rates

The rates of children on care and protection orders and children in out-of-home care were calculated using the Australian Bureau of Statistics' (ABS) most recent population estimates for 31 March 2004 (ABS 2004b).

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

$$\frac{\text{Number of children aged 0-17 years on care and protection orders at 30 June 2004}}{\text{ABS estimated population of children aged 0-17 years at 31 March 2004}} \times 1,000$$

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

$$\frac{\text{Number of children aged 0-17 years in out-of-home care at 30 June 2004}}{\text{ABS estimated population of children aged 0-17 years at 31 March 2004}} \times 1,000$$

The rates of children subject to child protection substantiations during 2003-04 were calculated using the ABS population estimates for 31 December 2004 (ABS 2004c). These rates were calculated for children aged 0-16 years rather than for children aged 0-17 years because there were very few children aged 17 years who were the subjects of substantiations.

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

$$\frac{\text{Number of children aged 0-16 years who were the subjects of substantiations in 2003-04}}{\text{ABS estimated population aged 0-16 years at 31 December 2003}} \times 1,000$$

## Rates for Aboriginal and Torres Strait Islander children

Rates for Aboriginal and Torres Strait Islander children were calculated by using the same basic method outlined above. Population projections based on the ABS 2001 Census were used for the denominator (ABS 2004d).

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

In the Australian Capital Territory, both the small size of the Aboriginal and Torres Strait Islander population and the likelihood that if one child from a family is notified then all children in that family will be notified contribute to the relatively high rates for Indigenous children in that jurisdiction.

The rates for Aboriginal and Torres Strait Islander children for 2003–04 should not be compared with the rates for Aboriginal and Torres Strait Islander children prior to this. Rates for Aboriginal and Torres Strait Islander children for 1996–97 to 2000–01 were calculated using ABS Indigenous population data from the 1996 Census data. These projections of the population are different from the ones based on the 2001 Census data.

## **Rates for other (Australian) children**

The other population used for the calculation of rates was obtained by subtracting the number of Aboriginal and Torres Strait Islander children from the number of children in the total population.

# **Identification of Indigenous status**

## **Children**

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

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

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

## **Caregivers**

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

# Appendix 3: Legislation

## Child protection legislation

### Commonwealth

*Family Law Act 1975*

### New South Wales

*Children and Young Persons (Care and Protection) Act 1998*

### Victoria

*Children and Young Persons Act 1989*

### Queensland

*Child Protection Act 1999*

### Western Australia

*Child Welfare Act 1947*

*Community Services Act 1972*

### South Australia

*Family and Community Services Act 1972*

*Children's Protection Act 1993*

### Tasmania

*Children, Young Persons and Their Families Act 1997*

### Australian Capital Territory

*Children and Young People Act 1999*

### Northern Territory

*Community Welfare Act 1983*

## Legislative definition of ‘in need of care and protection’

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

### New South Wales

From 18 December 2000 in New South Wales, a child or young person must be found under section 71 of the *Children and Young Persons (Care and Protection) Act 1998* to be in need of care and protection by reason of any of the following:

- (a) lack of, or serious difficulties with, parental care
  - (i) where there is no parent available to care for the child or young person as a result of death or incapacity or for any other reason
  - (ii) the parents acknowledge that they have serious difficulties in caring for the child or young person and, as a consequence, the child or young person is in need of care and protection
- (b) physical or sexual abuse or ill-treatment
- (c) the child’s or young person’s basic physical, psychological or educational needs may not be met
- (d) possible serious developmental impairment or serious psychological harm arising from the child’s or young person’s domestic environment
- (e) sexually abusive behaviour by a child under 14 years of age
- (f) pre-existing order of another jurisdiction.

### Victoria

In Victoria, section 63 of the *Children and Young Persons Act 1989* indicates that a child is in need of protection if any of the following grounds exist:

- (a) the child has been abandoned and after reasonable inquiries the parent(s) cannot be found, and no other suitable person can be found who is willing and able to care for the child
- (b) the child’s parent(s) are dead or incapacitated and there is no other suitable person willing and able to care for the child
- (c) the child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse, and the child’s parent(s) have not protected, or are unlikely to protect, the child from harm of that type
- (d) the child has suffered, or is likely to suffer, emotional or psychological harm of such kind that the child’s emotional or intellectual development is, or is likely to be, significantly damaged and the child’s parent(s) have not protected, or are unlikely to protect, the child from harm of that type
- (e) the child’s physical development or health has been, or is likely to be, significantly harmed and the child’s parent(s) have not provided, arranged or allowed the provision of, or are unlikely to provide, arrange, or allow the provision of, basic care or effective medical, surgical or other remedial care.

## **Queensland**

In Queensland, sections 9 and 10 of the *Child Protection Act 1999* (introduced in March 2000) define a child 'in need of protection' as a child who:

- (a) has suffered harm, is suffering harm or has an unacceptable risk of suffering harm
- (b) does not have a parent able and willing to protect the child from harm.

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

'Harm' is defined as 'any detrimental effect of significant nature on the child'.

## **Western Australia**

In Western Australia, a 'child in need of care and protection' is defined in the *Child Welfare Act 1947* to include a child who:

- (a) has no sufficient means of subsistence apparent to the court and whose near relatives are, in the opinion of the court, in indigent circumstances or are otherwise unable or unwilling to support the child, or are dead, or are unknown, or cannot be found, or are out of the jurisdiction, or are in the custody of the law
- (b) has been placed in a subsidised facility and whose near relatives have not contributed regularly towards the maintenance of the child
- (c) associates or dwells with any person who has been convicted of vagrancy, or is known to the police as of bad repute, or who has been or is reputed to be a thief or habitually under the influence of alcohol or drugs
- (d) is under the guardianship or in the custody of a person whom the court considers is unfit to have that guardianship or custody
- (e) is not being maintained properly or at all by a near relative, or is deserted
- (f) is found in a place where any drug or prohibited plant is used and is in the opinion of the court in need of care and protection by reason thereof
- (g) being under the age of 14 years is employed or engaged in any circus, travelling show, acrobatic entertainment, or exhibition by which his life, health, welfare or safety is likely to be lost, prejudiced or endangered
- (h) is unlawfully engaged in street trading
- (i) is ill-treated, or suffers injuries apparently resulting from ill-treatment
- (j) lives under conditions which indicate that the child is lapsing or likely to lapse into a career of vice or crime
- (k) is living under such conditions, or is found in such circumstances, or behaves in such a manner, as to indicate that the mental, physical or moral welfare of the child is likely to be in jeopardy.

## **South Australia**

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

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

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

- (a) the child has been, or is being, abused or neglected
- (b) a person with whom the child resides (whether a guardian of the child or not):
  - (i) has threatened to kill or injure the child and there is a reasonable likelihood of the threat being carried out
  - (ii) has killed, abused or neglected some other child or children and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person
- (c) the guardians of the child:
  - (i) are unable to maintain the child, or are unable to exercise adequate supervision and control over the child
  - (ii) are unwilling to maintain the child, or are unwilling to exercise adequate supervision and control over the child
  - (iii) are dead, have abandoned the child, or cannot, after reasonable inquiry, be found
- (d) the child is of compulsory school age but has been persistently absent from school without satisfactory explanation of the absence
- (e) the child is under 15 years of age and of no fixed address.

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

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

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

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

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

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

New care and protection orders tend to be for no longer than 12 months, although a second or subsequent order can be granted to complete a reunification process. The child may then be placed under the guardianship of the Minister or such other person or persons the court thinks appropriate, until 18 years of age.

### **Tasmania**

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

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

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

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

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

### **Australian Capital Territory**

In the Australian Capital Territory a new Act, the *Children and Young People Act 1999*, was introduced in May 2000. This Act states that a child is in need of care and protection if:

- (a) he or she has been, is being or is likely to be, abused or neglected;
- (b) no one with parental responsibility for the child or young person is willing and able to protect him or her from suffering the abuse or neglect.

Abuse in relation to a child or young person means:

- (a) physical abuse
- (b) sexual abuse
- (c) emotional abuse (including psychological abuse) if the child or young person;
  - (i) has suffered, is suffering or is likely to suffer in a way that has caused, is causing or is likely to cause significant harm to his or her wellbeing or development
  - (ii) has been, is being or is likely to be exposed to conduct that is a domestic violence offence within the meaning of the *Domestic Violence Act 1986* and that has caused, is causing or is likely to cause significant harm to his or her wellbeing or development.

Neglect of a child or young person means a failure to provide the child or young person with a necessity of life that has caused, is causing or is likely to cause the child or young person significant harm to his or her wellbeing or development. Necessities include food, shelter, clothing and medical care.

Without limiting the above, a child or young person is also in need of care and protection in any of the following circumstances:

- (a) if a person with whom the child or young person lives or is likely to live:
  - (i) has threatened to kill or injure the child or young person and there is a real possibility of the threat being carried out
  - (ii) has killed, abused or neglected a child or young person and there is a real possibility of the person killing, abusing or neglecting the relevant child or young personand no one with parental responsibility is willing and able to protect the child or young person
- (b) no one with the parental responsibility for the child or young person (other than the Chief Executive) is willing and able to provide him or her with adequate care and protection
- (c) if there is serious, persistent conflict between the child or young person and the people with parental responsibility for him or her (other than the Chief Executive) to such an extent that the care and protection of the child or young person is, or is likely to be, seriously disrupted
- (d) the people with parental responsibility for the child or young person (other than the Chief Executive) are:
  - (i) dead, have abandoned him or her or cannot be found after reasonable enquiry
  - (ii) unwilling or unable to keep him or her from engaging in self-damaging behaviour
  - (iii) sexually or financially exploiting the child or young person or unwilling or unable to keep him or her from being sexually or financially exploited
- (e) the child or young person is the subject of a child protection order in a state that is not being complied with.

Action taken by ACT Family Services in relation to a report (notification) is at the discretion of the Chief Executive as per section 161 of the Act.

The Act reflects an increased emphasis on family support and prevention services to assist children, young people and their families.



## Northern Territory

In the Northern Territory, section 4(2) of the *Community Welfare Act 1983* states that a child is in need of care where:

- (a) the parents, guardian/person having the custody have abandoned the child and cannot, after reasonable inquiry, be found
- (b) the parents, guardian/person having the custody are unwilling or unable to maintain the child
- (c) the child has suffered maltreatment
- (d) the child is not subject to effective control and is engaging in conduct which constitutes a serious danger to his or her health or safety
- (e) being excused from criminal responsibility under section 38 of the Criminal Code (being under 10 years of age), the child has persistently engaged in conduct which is so harmful or potentially harmful to the general welfare of the community, measured by commonly accepted community standards, as to warrant action under this Act for the maintenance of those standards.

For the purpose of the *Community Welfare Act 1983*, a child shall be taken to have suffered maltreatment where he or she has suffered or is suffering or is at substantial risk of suffering the following:

- (a) a physical injury causing temporary or permanent disfigurement or serious pain or impairment of a bodily function or the normal reserve or flexibility of a bodily function, inflicted or allowed to be inflicted by a parent, guardian or person having the custody of the child, or where there is substantial risk of the child suffering such an injury or impairment
- (b) serious emotional or intellectual impairment evident by severe psychological or social malfunctioning measured by the commonly accepted standards of the community to which the child belongs, whether a result of physical surroundings, nutritional or other deprivation, or the emotional or social environment in which the child is living, or where there is a substantial risk that such surroundings, deprivation or environment will cause such emotional or intellectual impairment
- (c) serious physical impairment evidenced by severe bodily malfunctioning, whether a result of the child's physical surroundings, nutritional or other deprivation, or the emotional or social environment in which the child is living, or where there is a substantial risk that such surroundings, deprivation or environment will cause such impairment
- (d) sexual abuse or exploitation, and the child's parents, guardians or persons having custody of the child are unable or unwilling to protect him or her from such abuse or exploitation
- (e) female genital mutilation, where a female child shall be taken to have suffered female genital mutilation where she:
  - (i) has been subjected, or there is substantial risk that she will be subjected, to female genital mutilation, as defined in section 186A of the Criminal Code
  - (ii) has been taken, or there is substantial risk that she will be taken, from the territory with the intention of having female genital mutilation performed on her.

# Appendix 4: Mandatory reporting requirements

## New South Wales

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

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

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

These statutory obligations are supplemented and supported by Interagency Guidelines detailing each agency's role, responsibilities and actions required in all aspects of child protection intervention and the policies, procedures and directions of individual agencies on how to respond to child care and protection matters.

## Victoria

In 1993 the Victorian Government proposed legislative changes to the *Children and Young Persons Act 1989* which would mandate specific professional groups to notify suspected cases of child physical and sexual abuse. Doctors, nurses and police were mandated on 4 November 1993 to report child physical and sexual abuse. Primary and secondary school teachers and principals were mandated on 18 July 1994.

## Queensland

Under the *Health Act 1937*, medical practitioners are required by law to notify all cases of suspected maltreatment of a child. Education Queensland policy requires school principals to report suspected child abuse and neglect to the appropriate authorities and requires teachers to report through principals; however, this is not legislated. The *Child Protection Act 1999* requires that officers of the Department of Families and employees of licensed care services report when they suspect harm to children placed in residential care.

Under the *Commission for Children and Young People Act 2000*, the Commissioner for Children and Young People must refer matters where a child may be in need of protection under the *Child Protection Act 1999* to the chief executive of the Department of Families or the Police Commissioner.

## **Western Australia**

The Department for Community Development in Western Australia has the responsibility to receive and assess allegations of child abuse and neglect and to take action to protect children and young people. The reporting of children and young people who have been or who are likely to be harmed through abuse or neglect is supported through reciprocal protocols that have been negotiated with key government and non-government agencies. These arrangements are supported by legislative provisions that protect people who make reports and strengthen information sharing.

In 2004 new protocols between the Department of Health, Department for Community Development and the Western Australian Police Service now require the reporting of all children under 14 years of age with sexually acquired sexually transmitted infections (STI) and the reporting of children 14 and 15 years of age with an STI acquired through abuse.

Some highly specific legislative requirements for the reporting of child abuse are in place in Western Australia. Under the Western Australian *Family Court Act 1997*, court personnel, counsellors and mediators must report allegations or suspicions of child abuse in Family Court cases. Also, under the *Community Services Act 1972* Regulations, licensed providers of child care or outside school hours care services are required to report abuse in a childcare service.

Community awareness programs and the education of professional groups also contribute to the awareness and identification of possible abuse and neglect and action to prevent further harm from occurring.

## **South Australia**

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

## **Tasmania**

In Tasmania, the *Children, Young Persons and Their Families Act 1997* emphasises that everyone in the community has a responsibility for making sure children are safe and protected. The following list of 'prescribed persons' are mandatory reporters under the Act: registered medical practitioners; nurses; dentists; police officers; psychologists; departmental employees within the *Police Regulation Act 1898*; probation officers; school principals and teachers; persons who manage childcare services or provide child care for a fee or reward; and in general people employed, or who are volunteers in, government agencies or organisations funded by the Crown that provide health, welfare, education, or care wholly or partly for children.

## **Australian Capital Territory**

Mandatory reporting was introduced on 1 June 1997. The groups mandated are doctors, dentists, nurses, police officers, teachers, school counsellors, public servants working in the child welfare field and licensed childcare providers. These groups are mandated to report physical and sexual abuse, although other forms of child maltreatment are also discussed in training sessions.

**Northern Territory**

It is mandatory for any person who believes a child is being, or has been, abused or neglected to notify a Family and Children's Services office or police station.

# Glossary

## General definitions

### Community services department

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

## Definitions for child protection notifications, investigations and substantiations

### Age of child

Age is calculated from the date of birth at the time a report is made, and is shown in completed years, or >1 for those aged less than 1 year. In some jurisdictions, >1 year also includes those in utero.

### Child protection notification

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

A notification can involve only one child; where it is claimed that two children have been abused or neglected, this is counted as two notifications, even if the children are from one family. Where there is more than one notification about the same 'event', this is counted as only one notification. Where there is more than one notification between 1 July 2002 and 30 June 2004, but relating to different events (for instance, a different type of abuse or neglect or a different person believed responsible for the abuse or neglect), these notifications should be counted as separate notifications.

### Investigation

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

Investigations to be counted in this collection relate to those child protection notifications of children aged 0–17 years that were made to an authorised department between 1 July 2002 and 30 June 2004, and which were subsequently investigated.

### Substantiation

A substantiation in the national data collection is a child protection notification made to relevant authorities during the year ended 30 June 2004 which was investigated, the investigation was finalised by 31 August 2004, and it was concluded that there was

reasonable cause to believe that the child had been, was being or was likely to be abused or neglected or otherwise harmed.

### **Person believed responsible**

Where there is more than one person believed responsible for the abuse and neglect, the person believed responsible is categorised as the person believed to have inflicted the most severe abuse or neglect, or most likely to have harmed the child or put the child at risk. Where it is not possible to identify the person believed responsible in this way, the person is categorised as the person who inflicted the most obvious form of abuse or neglect.

### **Relationship to child of the person believed responsible**

#### ***Intra-familial***

##### *Biological parent*

Any male or female who is the biological or adoptive parent of the child.

##### *Step-parent*

Any person who is not the biological or adoptive parent of the child, but was legally married to one of the child's biological parents.

##### *De facto step-parent*

Any male or female who is not the biological or adoptive parent of the child and who is the de facto marital partner of the child's parent.

##### *Sibling*

A natural, adopted, foster, step- or half-brother or sister.

##### *Other relative/kin*

Includes grandparents, aunts, uncles and cousins, whether the relationship is a full, half or step relationship. It also includes members of Aboriginal communities who are accepted by that community as being related to the child but who are not the child's biological parents.

#### ***Extra-familial***

##### *Foster parent*

Any person (or person's spouse) being paid a foster allowance by a government or non-government organisation for the care of a child (excluding children in family group homes).

##### *Friend/neighbour*

An unrelated person or acquaintance who is known to the family, or who lives in close proximity to the subject child or his or her family.

##### *Other*

Any person whose relationship to the child is known but not classified above.

##### *Not stated*

Includes all notifications substantiated where the relationship to the child of the person believed responsible for the abuse or neglect of the child was not specified.

### **Source of notification**

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

*Parent/guardian*

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

*Sibling*

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

*Other relative*

Includes grandparents, aunts, uncles and cousins. The relationship can be full, half or step or through adoption and can be traced through, or to, a person whose parents were not married to each other at the time of his or her birth. This category also includes members of Aboriginal or Torres Strait Islander communities who are accepted by that community as being related to the child.

*Friend/neighbour*

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

*Medical practitioner*

Includes only registered medical practitioners. It includes both general practitioners and specialists in hospitals or in the community.

*Other health personnel*

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

*Hospital/health centre personnel*

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

*Social/welfare worker*

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

*School personnel*

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

*Childcare personnel*

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

*Police*

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

*Departmental officer*

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

*Non-government organisation*

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

### *Anonymous*

Covers notifications received from people who do not give their names.

### *Other*

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

### *Not stated*

Includes all notifications that are received from unknown sources.

## **Family of residence**

This can refer to the family type in which the child was residing at the time the abuse and neglect occurred or at the time of notification, depending on the state or territory practices.

### *Two-parent – intact*

Includes all two-parent families where both parents are the biological parents or both parents are adoptive.

### *Two-parent – step or blended*

Includes blended and reconstituted families (one biological parent and one step-parent, or one natural parent and a de facto of that parent).

### *Single parent – female*

Includes all families with single female parents. The parent may be the biological, step- or adoptive parent.

### *Single parent – male*

Includes all families with single male parents. The parent may be the biological, step- or adoptive parent.

### *Other relatives/kin*

Includes Aboriginal and Torres Strait Islander kinship arrangements.

### *Foster care*

Includes situations in which a child is placed with foster parent(s) who receive a foster allowance from a government or non-government organisation for the care of the child. This category excludes children in family group homes.

### *Other*

Includes extended families and substitute care (not included above). It includes non-family situations, such as hostels and institutional accommodation. It excludes children living in foster care.

### *Not stated*

Used when the family in which a child lives is not recorded or is unknown.

## **Definitions for care and protection orders**

### **Child subject to orders**

This covers any child for whom the community services department has a responsibility as a result of some formal legal order or an administrative/voluntary arrangement. Only orders issued for protective reasons are included.

A legal or administrative order is any lawful direction which involves the community services department with a child over and above what is generally considered normal for most children, or which has an assumption that the department will have carriage of the



order (or a substantial part of it). The involvement might take the form of total responsibility for the welfare of the child (e.g. guardianship); responsibility for overseeing the actions of the person or authority caring for the child; responsibility for providing or arranging accommodation or reporting or giving consideration to the child's welfare. Depending on the state or territory regulation under which the order is issued, the order can be from a Court, Children's Panel, Minister of the Crown, authorised community services department officer (e.g. director) or similar tribunal or officer.

### **Age of child**

This is the age of the child in completed years at 30 June 2004.

### **Living arrangements**

This category covers the type of living arrangements in which the child spent the night of 30 June 2004. The categories are as follows:

#### *Family care*

Where the child is living either with parents, or with relatives/kin who are not reimbursed including:

- (i) living with parents (natural or adoptive) who are reimbursed by the state/territory for the care of the child
- (ii) living with parents (natural or adoptive) who are not reimbursed for the care of the child
- (iii) living with relatives or kin (other than natural or adoptive parents) who are not reimbursed for the care of the child.

#### *Home-based out-of-home care*

Where the placement is in the home of a carer who is reimbursed for the cost of care of the child including:

- (i) foster care/community care – general authorised caregiver who is reimbursed for the care of the child by the state/territory and supported by an approved agency (excluding relatives/kin who are reimbursed)
- (ii) living with a relative or kin other than parent who is reimbursed by the state/territory for the care of the child
- (iii) other, including private board.

#### *Family group homes*

Where the placement is in a residential building which is owned by the jurisdiction or a funded service and is typically run like a family home. They have a limited number of children who are cared for around-the-clock by resident substitute parents.

#### *Residential care*

Where care is in a facility-based (residential) building whose purpose is to provide placements for children and where there are paid staff.

#### *Independent living*

Where children are living independently, such as those in private boarding arrangements.

#### *Other living arrangements*

Where living arrangements do not fit into the above categories or are unknown.

## **Definitions for out-of-home care**

### **Age of child**

This is the age of the child in completed years at 30 June 2004.

### **Type of placement**

Placement type is divided into four main categories:

#### *Home-based care*

Where placement is in the home of a carer who is reimbursed for expenses for the care of the child including:

- (i) foster care/community care – general authorised caregiver who is reimbursed by the state/territory for the care of the child and supported by an approved agency
- (ii) relative/kinship care – family members other than parents or a person well known to the child and/or family (based on a pre-existing relationship) who are reimbursed by the state/territory for the care of the child
- (iii) other home-based care – including private board.

#### *Family group homes*

Where the placement is in a residential building which is owned by the jurisdiction or a funded service and is typically run like a family home. They have a limited number of children who are cared for around-the-clock by resident substitute parents.

#### *Facility-based care*

Includes care in a facility-based (residential) building whose purpose is to provide placements for children and where there are paid staff. Placements in 'family group homes' are counted as facility-based care.

#### *Independent living*

Where children are living independently, such as those in private boarding arrangements.

#### *Other*

Where the placement type does not fit into the above categories or is unknown.

### **Respite care**

This category covers out-of-home care provided on a temporary basis for reasons other than for child protection – for example, when parents are ill or unable to care for the child on a short-term basis. It does not include emergency care provided to children who have been removed from their homes for protective reasons.

# References

- ABS (Australian Bureau of Statistics) 2004a. Family characteristics, Australia. Cat. no. 4442.0. Canberra: ABS.
- ABS (Australian Bureau of Statistics) 2003b. Population by age and sex at 31 March 2004: unpublished estimates based on June 2001 Census data. Canberra: ABS.
- ABS (Australian Bureau of Statistics) 2003c. Population by age and sex at 31 December 2004: unpublished estimates based on June 2001 Census data. Canberra: ABS.
- ABS (Australian Bureau of Statistics) 2004d. Indigenous population by age and sex at June 2001: unpublished projections for the Indigenous population based on June 2001 Census data. Canberra: ABS.
- AIHW (Australian Institute of Health and Welfare) 2000. Child protection Australia 1998–99. AIHW cat. no. CWS 11. Child Welfare Series 25. Canberra: AIHW
- AIHW (Australian Institute of Health and Welfare) 2001. Family support services in Australia 2000. Canberra: AIHW.
- AIHW (Australian Institute of Health and Welfare) 2004a. Child protection Australia 2002–03. AIHW cat. no. CWS 22. Child Welfare Series 34. Canberra: AIHW.
- AIHW (Australian Institute of Health and Welfare) 2004b. Juvenile justice: a new national collection. Bulletin no. 19. AIHW cat. no. AUS 52. Canberra: AIHW.
- Carmody M & Carrington K 2000. Preventing sexual violence? Australian and New Zealand Journal of Criminology 33(3):341–61.
- Cashmore J 2000. Permanency planning, adoption and foster care. Children Australia 25(4): 13–17.
- Cashmore J 2001. Child protection in the new millennium. Social Policy Research Centre Newsletter no. 79, May 2001.
- Commission of Inquiry into Abuse of Children in Queensland Institutions 1999 [Forde Inquiry], Report of the Commission of Inquiry into Abuse of Children in Queensland Institutions. Brisbane: Queensland Government.
- Commissioner for Public Administration 2004a. The Territory as a parent: review of the safety of children in care in the ACT and of ACT child protection management. Canberra: Commissioner for Public Administration.
- Commissioner for Public Administration 2004b. The Territory's children: ensuring safety and quality care for children and young people. Report on the audit and case review. Canberra: Commissioner for Public Administration.
- Cook B, David F & Grant A 2001. Sexual violence in Australia. Australian Institute of Criminology Research and Public Policy Series no. 36. Canberra: AIC.
- Crime and Misconduct Commission 2004. Protecting children: an enquiry into the abuse of children in foster care. Brisbane: CMC.
- Forwood A & Carver MA 1999. The reunification of South Australian children with their families: case characteristics and outcomes – preliminary findings. Proceedings from the 7th

Australian Conference on Child Abuse and Neglect. Western Australia: Promaco Conventions.

Gordon S, Hallahan K & Henry D 2002. Putting the picture together: Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities. Western Australia: Department of Premier and Cabinet.

HREOC (Human Rights and Equal Opportunity Commission) 1997. Bringing them home. Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families. Sydney: HREOC.

Johnston H 2001. The demise of the institution – national trends in substitute care for children and young people from 1970 to 2000. Paper for the 8th Australasian Conference on Child Abuse and Neglect, 2001.

Layton RA 2003. Our best investment: a state plan to protect and advance the interests of children. Adelaide: Department of Human Services.

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

Standing Committee on Social Issues 2002. Care and support: final report on child protection services. Report 29, Parliamentary paper no. 408. Sydney: New South Wales Parliament.

VDHS (Victorian Department of Human Services) 1999. High Risk Infants Service Quality Initiatives Project: development and early implementation report July 1997 to June 1999. Melbourne: Child Protection and Care, VDHS.

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