

**Child protection
Australia 2006–07**

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Abbreviations

ABS	Australian Bureau of Statistics
AIHW	Australian Institute of Health and Welfare
NCPASS	National Child Protection and Support Services

Symbols used in the tables

–	nil or rounded to zero
..	not applicable
n.a.	not available

Technical notes

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

Summary

In Australia child protection is a state and territory government responsibility, and child safety and wellbeing issues are increasingly being recognised by governments as a core policy area. Consequently all jurisdictions have increased their focus in the area of child protection and on providing support and services to families, including early intervention where necessary.

Who reports child abuse and neglect?

Incidents or suspected cases of child abuse and neglect are usually reported to government departments in the first instance by health or welfare professionals, teachers or the police, who in some jurisdictions are mandated to report such matters, or by other people in the community. In some States, *anyone* who suspects child abuse or neglect is occurring must, by law, report it to the appropriate authority.

Key stages in the child protection process

Although there are differences between states and territories that affect the comparability of child protection data, the main stages of the process are broadly similar across jurisdictions. Reports of suspected abuse or neglect can lead to the matter being dealt with as a **family support issue** (whereupon services or information will be provided) or as a child protection **notification**. (In Tasmania, however, all reports to the department are recorded as a notification). Departments then determine if a **notification** requires an **investigation** or is better dealt with by other means such as referral to other organisations or family support services. (In Queensland, however, all notifications must be investigated). If an investigation is carried out, the outcome can be a **substantiation**, meaning that the investigating authority concludes that the child has been, is being, or is likely to be, abused, neglected or otherwise harmed. Substantiations can (but do not always) lead to a child being placed on a **care and protection order** or in **out-of-home care**. In some jurisdictions, children can also be placed on a care and protection order or in out-of-home care for other reasons.

Report structure

This 2006–07 report is based on the following four national child protection data collections:

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

These data are collected each year by the Australian Institute of Health and Welfare (AIHW) from the relevant departments in each state and territory. (The data available on intensive family support services are limited and are therefore not mentioned in this summary, although details may be found in chapter 5).

Main findings

Over the last few years, what is regarded as child abuse or neglect has widened in some jurisdictions which may have led to an increase in notifications, investigations and substantiations. A rise in the number of children requiring protection, a greater community awareness of child abuse and neglect issues and changes in child protection policies and practices may also be contributing factors.

On the other hand, many jurisdictions have introduced alternative responses (e.g. family support services) for the less serious incidents which assist in containing the rise in the number of notifications, investigations and substantiations.

With the many differences in the way each state or territory handles and reports child protection issues, one must interpret relevant statistical information with caution. But, on balance, the evidence is strong in this report that, nationally, substantiations, and the number and rates of children under care and protection orders or in out-of-home care are all rising. And despite data limitations, the available evidence shows very clearly that Aboriginal and Torres Strait Islander children are overrepresented in all of these areas.

Notifications, investigations and substantiations

As noted above, the numbers of notifications of child abuse or neglect, and subsequent investigations and substantiations, are on the rise in Australia.

- The number of child protection notifications increased by more than 50% over the last five years, from 198,355 in 2002–03 to 309,517 in 2006–07.
- In the past year the number of notifications rose in most jurisdictions (Table 2.3).
- The number of substantiations of notifications received in the financial year increased for most jurisdictions over the last five years. Nationally, the number increased by 45% from 40,416 in 2002–03 to 58,563 in 2006–07 (Table 2.4).
- Rates of children aged 0–16 years who were the subject of a substantiation of a notification received in 2006–07 varied considerably across jurisdictions, reflecting differences in policy and practice. Substantiation rates were between 2.4 and 9.3 per 1,000 children (Table 2.6).
- Although the quality of the data on Indigenous status varies between states and territories, Aboriginal and Torres Strait Islander children were clearly over-represented in the child protection system. Indigenous children were more than 5 times as likely to be the subject of substantiations than other children.

Children on care and protection orders

The number of children under care and protection orders continues to rise nationally, but there are substantial differences among the states and territories.

- The number of children under care and protection orders rose by 87% from 15,718 at 30 June 1997 to 29,406 at 30 June 2007 (Table 3.5).
- The rates of children on care and protection orders in Australia increased from 3.3 per 1,000 at 30 June 1997 to 6.0 per 1,000 at 30 June 2007 (Table 3.9).
- At 30 June 2007, the rates of children aged 0–17 years per 1,000 on care and protection orders varied across jurisdictions. Victoria, Western Australia and South Australia were at the low end of the range (5.2, 5.2 and 5.4 per 1,000 children respectively), while

Tasmania and the Australian Capital Territory were at the higher end (7.6 and 7.5 per 1,000 children respectively) (Table 3.9).

- Across Australia, the rates of Indigenous children on care and protection orders were more than 7 times higher than for other children (Table 3.10).

Children in out-of-home care

The number of children in out-of-home care at 30 June has risen each year over the last 11 years.

- The numbers in out-of-home care rose by 102% from 14,078 at 30 June 1997 to 28,441 at 30 June 2007 (Table 4.3).
- The numbers rose 12% in the past year to 30 June 2007 (Table 4.3).
- The rate of children in out-of-home care in Australia increased from 3.0 per 1,000 at 30 June 1997 to 5.8 per 1,000 at 30 June 2007 (Table 4.7).
- At 30 June 2007, the rates of children in out-of-home care ranged from 4.3 per 1,000 in Victoria to 7.3 per 1,000 in New South Wales (Table 4.7). Across Australia, 50% of children in care were in foster care, 44% were in relative or kinship care and only 4% were in residential care (Table 4.4).
- The rate of Aboriginal and Torres Strait Islander children in out-of-home care was over 8 times the rate of other children (Table 4.8).

1 Background

Child protection is the responsibility of state and territory departments in the community services sector. These departments provide assistance for some of the more vulnerable children in society. Children who come into contact with these departments for protective reasons include those:

- who are suspected of being, have been or are being abused, neglected or otherwise harmed
- whose parents are unable to provide adequate care or protection.

The departments with the major responsibility for child protection and associated activities provide assistance to these children and their families through the provision of, or referral to, a wide range of services. Some of these services are targeted specifically at children in need of protection (and their families); others are available to a wider section of the population and attempt to deal with a broad range of issues or problems.

This report provides the latest available and trend data on children who come into contact with state and territory child protection and support services for protective reasons. The four areas of the child protection system for which national data are collected are:

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

A limited amount of data are collected on intensive family support services. However, there are currently no data available at the national level on children who are referred to or who access other services for protective reasons.

This chapter provides information on the child protection process and the practices and policies in each jurisdiction.

Child protection process

Reporting of child protection matters

Children who are assessed to be in need of protection can come into contact with state and territory departments responsible for child protection through a number of avenues. Reports made to the department include reports of concerns about a child made by someone in the community, by a professional mandated to report suspected abuse and neglect, or by an organisation that has contact with the family or child. The child, his or her parent(s), or another relative may also contact the department either to seek assistance or to report suspected child abuse or harm. These reports may relate to abuse and neglect or to broader family concerns such as economic problems or social isolation. There are no national data on the total number of reports made to state and territory child protection and support services relating to concerns about children.

Currently, all states and territories have some level of legislation requiring the compulsory reporting to state and territory child protection and support services of harm due to child abuse or neglect. The breadth of professionals and organisations mandated to report varies widely across the jurisdictions. In some jurisdictions, certain groups of workers in specific

circumstances are mandated to report. In other jurisdictions, anyone who has reason to believe that a child may be abused or neglected must report this to the appropriate authority. In addition to requirements under state and territory legislation, Family Court staff are also required under the *Family Law Act 1975* to report all suspected cases of child abuse. Details of the mandatory reporting requirements in each state or territory are set out in Appendix 4.

Police also have some responsibility for child protection in each state and territory, although the extent of their responsibility varies in each jurisdiction. Generally, they are involved in child abuse or neglect of a criminal nature, that is, where there is significant sexual or physical abuse, or any abuse that results in the serious injury or death of a child. In some states or territories, there are protocols or informal arrangements whereby the police are involved in joint investigations with the relevant state and territory child protection and support services.

Other areas of government also play a role in child protection. Health services support the assessment of child protection matters and deliver therapeutic, counselling and other services. The education sector in many jurisdictions undertakes preventive work with children and families, and also plays an important role in the identification of suspected harm. In some jurisdictions, there are child care services specifically provided for children in the child protection system.

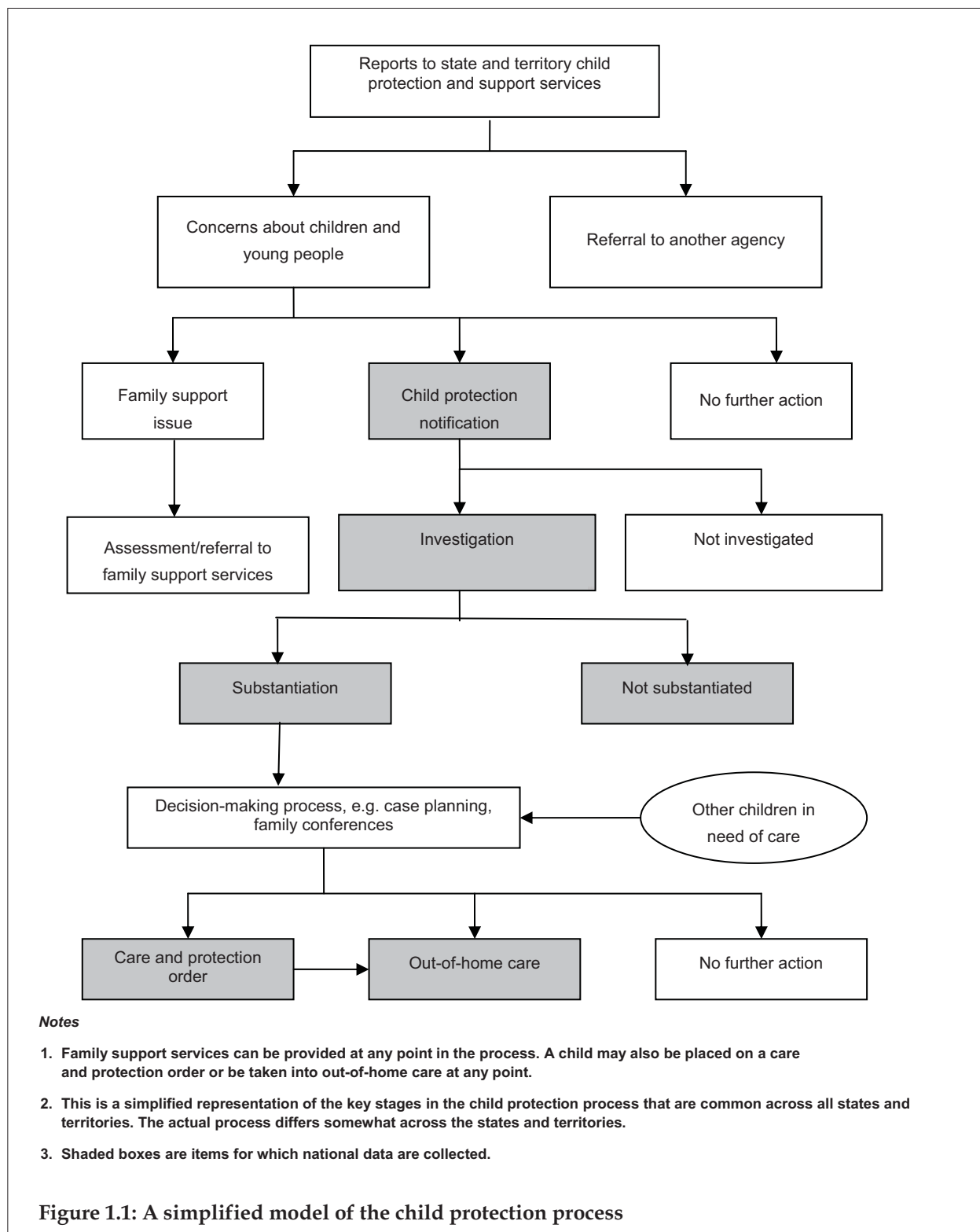
Reports to the department are assessed to determine whether the matter should be dealt with by the child protection and support services department or referred to another agency. Those reports that are appropriate for state and territory child protection and support services are further assessed to determine whether any further action is required.

Reports requiring further action are generally classified as either a family support issue or a child protection notification, although the way reports are classified varies somewhat across jurisdictions. Departmental officers, in deciding whether a report will be classified as a child protection notification, take a range of factors into account. Those reports classified as requiring family support are further assessed and may be referred to family support services. Child protection notifications are dealt with through a separate process.

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

Notifications, investigations and substantiations

A child protection notification is assessed by the department to determine whether it requires an investigation; whether it should be dealt with by other means, such as referral to other organisations or to family support services; or whether no further protective action is necessary or possible. An exception to this process is Queensland, where all notifications require an investigation and assessment response. An investigation is the process whereby the relevant department obtains more detailed information about a child who is the subject of a notification, and the aim of an investigation is to make an assessment of the degree of harm or risk of harm for the child.



After an investigation has been finalised, a notification is classified as ‘substantiated’ or ‘not substantiated’. A notification will be substantiated where it is concluded after investigation that the child has been, is being or is likely to be abused, neglected or otherwise harmed. States and territories differ somewhat in what they actually substantiate. All jurisdictions

substantiate situations where children have experienced significant harm from abuse and neglect through the actions of parents. Some jurisdictions also substantiate on the basis of the occurrence of an incident of abuse or neglect, independent of whether the child was harmed, and others substantiate on the basis of the child being at risk of harm occurring.

Care and protection orders and out-of-home care

At any point in this process, the department responsible for child protection has the authority to apply to the relevant court to place the child on a care and protection order. Recourse to the court is usually a last resort and is used in situations where supervision and counselling are resisted by the family, where other avenues for the resolution of the situation have been exhausted, or where removal of a child from home into out-of-home care requires legal authorisation. In some jurisdictions, for example, all children who are placed in out-of-home care must be on an order of some kind.

Children can also be placed on a care and protection order and/or in out-of-home care for reasons other than child abuse and neglect; for example, in situations where family conflict is such that 'time out' is needed, or a child is a danger to himself or herself, or where the parents are deceased, ill or otherwise unable to care for the child.

Family support services

At any point in the child protection process, departments may choose to divert children and their families into family support services. Family support services may be used instead of a statutory child protection response (that is, as a substitute service) or as a complementary service to a statutory response. More information in family support services is available in Chapter 5 of this report.

Developments in child protection policies and practices

Child protection policies and practices are continually changing and evolving. As such changes in policies and practices impact on the numbers of children in the child protection systems in different ways, trends in child protection numbers should be interpreted carefully. The broad changes in the child protection systems over the last decade are discussed below, followed by more detailed information on changes within states and territories over the last year. Specific definitions of children in need of care and protection for each jurisdiction are provided in Appendix 3.

Over the last decade, it has been increasingly recognised that a large number of reports to child protection authorities are about situations in which parents are not coping with their parental responsibilities. The responses of child protection authorities have become more focused on collaborating with and helping parents. As a result, more resources have been directed towards family support services in many jurisdictions (AIHW 2001).

There has also been an increasing focus on early intervention services, which are seen to be effective in reducing the need for more intrusive child protection interventions at later stages. Cross-departmental strategies have been introduced in a number of jurisdictions, such as 'Families First' in New South Wales, 'Family Support Innovation Projects' and 'Child FIRST' in Victoria, 'Children First Framework' in Western Australia and 'Referral for Active Intervention' in Queensland. These strategies attempt to assist families in a more holistic

way, by coordinating service delivery and providing better access to different types of children's and family services.

The definition of what constitutes child abuse and neglect has changed and broadened over the last decade (Cashmore 2001). Naturally, any broadening of the definition of child abuse and neglect is likely to result in increasing notifications and substantiations. The focus of child protection in many jurisdictions has shifted away from the identification and investigation of narrowly defined incidents of child abuse and neglect towards a broader assessment of whether a child or young person has suffered harm. This broader approach seeks to assess the child's protective needs.

In addition, many jurisdictions have introduced options for responding to the less serious reports through the provision of family support services, rather than through a formal investigation. These policies have been introduced at different times in different jurisdictions, but in all cases it is believed that they have led to substantial decreases in the numbers of investigations and substantiations after their introduction.

Other significant changes include the introduction of structured risk assessment tools to help workers identify children in high-risk circumstances, to determine what services are necessary for the child and the family, and to document the basis for decisions and provide some consistency of response (Cashmore 2001). Centralised intake systems have also been introduced in some jurisdictions to increase the consistency of departmental responses.

More recently, state and territory departments responsible for child protection have been concerned about rising rates of renotifications and resubstantiations. The Victorian Department of Human Services undertook detailed research and analysis of children in their child protection system (VDHS 2002). The study found that key underlying features, such as low income, substance abuse, mental health issues and the burdens of sole parenting, which led to some families coming into contact with child protection systems, were complex and chronic. The child protection system often did not effectively deal with these problems and many children were subject to renotifications and resubstantiations. The report noted that helping families to deal with these problems required more sustained and less intrusive support than the services usually provided by child protection authorities. It highlighted the need for strengthened prevention and early intervention services as well as improved service responses for children and young people with longer-term involvement in the child protection system.

For children who are placed on care and protection orders, the current policy emphasis is on family preservation, or on keeping children in the family. A range of specialist family preservation services has been established in many jurisdictions that seek to prevent the separation of children from their families as a result of child protection concerns, or to reunify families where separation has already occurred. Victoria in particular has established a number of these services, including those specifically designed for Aboriginal families.

There has been a push in some jurisdictions to seek greater permanency for children who are unable to live with their parents, through either adoption or long-term parenting orders. This follows moves made in both the United States and the United Kingdom where adoption is increasingly used as an avenue for permanency (Cashmore 2000). In 2001, New South Wales introduced legislation that allows for adoption as a placement option for children in the child protection system. This legislation also introduced a Sole Parental Responsibility Order that provides an intermediate legal status between fostering and adoption. A number of other jurisdictions have similar types of orders, including Victoria where the Permanent Care Order was introduced in 1992 and Western Australia where the Protection Order (Enduring Parental Responsibility) was introduced in 2006.

Recent policy changes

This section outlines the major child protection policy changes that occurred in 2006–07, as provided by the various child protection authorities in the states and territories. Legislation relating to specific jurisdictions is listed in Appendix 3.

New South Wales

In December 2002, the New South Wales Government announced a \$1.2 billion reform program for the child protection system to run over five full years from 2002–03 to 2007–08. The Department of Community Services (DoCS) is progressively implementing a suite of reforms across early intervention, child protection and out-of-home care in an environment of increasing demand for services.

Amendments to the *Children and Young Persons (Care and Protection) Act 1998*, effective 30 March 2007, enabled information to be exchanged about an unborn child who is the subject of a pre-natal report, and enable a primary caregiver of a child or young person to enter into a Parent Responsibility Contract with DoCS, where they voluntarily agree to accept support to improve their parenting skills.

DoCS Brighter Futures program is a voluntary, targeted program that supports vulnerable children and families to prevent them from entering or escalating in the child protection system. This program will deliver \$150 million for early intervention services and the employment of 350 new dedicated early intervention caseworkers by 2008. Families in the program can access core funded services, which are home visiting, parenting programs and quality childcare, coordinated by a DoCS Early Intervention team or an identified non-government service (known as a 'Lead Agency').

Approximately \$613 million has been committed to expanding and improving the out-of-home care (OOHC) system. The rollout of this enhancement funding is part of a broader OOHC funding review and expression of interest process, with new contractual arrangements for non-government services to be established in 2008. A key aim of this process is to develop an integrated OOHC service system that allows children and young people to move seamlessly through a continuum of services that responds to their changing needs.

Victoria

The Minister for Children launched the 'every child every chance' reforms for vulnerable children in April 2006.

These reforms are part of a broader reform of child and family services aimed at helping all children to grow, thrive and reach their full potential.

A critical milestone in these reforms was the passage of two new pieces of legislation given Royal Assent in December 2005. The first of these is the *Child Wellbeing and Safety Act 2005* which is the framework legislation for services for all children. It commenced operation in early 2007 and provides a unifying framework for:

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

The second new piece of legislation is the *Children, Youth and Families Act 2005*. There is a high level of support for this Act and associated reforms to child and family services amongst Victoria's community sector.

The *Children, Youth and Families Act 2005*, which commenced operation on 23 April 2007, is detailed legislation targeted at vulnerable children and families. The Act provides the necessary legal foundations to create a more integrated system of child, youth and family services – a system that focuses on vulnerable children’s safety, health, learning, wellbeing and development. This Act more explicitly places children’s best interests at the heart of all decision-making and service delivery – from earlier intervention through to the Children’s Court and children on Protection Orders. It provides the necessary legal authorities for new ways of working that will connect families to the services they need earlier and to make these services more accessible and more adaptable to the changing needs of families. Strong focus is given to keeping Aboriginal children connected to their culture and community.

Under the scope of the *Children, Youth and Families Act 2005* Victoria also now has the capacity to accept reports on unborn children, and in October 2007, a new report type of Therapeutic Treatment Reports, which relate to the reporting of children between the ages of 10 and 14 exhibiting sexually abusive behaviour and in need of therapeutic treatment, comes into effect.

The Department of Human Services is working closely with community service organisations and Aboriginal services to strengthen support services for vulnerable families. New funding has been provided by government to implement the *Children, Youth and Families Act 2005* and includes funding to finalise the establishment of Family Support Innovation projects and Child FIRST across Victoria. These projects provide earlier, more intensive support to families, to address problems before they escalate and require child protection involvement.

Queensland

In March 2004, the Queensland Government committed to the reform of the state’s child protection system. As a key component of this reform, the Department of Child Safety was officially launched on 24 September 2004.

In March 2007, the Department of Child Safety completed its implementation of the full 110 recommendations outlined in the Crime and Misconduct Commission report *Protecting children: an inquiry into abuse of children in foster care* (Crime and Misconduct Commission 2004).

Major achievements during this three-year period included new legislation and child protection policies, practices and support tools, enhanced business and performance management systems, increased placement options and improved support and training for staff and foster carers.

Key achievements included:

- the *Child Safety Legislation Amendment Act 2005* was passed, which included provision for the regulation of all carers, strengthening of the Aboriginal and Torres Strait Islander Child Placement Principle, and requirements to consult with Indigenous recognised entities
- new foster carer screening, assessment, training and support measures were introduced, and an extensive foster carer recruitment campaign was conducted
- Structured Decision Making was implemented to provide service delivery staff with assessment and case management tools
- Intervention with Parental Agreement teams were established in many of the department’s child safety service centres across Queensland
- education support plans and Child Health Passports were developed to help children reach their full potential

- a quality assurance framework was developed to guide continuous improvement processes for child protection services across the government and non-government sectors, including a licensing process for out-of-home care child protection services
- the Integrated Client Management System went live across the state, providing frontline staff with comprehensive, up-to-date information about children and young people at risk, their families and their carers.

Over the next four years the department will be working collaboratively with government and non-government partners to:

- expand child abuse and neglect prevention and early intervention services by building on family support services (Referral for Active Intervention)
- establish services to assist families with children up to eight years of age
- develop parenting education and support programs for families with newborns up to two years of age
- increase access to child protection services
- establish child safety hubs in remote communities
- expand out-of-home placement options including long-term care arrangements
- provide better support to transition young people from care to independent living
- address the distinct issues affecting remote communities
- build the capacity of the government and non-government child protection staff to work in a more culturally responsive way with Aboriginal and Torres Strait Islander peoples and communities
- further strengthen partnerships across the government and non-government sectors
- improve workforce planning, development and training across the government and non-government sectors and develop strategies to recruit, retain and support staff.

The above work will entail the review and development of existing and new child protection policies and legislation.

Western Australia

The Department for Child Protection (DCP) and the Department for Communities (DFC) were created on 1 May 2007 in response to the Review of the Department for Community Development conducted by Ms Prudence Ford between October and December 2006 (the Ford Review). DCP provides a strengthened focus on the protection of vulnerable children, young people and families. Sixty-nine recommendations from the Ford Review are being implemented. A recommendation implemented is the appointment of a Child Safety Director in each key state government agency and the establishment of a Child Safety Director's Group and District Child Safety Co-ordinating Groups to ensure a coordinated, across-agency response to vulnerable children.

The department has recently changed its statistical reporting of child protection work. For statistical reporting purposes, the department now counts a referral of 'concern for a child's wellbeing' as a 'child protection notification'. This has no effect on policy or case practice, as all notifications are assessed to determine the most appropriate response to ensure the safety and wellbeing of children.

In March 2007, the government announced the development of legislation for the mandatory reporting of child sexual abuse by doctors, nurses, teachers and police. The legislation was introduced into State Parliament on 28 November 2007.

The *Children and Community Services Act 2004* came into operation on 1 March 2006, with 2006–2007 being the first full year of operation. The Act:

- confers functions in relation to the provision of social services, the provision of financial and other assistance, and other matters concerning the wellbeing of children, other individuals, families and communities
- makes provisions about the protection and care of children and the employment of children
- sets out objects and principles that must be observed in the administration of the Act that includes the principle that the best interest of the child is the paramount consideration.

The Act provides for: Protection Order (supervision), Protection Order (time limited), Protection Order (until 18) and Protection Order (enduring parental responsibility). Through a Protection Order (time limited) and Protection Order (until 18), the Chief Executive Officer (CEO) of the Department for Child Protection assumes parental responsibility for a child. The Act also strengthens requirements for transparency and accountability when the department is working with families in need and children in the CEO's care.

A Charter of Rights for Children and Young People in Care, a requirement under the new Act, has been completed in consultation with children and young people. The department has implemented the requirements that an Aboriginal or Torres Strait Islander agency is consulted regarding the prospective placement of an Indigenous child, and that an Indigenous departmental officer is involved when making a placement arrangement for an Indigenous child.

In 2006–07, the government invested almost an additional \$200 million over four years into child protection including funding for additional field staff.

South Australia

Legislative change through the *Children's Protection (Miscellaneous) Amendment Act 2004* underpins *Keeping Them Safe*, the South Australian Government's child protection reform program. The Act strengthens the legislative base for the care and protection system in South Australia and introduces a number of changes designed to prevent child abuse and neglect.

All amendments to the *Children's Protection Act* have been proclaimed and the Aboriginal Child Placement Principle regulations were proclaimed. The Child Safe environment policy, standards and guidelines have been developed for implementation within all organisations which provide services wholly or partly for children.

The High Risk Infant policy and strategy has been implemented across South Australia, providing a commitment to intervening early with infants to help families keep their children safe.

The department has had a significant involvement in developing the South Australian Government's framework for Early Childhood. The framework establishes strong partnerships with Family and Community Services, the Department of Education and Children's Services and the Department of Health to address vulnerability in the community. One strategy of the Early Childhood Framework is the development of Children's Centres to provide multidisciplinary approaches to the support of children's early development. A further strategy is the strong collaboration with the Department of Health in the development of the Vulnerable Infants Services Plan, an early intervention approach to children 0–3 years and their families where health, social and wellbeing outcomes are in jeopardy because of family adversity.

Information sharing agreements have been established between the Department for Families and Communities and the Department of Health. These agreements are based on the principle that a child or young person's right to safety and protection from harm will override the rights of the family and others to privacy and confidentiality. The sharing of

professional assessments enables more effective planning and decision-making for children's care and protection.

The *Keeping them Safe – In Our Care* strategy was launched in May 2007 with eight new directions for out-of-home care in South Australia:

- strengthening families so more children and young people can stay with their families safely
- improving care planning to provide greater stability and certainty for children and young people
- redesigning care services with care packages tailored to each individual child
- providing a renewed commitment to developing effective and culturally appropriate responses to the high numbers of Aboriginal children and young people in care
- ensuring better connected care through integrated care teams and care families
- responding more effectively to children and young people with serious and complex needs
- valuing foster carers and foster parents
- re-evaluation of residential care settings to provide flexibility, diversity and quality support.

Tasmania

A Report on Child Protection Services in Tasmania (Jacob & Fanning 2006) was released in October 2006. The report examined the efficiency and effectiveness of all aspects of the child protection system and made a number of recommendations to improve the Tasmanian care and protection response. An action plan entitled *A Way Forward: Implementation of actions in response to the Review of Child Protection Services in Tasmania* was released at the same time.

This project was undertaken in recognition that the current child protection service was struggling to cope with an unprecedented escalation in demand and increased complexity of the client group. There was also recognition that long-term structural and system issues may have been contributing to the stress experienced by Child Protection Services.

In response to the issues identified in the report, ten high-impact strategies for reform were identified:

- build a framework for professional practice
- undertake legislative and policy reform
- reform management practices and organisational structure
- strengthen family support and early intervention services
- make children's safety and wellbeing everyone's business
- build a professional and supported workforce
- provide the tools that staff need to do their job
- make the 'State' an exemplary parent
- enhance stability and permanent solutions for children affected by abuse and neglect
- improve accountability and quality assurance.

A consultancy has been commissioned to address a number of the recommendations made within the report. This consultancy will seek to redevelop the child protection and family support systems through:

- redesign of the organisational structure and business processes for child protection services

- development of strategies and an implementation plan to strengthen family support services
- review of the state-wide intake service
- review of the child protection after hours service
- review of out-of-home care arrangements.

Over the last financial year, there have been a number of changes to child protection policy in Tasmania that have been introduced through programs that are designed to improve the wellbeing of children and young people. Key programs which commenced or continued during 2006–07 include:

- an early support program that is designed to divert lower-priority notifications away from a statutory child protection response by providing targeted support to families
- CU@Home which is a home nurse visiting program for young parents that commenced in February 2007. The program seeks to ensure children born to young parents are provided with improved opportunities to become resilient young people and adults.

Australian Capital Territory

In 2006–07 changes were made to the *Children and Young People Act 1999* and care and protection policy and procedures introducing a requirement that a cultural plan is developed for all Aboriginal and Torres Strait Islander children and young people on orders requiring out-of-home care. The aim of the cultural plan is to preserve and enhance the identity of the Aboriginal or Torres Strait Islander person.

Additionally changes to the Act were made regarding the obligation of mandated reporters. If a mandated reporter had a reasonable belief that a report about the same incident on the same child or young person had been made, they did not need to make a report. Further changes to the definitions of abuse and neglect, which placed an emphasis on likelihood of risk and significant harm, were also introduced in July.

In August 2006 the recommendations from the Murray-Mackie Study were released. This study reviewed the outcome of a number of critical incidents that occurred in care and protection. This resulted in a review of services for vulnerable children and young people particularly in relation to infants and toddlers, drug-related issues and family violence. A number of policy and practice changes and initiatives were introduced as a result of this study including:

- improved working relations with health
- an increased focus on earlier intervention with children and families at risk
- improved multi-agency case conferencing.

The cumulative result of all these changes has impacted on the ACT reported figures particularly in relation to substantiation figures.

These changes in practice will also be reflected in the *Children and Young People's Bill 2007* due to be considered by the ACT Legislative Assembly in 2008.

In 2006–07 a review of children and young people in long-term care was conducted to establish how enduring parental responsibility orders can provide permanency to children and not require them to remain in the care and protection system.

Northern Territory

The Northern Territory Government continued the development of the Family and Children's Services (FACS) program in 2007. Increased funding commenced in December 2003 with the intent of improving child protection services and systems over a period of five

years. The increased funding has been primarily used to expand the child protection workforce, and for investment in developing the capacity and quality of the out-of-home care system.

In 2007, the Care and Protection of Children and Young People Bill was formally introduced to Parliament – when passed, the new Act will replace the 1983 Northern Territory *Community Welfare Act*.

An enhanced training program has been established to increase the opportunities for new and existing staff. This is achieved via mandatory induction training, specialist training and opportunistic training in line with the FACS Training Framework.

A combined Police/FACS Child Abuse Task Force has been fully implemented to respond to systemic maltreatment and severe physical and sexual abuse notifications across the Northern Territory. The Child Abuse Taskforce is co-located with the Centralised Intake Team which receives all notifications across the Northern Territory.

Family and Children's Services actively contributed to the Inquiry into Child Sexual Abuse resulting in the *Little Children are Sacred* report. The subsequent *Closing the Gap* announcement by the Northern Territory Government has given further increased funding to FACS in the areas of Child Protection Workforce, Aboriginal Community Workers, Residential and Therapeutic Care, the expansion of Sexual Assault Services and investment in the Child Abuse Taskforce.

The child protection data

The data in this report were extracted from the administrative systems of the state and territory departments responsible for child protection according to definitions and counting rules agreed to by the departments and the AIHW. The state and territory departments provide funding to the AIHW to collate, analyse and publish these data annually. The NCPASS data group has responsibility for overseeing the national child protection data and includes representatives from each state and territory and from the AIHW.

There are significant links and overlaps between three of the data collections included in this report. For example, children who are the subjects of substantiations may be placed on care and protection orders, and many children on care and protection orders are also in out-of-home care. There are, however, only very limited national data on the movement of children through the child protection system and the overlap between the three separate data collections.

There are also significant gaps in the current national data on child protection. Apart from the limited data on intensive family support services, there are currently no other data available at the national level on the support services used by children in need of protection and their families (see chapter 5 for further details).

Work is currently being undertaken by NCPASS to broaden the scope of the national data collection and to improve comparability. A national framework has been developed to count responses to calls received by state and territory child protection and support services in relation to the safety and wellbeing of children, including responses that occur outside the formal child protection system. Data elements such as the provision of advice and information, and assessment of needs, as well as general and intensive family support services, are incorporated into the new framework. It is proposed that national reporting will be aligned to this framework over the next few years.

The method of collecting the national child protection data is also in the process of changing. Currently the data are provided to the AIHW in aggregate form on Excel spreadsheets. In the next few years, it is envisaged that these data will be provided in unit record format. This has been agreed to in principle by each jurisdiction. Work on data dictionaries to support this collection, based on the new reporting framework, has progressed after a number of data development workshops were held throughout 2004 and 2005. The data dictionaries are now being assessed through a pilot test of the unit record data.

The practices used to identify and record the Indigenous status of children in the child protection system vary across states and territories. Over the last few years, several jurisdictions have introduced measures to improve the identification of Indigenous clients. In some jurisdictions, however, there is a significant proportion of children whose Indigenous status is unknown and for some analyses they are included under other children. This affects the quality of the data. Consequently, the data on Aboriginal and Torres Strait Islander children should be interpreted with care.

Important differences among states and territories

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

One of the main differences between jurisdictions is in the policy frameworks used by states and territories in relation to notifications. In Victoria, the definition of a 'notification' is very broad and includes some reports that may not be classified as a notification in other jurisdictions. With the enactment of the *Children, Youth and Families Act 2005* in Victoria in April 2007, this process changed to receipt of a 'report' which will then be classified into a child wellbeing report or a protective intervention report. South Australia and Queensland screen reports and can refer cases to other agencies or provide family support services if it is assessed that a child protection notification is not required to protect a child from abuse or neglect. This approach, which is referred to as a differential response, relies on voluntary participation from families. It seeks to address lower level needs and risks without the need for families to enter or further enter into the statutory child protection system. In 2002, the Australian Capital Territory screened reports similarly to South Australia, but in 2003 the definition was changed to incorporate all contacts regarding concerns for children as child protection reports. In Tasmania, all reports to the department have been recorded as a notification since 2003–04. However, before that date, the system for processing notifications in Tasmania was similar to Western Australia's system prior to changes made in 2006–07 – that is, reports were screened before being classified as a notification. In New South Wales, all reports classified as 'child protection' reports are categorised and receive a 'risk of harm' assessment to determine the appropriate action. Only reports of harm or risk of harm are included in this report.

Other differences between jurisdictions are also worth noting:

- In some jurisdictions, such as New South Wales, reports to the department relating to abuse by a stranger may be classified as a notification, but in other jurisdictions they are not.
- Through legislation, some jurisdictions are able to accept reports on unborn children whereas other jurisdictions cannot.

- What is substantiated varies. Some jurisdictions substantiate the harm or risk of harm to the child, and others substantiate actions by parents or incidents that cause harm. In focusing on harm to the child, the focus of the child protection systems in many jurisdictions has shifted away from the actions of parents towards the outcomes for the child.

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

2 Notifications, investigations and substantiations

Overview

Scope of the data collection

The notification, investigation and substantiation process is broadly outlined in Chapter 1 and is defined below. The data in this report on child protection notifications, investigations and substantiations relate to those notifications received by departments responsible for child protection between 1 July 2006 and 30 June 2007. Only child protection matters that were notified to state and territory child protection and support services are included in this national collection. Notifications made to other organisations, such as the police or non-government welfare agencies, are included only if these notifications were also referred to state and territory child protection and support services.

This chapter contains information on the number of, and children subject to, notifications, investigations and substantiations. As a child can be the subject of more than one notification, investigation or substantiation in a year, there are fewer children than there are total notifications, investigations and substantiations.

Categories used for notifications and investigations

In this report, notifications are classified according to the 'type of action' taken by the department responsible for child protection to respond to them. The categories used are:

- **Investigation** – the process whereby the relevant department obtains more detailed information about a child who is the subject of a notification received between 1 July 2006 and 30 June 2007, and makes an assessment about the harm or degree of harm to the child and his or her protective needs. An investigation includes the sighting or interviewing of the subject child where it is practical to do so.
 - *Finalised investigation* – a notification received between 1 July 2006 and 30 June 2007 which was investigated, and where the investigation was completed and an outcome recorded by 31 August 2007. The cut-off point of 31 August is applied to allow time for investigating notifications made close to the end of the financial year.
 - *Investigation closed – no outcome possible* – a notification made between 1 July 2006 and 30 June 2007 which was investigated, but where the investigation was not able to be finalised in order to reach the outcome of substantiated or not substantiated and files were closed for administrative purposes. This may happen, for example, in cases where the family have relocated. These investigations would be completed between 1 July 2006 and 30 June 2007.
 - *Investigation in process* – a notification received between 1 July 2006 and 30 June 2007 which was investigated, but where the investigation was not completed and an investigation outcome was not recorded by 31 August 2007. The cut-off point of 31 August is applied to allow time for investigating notifications made close to the end of the financial year.

- **Dealt with by other means** – a notification that was responded to by means other than investigation, such as the provision of advice or referral to services.

The ‘outcomes of finalised investigations’ are classified as follows:

- *Substantiation of notifications received during 2006–07* – a notification received between 1 July 2006 and 30 June 2007 where there was reasonable cause to believe that the child has been, was being or was likely to be abused, neglected or otherwise harmed. Substantiation does not necessarily require sufficient evidence for a successful prosecution and does not imply that treatment or case management was provided.
- *Not substantiated* – a notification received between 1 July 2006 and 30 June 2007 where an investigation concluded that there was no reasonable cause to suspect prior, current or future abuse, neglect or harm to the child.

Definitions of other terms used in this report are in the Glossary.

Data and analysis

This section includes the national data on child protection notifications, investigations and substantiations for the 2006–07 financial year. For most tables, Australian totals have not been provided because the data from the states and territories are not strictly comparable. The legislation, policies and procedures of each state and territory should be taken into account when interpreting these data.

It is important to note that substantiations as reported here (that is, substantiations of notifications received during the year) are an undercount of the actual number of substantiations made during the year. This count of substantiations does *not* include substantiations of notifications that were made in the previous year. This will affect both the rates and numbers of substantiations presented in this report, particularly for jurisdictions that have a large proportion of ‘investigations in process’ at 31 August each year. To clarify that the data reported are only a subset of all substantiations, the name of the category used for reporting on substantiations has been changed to ‘substantiations of notifications received during the year’. It is important to note that whilst in previous years such data were referred to as ‘substantiations’, the actual counting rules have not changed and data are still comparable.

In some jurisdictions, cases of alleged abuse in care are included in the data in the number of notifications, investigations and substantiations, whereas in other jurisdictions (such as Victoria, South Australia and Tasmania) these cases are not included in the data. As of March 2007, these cases are also not included in the data for Queensland.

In some cases where the department responsible for child protection conducts an investigation they may record an outcome of ‘no suitable caregiver’ (that is, no suitable parent or other legal guardian). This can include situations where a child’s parent(s) have died, been incapacitated due to illness/injury or are otherwise unavailable (for example, due to being imprisoned). The data for notifications, investigations and substantiations for Victoria and Tasmania include cases of ‘no suitable caregiver’. In Western Australia, these cases are reported in the ‘dealt with by other means’ category and are thus included in the total count of notifications, but not in the data relating to investigations and substantiations.

During 2006–07, Victoria introduced a major new data system which will be rolled out across the state by mid-2008. In parallel, the *Children, Youth and Families Act 2005*, which commenced in April 2007, introduced new service pathways and processes in Victorian child protection and family services to support earlier intervention and prevention for vulnerable

children and their families. Due to these new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with data from previous years.

For some tables, data have not been provided for Queensland due to the recent transition to a new information management system. Where data are reported for Queensland, it is important to note that 2006–07 data are interim and may be subject to revision in 2008.

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

Further changes in recording practice were introduced in Queensland in March 2007 with the introduction of the Integrated Client Management System (ICMS). Any new child protection concerns received by the department that relate to an open notification or investigation and assessment are recorded as an additional concern and linked to the open notification/investigation and assessment. Prior to the introduction of ICMS, any new child protection concerns received by the department were recorded as an additional notification. This change in recording practice has had the effect of decreasing the number of notifications recorded in Queensland. In addition, matters of concern (reports of alleged abuse in care) that result in a notification and/or substantiation are now reported separately in recognition that they relate to children in the custody or guardianship of the chief executive who are in out-of-home care.

In October 2003, a new client information system was introduced in New South Wales (NSW) and only limited information was available for 2003–04 reporting. In 2004–05, NSW resumed comprehensive reporting for child protection, out-of-home care, and care and protection orders. In conjunction with the new system, an information quality and revised reporting framework was established, resulting in significant improvements to the coverage and quality of information. For this reason, data for NSW for 2004–05 are not directly comparable to information published in previous years.

In Tasmania, the number of notifications increased substantially from 1 July 2003 because of a change in recording practices due to the introduction of central intake, known as the Child Protection Advice and Referral Service. Since 2003, every call made to the department about a particular child is recorded as a notification, whereas, previously, child protection workers made the decision locally as to whether the call was counted as a notification.

In Western Australia, the *Children and Community Services Act 2004* was implemented in March 2006. While the fundamentals of Western Australia's differential response model have been retained, the department has recently changed its statistical reporting of child protection work. For statistical reporting purposes, it now counts a referral of 'concern for a child's wellbeing' as a 'child protection notification'. This has no effect on policy or case practice, as all notifications are assessed to determine the most appropriate response to ensure the safety and wellbeing of children.

Number of notifications, investigations and substantiations

Notifications and investigations

The number of child protection notifications received between 1 July 2006 and 30 June 2007 for each state and territory is shown in Table 2.1. The number of notifications ranged from 189,928 in New South Wales to 2,992 in the Northern Territory. This partly reflects the size of

the populations in these jurisdictions, but may also be due to policy, practice and legislative differences.

The proportion of notifications that required investigation ranged from 29% in Victoria to 100% in Queensland, with other jurisdictions generally ranging between one-third to one-half (Table 2.1). This range reflects differences in the way in which jurisdictions both define and deal with notifications and investigations.

Table 2.1: Notifications, by type of action, states and territories, 2006–07

Type of action	NSW	Vic ^(a)	Qld ^{(b)(c)(d)(e)}	WA ^(f)	SA	Tas	ACT ^(g)	NT
Number								
Investigations finalised ^(h)	92,729	10,537	n.a.	2,932	5,731	1,837	2,416	1,105
Investigation closed—no outcome possible ⁽ⁱ⁾	18,279	—	n.a.	150	—	937	76	153
Investigations in process ^(j)	3,246	766	n.a.	820	75	1,803	268	250
<i>Total investigations</i>	<i>114,254</i>	<i>11,303</i>	<i>28,580</i>	<i>3,902</i>	<i>5,806</i>	<i>4,577</i>	<i>2,760</i>	<i>1,508</i>
Dealt with by other means ^(k)	75,674	27,372	—	3,798	12,628	9,921	5,950	1,484
Total notifications	189,928	38,675	28,580	7,700	18,434	14,498	8,710	2,992
Per cent								
Investigations finalised ^(h)	48.8	27.2	..	38.1	31.1	12.7	27.7	36.9
Investigation closed—no outcome possible ⁽ⁱ⁾	9.6	—	..	1.9	—	6.5	0.9	5.1
Investigations in process ^(j)	1.7	2.0	..	10.6	0.4	12.4	3.1	8.4
<i>Total investigations</i>	<i>60.2</i>	<i>29.2</i>	<i>100.0</i>	<i>50.7</i>	<i>31.5</i>	<i>31.6</i>	<i>31.7</i>	<i>50.4</i>
Dealt with by other means ^(k)	39.8	70.8	—	49.3	68.5	68.4	68.3	49.6
Total notifications	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

- (a) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.
- (b) 2006–07 data for Queensland are interim and will be revised in 2008.
- (c) In Queensland from March 2005, all notifications recorded by the department require an investigation to be undertaken. In previous financial years, not all notifications were required to be investigated. This was because reports that could be responded to by way of protective advice (rather than investigation) were also recorded as notifications. This practice ceased from March 2005, and reports dealt with by way of protective advice are now recorded as Child Concern Reports.
- (d) Data have not been provided due to the recent transition to a new information management system.
- (e) 2006–07 notification figures for Queensland are affected by a change in recording practice. From March 2007, any new child protection concerns received by the department that relate to an open notification or investigation and assessment are recorded as an additional concern and linked to the open notification/investigation and assessment. Previously, any new child protection concerns received by the department were recorded as an additional notification.
- (f) The notifications for Western Australia include notifications of abuse in care. The dealt with by other means category also includes 20 cases where an investigation was conducted and where it was found that there was no suitable caregiver.
- (g) The introduction of an assessment phase has increased the number of cases recorded as 'dealt with by other means'.
- (h) 'Investigations finalised' are investigations that were completed and an outcome of substantiated or not substantiated recorded by 31 August 2007.
- (i) 'Investigation closed—no outcome possible' is a new category introduced in 2006–07. Cases where an investigation was closed and where no outcome was possible may previously have been recorded as 'dealt with by other means' (see note j). In the ACT, these cases were previously recorded as 'investigations in process'.
- (j) 'Investigations in process' are investigations that were begun but not completed by 31 August 2007. Prior to 2006–07, these were called 'investigations not finalised'.
- (k) Includes notifications that were responded to by means other than an investigation, such as referral to police, referral to family services or provision of advice. Prior to 2006–07, some of the cases recorded as 'dealt with by other means' may have been cases where the investigations was closed with no outcome possible (see note h). 'Dealt with by other means' also includes cases that were previously reported as 'no investigation possible/no action'.

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

Outcomes of finalised investigations

Although the outcomes of finalised investigations varied across the states and territories, in all jurisdictions a considerable proportion of investigations were not substantiated (between 32% and 65%); that is, there was no reasonable cause to believe that the child was being, or was likely to be, abused, neglected or otherwise harmed.

The proportion of investigations that were substantiated ranged from 35% in the Australian Capital Territory to 68% in Tasmania (Table 2.2).

Table 2.2: Outcomes of finalised investigations, states and territories, 2006–07

	NSW	Vic ^(a)	Qld ^{(b)(c)(d)}	WA	SA	Tas ^(e)	ACT	NT
	Number							
Substantiated	37,094	6,828	8,441	1,233	2,242	1,252	852	621
Not substantiated	55,635	3,709	n.a.	1,699	3,489	585	1,564	484
Total finalised investigations	92,729	10,537	n.a.	2,932	5,731	1,837	2,416	1,105
	Per cent							
Substantiated	40.0	64.8	..	42.1	39.1	68.2	35.3	56.2
Not substantiated	60.0	35.2	..	57.9	60.9	31.8	64.7	43.8
Total finalised investigations	100.0	100.0	..	100.0	100.0	100.0	100.0	100.0

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

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

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

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

(e) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

Notes

- Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2007.
- Percentages in tables may not add to 100 due to rounding.

Recent trends in notifications and substantiations

In Australia, the number of child protection notifications increased by around 42,800 in the last year, rising from 266,745 in 2005–06 to 309,517 in 2006–07 (Table 2.3). All jurisdictions showed an increase with the exception of Queensland for which there was a decrease. The percentage increase in the number of notifications was between 2% and 24%, except in Western Australia. In Western Australia the number more than doubled, primarily due to a change in recording practice (see footnote k on Table 2.3).

In 2006–07, the number of substantiations of notifications received during the year also showed an increase of over 2,600 over the previous year (Table 2.4). However, the increase in substantiations was not consistent amongst all the jurisdictions, with Victoria, Queensland and the Australian Capital Territory all showing decreases in the number of substantiations.

The largest percentage increases in substantiations of notifications were in Tasmania (58%), the Northern Territory (29%) and Western Australia (28%).

Table 2.3: Number of notifications, states and territories, 1999–2000 to 2006–07

Year	NSW ^(a)	Vic	Qld	WA	SA	Tas	ACT	NT	Total
1999–00	30,398	36,805	19,057	2,645	15,181	422	1,189	1,437	107,134
2000–01	40,937	36,966	22,069	2,851	9,988 ^(b)	315	794	1,551	115,471
2001–02	55,208	37,976	27,592	3,045	11,203	508	801	1,605	137,938
2002–03	109,498	37,635	31,068	2,293 ^(c)	13,442	741	2,124 ^(d)	1,554	198,355
2003–04	115,541	36,956	35,023	2,417	14,917	7,248 ^(e)	5,325	1,957	219,384
2004–05	133,636	37,523	40,829	3,206	17,473	10,788 ^(f)	7,275	2,101	252,831
2005–06	152,806	37,987	33,612 ^(g)	3,315	15,069	13,029	8,064	2,863	266,745
2006–07	189,928	38,675 ^(h)	28,580 ^{(i)(j)}	7,700 ^(k)	18,434	14,498	8,710	2,992	309,517

- (a) The data for 2002–03 onwards should not be compared with previous years. New South Wales implemented a modification to the data system to support legislation and practice changes during 2002–03 which would make any comparison inaccurate. New South Wales was able to provide limited data for 2003–04 due to the introduction of a new client information system.
- (b) In 2000–01, the classification of notifications in South Australia was changed to exclude reports that did not meet the criteria of reasonable suspicion of child abuse or neglect.
- (c) The decline in the number of notifications for 2002–03 is associated with organisational and practice changes.
- (d) From 2002–03, the number of notifications increased due to changed arrangements for recording reports of concern about children and young people. Recent publicity from the inquiries conducted by the Commissioner for Public Administration has also increased public awareness of child abuse.
- (e) Data for 2003–04 onwards and previous years should not be compared because of a change in recording practices that has been adopted following centralisation of the intake service, known as the Child Protection Advice and Referral Service. Now every call about a child is recorded as a notification, whereas, previously, workers made the decision locally about whether the call was in fact a notification based on the risk to the child.
- (f) The introduction of the *Family Violence Act 2004* included an amendment to *the Children, Young Persons and Their Families Act 1997* which extended the definition of abuse and neglect to include a child affected by family violence. As a consequence, there has been a significant increase in notifications from the Department of Police and Emergency Management about children affected by family violence.
- (g) In Queensland from March 2005, all notifications recorded by the department require an investigation to be undertaken. In previous financial years, not all notifications were required to be investigated. This was because reports that could be responded to by way of protective advice (rather than investigation) were also recorded as notifications. This practice ceased from March 2005, and reports dealt with by way of protective advice are now recorded as Child Concern Reports.
- (h) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.
- (i) 2006–07 data for Queensland are interim and will be revised in 2008.
- (j) 2006–07 notification figures for Queensland are affected by a change in recording practice. From March, any new child protection concerns received by the department that relate to an open notification or investigation and assessment are recorded as an additional concern and linked to the open notification/investigation and assessment. Previously, any new child protection concerns received by the department were recorded as an additional notification.
- (k) The number of notifications for Western Australia increased between 2005–06 and 2006–07 because all Concern for Child Wellbeing reports were re-classified as a notification. Previously, only those that were followed by an investigation were counted as a notification.

Sources: AIHW child protection database; Table 2.1.

There are a number of possible reasons for the increase in the numbers of notifications and substantiations. One may be an actual increase in the number of children who require a child protection response. This may be due to an increase in the incidence of child abuse and neglect in the community or inadequate parenting causing harm to a child. A Victorian study in 2002 showed that in 2001–02, at least 73% of the parents of children in substantiated cases in Victoria had at least one issue or problem such as domestic violence, alcohol or substance abuse or a psychiatric disability. This is a large increase from the 41% of parents that experienced these difficulties in 1996–97 (VDHS 2002).

However, the increase may be an indication of a better awareness of child protection concerns in the wider community and more willingness to report problems to the child

protection services. This increased public awareness may stem from the various inquiries into child protection services that have been conducted in a number of jurisdictions in the past few years. These include:

- *Care and support: final report on child protection services* (Standing Committee on Social Issues 2002) – New South Wales
- *Our best investment: a state plan to protect and advance the interests of children* (Layton 2003) – South Australia
- *Commission of inquiry into the abuse of children in Queensland institutions* (Commission of Inquiry into Abuse of Children in Queensland 1999) and *Protecting children: an inquiry into the abuse of children in foster care* (Crime and Misconduct Commission 2004) – Queensland
- *Putting the picture together: inquiry into response by government agencies to complaints of family violence and child abuse in Aboriginal communities* (Gordon et al. 2002) – Western Australia
- *Review of the Department for Community Development* (Ford 2007) – Western Australia
- *The Territory as a Parent: A Review of the Safety in Care in the Act and of ACT Child Protection Management* (Commissioner for Public Administration 2004a) and *The Territory's Children: Ensuring Safety and Quality Care for Children and Young People. Report on the Audit and Case Review* (Commissioner for Public Administration 2004b) – Australian Capital Territory
- *Report on Child Protection Services in Tasmania* (Jacob & Fanning 2006) – Tasmania.

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

In several states and territories, trends in the numbers of notifications and substantiations also reflect policy and practice changes. For example, the rise in notifications in Tasmania between 2002–03 and 2003–04 was largely due to a change in recording practices. Until 2003–04, reports were screened before being classified as a notification. Only those reports where maltreatment was indicated were classified as a notification and the majority of these were subsequently investigated. Since 2003–04, Tasmania has included all calls made to the department in its count of notifications.

Table 2.4: Number of substantiations of notifications received during the relevant year, states and territories, 1999–2000 to 2006–07

Year	NSW ^(a)	Vic	Qld	WA	SA	Tas ^(b)	ACT	NT	Total
1999–00	6,477	7,359	6,919	1,169	2,085	97	233	393	24,732
2000–01	7,501	7,608	8,395	1,191	1,998	103	222	349	27,367
2001–02	8,606	7,687	10,036	1,187	2,230	158	220	349	30,473
2002–03	16,765	7,287	12,203	888 ^(c)	2,423	213	310	327	40,416
2003–04	n.a.	7,412	17,473	968	2,490	427	630 ^(d)	527	n.a.
2004–05	15,493	7,398	17,307	1,104	2,384	782	1,213	473	46,154
2005–06	29,809	7,563	13,184	960	1,855	793 ^(e)	1,277	480	55,921
2006–07	37,094	6,828 ^(f)	8,441 ^{(g)(h)}	1,233	2,242	1,252 ^(e)	852 ⁽ⁱ⁾	621	58,563

(a) The data for 2002–03 onwards should not be compared with previous years. New South Wales implemented a modification to the data system to support legislation and practice changes during 2002–03 which would make any comparison inaccurate. New South Wales was able to provide limited data for 2003–04 due to the introduction of a new client information system.

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

(c) The decrease in substantiations in 2002–03 reflects the decrease in notifications in Western Australia.

(d) The increase in substantiations in 2003–04 relates to the increase in notifications in the ACT.

(e) Data relating to substantiations for Tasmania for 2005–06 and 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August (see Table 2.1).

(f) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.

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

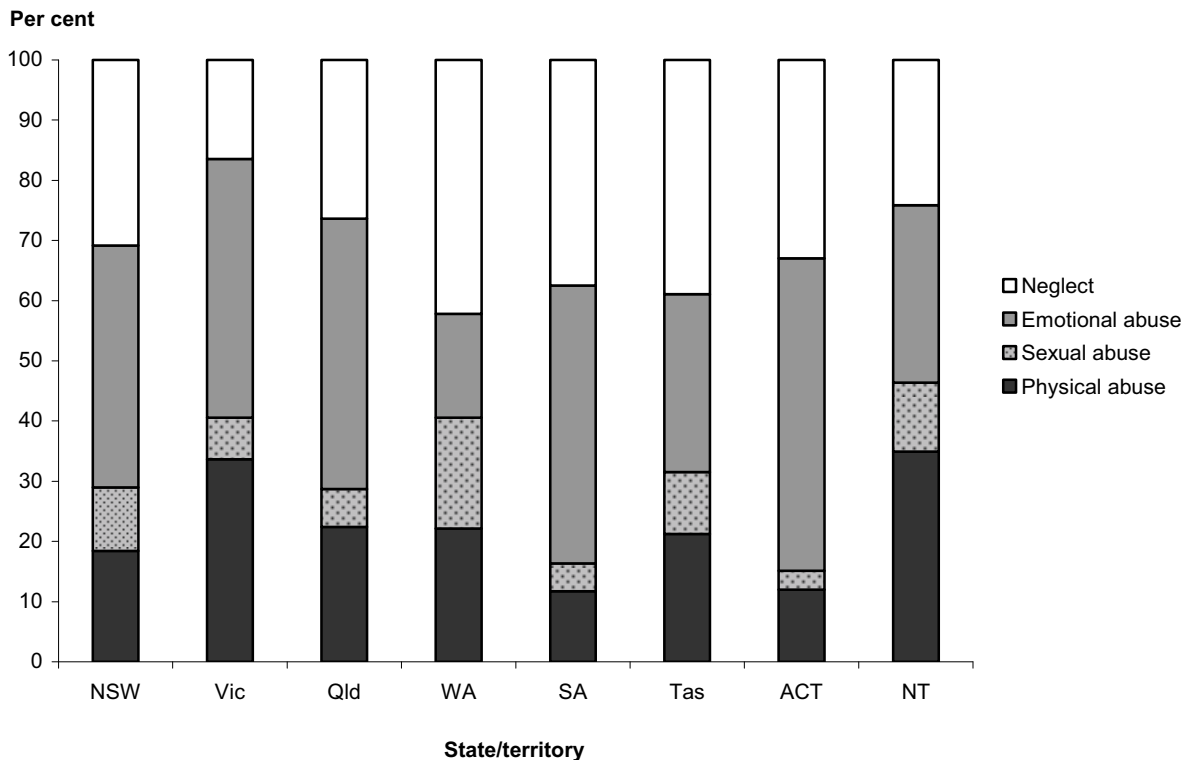
(h) 2006–07 substantiation figures for Queensland are affected by a change in recording practice. From March 2007, any new child protection concerns received by the department that relate to an open notification or investigation and assessment are recorded as an additional concern and linked to the open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

(i) The decrease in the number of substantiated investigations reflects a requirement of staff to substantiate emotional abuse or neglect only if there was, or is likely to be, significant harm and there was no-one with parental responsibility willing and able to protect the child/young person. Recording an outcome of an appraisal as not substantiated does not exclude ongoing work with the child or young person,

Sources: AIHW child protection database; Table 2.2.

Substantiations and type of abuse and neglect

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



Notes

1. Only the most serious type of abuse or neglect for the first substantiation of the year for each child is reported.
2. Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.
3. 2006–07 data for Queensland are interim and will be revised in 2008.

Source: Table A1.1.

Figure 2.1: Substantiations of notifications received during 2006–07, by type of abuse or neglect, states and territories

In New South Wales, Victoria, Queensland, South Australia and the Australian Capital Territory, where the notification was substantiated, the most common type of abuse was emotional abuse ranging between 40% and 52% of all substantiations (Figure 2.1 and Table A1.1). In the Northern Territory, the most common type of abuse was physical abuse (35%); and in Western Australia and Tasmania, the most common type of abuse was neglect (42% and 39% respectively).

The high proportion of substantiations of emotional abuse is a relatively new phenomenon and may in part be due to the broadening legislative definition of emotional abuse. In 1998–99, physical abuse was the most common form of abuse substantiated in all jurisdictions except Queensland (AIHW 2000). The differences in the classification of type of abuse or neglect, as well as the types of incidences that may be substantiated, vary according to the policies and practices of the different jurisdictions.

Characteristics of children

Number of children

The number of child protection notifications and substantiations is greater than the number of children who were the subject of a notification or substantiation. This is because some children are the subject of more than one notification and/or substantiation in any one year. For example, in 2006–07 in New South Wales, there were 189,928 notifications compared with 99,949 children who were the subject of a notification, and 37,094 substantiations compared with 13,769 children who were the subject of a substantiation (Table 2.5).

These data indicate that a number of children across Australia were the subject of more than one substantiation during 2006–07. It is not possible to calculate the exact proportion of children who were the subject of more than one notification or substantiation, and some children may be the subject of two or more notifications or substantiations in the year. While these data would be available within the jurisdictions, they are not collected nationally.

Table 2.5: Number of notifications and substantiations of notifications received during 2006–07 and number of children who were the subject of a notification and/or substantiation of a notification received during 2006–07, states and territories

	NSW	Vic ^(a)	Qld ^(b)	WA ^(c)	SA	Tas ^(d)	ACT	NT
Children in notifications	99,949	30,291	24,360	6,957	12,357	7,421	4,732	2,599
Total notifications	189,928	38,675	28,580	7,700	18,434	14,498	8,710	2,992
Children in substantiations	13,769	6,591	7,402	1,160	1,757	800	564	542
Total substantiations	37,094	6,828	8,441	1,233	2,242	1,252	852	621

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

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

(c) The count of notifications includes notifications of abuse in care.

(d) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

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

Sex and age

The type of abuse or neglect most commonly reported differed for males and females across all jurisdictions. In all jurisdictions females were far more likely to be the subject of a substantiation of sexual abuse than males (Table A1.2). In some jurisdictions, females were more than three times as likely as males to be the subject of a substantiation of sexual abuse. This is consistent with victimisation studies of sexual assault (Carmody & Carrington 2000; Cook et al. 2001). On the other hand, males were slightly more likely to be the subject of a substantiation of physical abuse.

In relation to age, the number of children who were the subject of a substantiation of a notification received during 2006–07 was larger in the younger age categories, with approximately two-thirds aged under 10 years (Table A1.3). Rates of children by age are discussed in the following section.

Rates of children in substantiations

There were substantial differences between states and territories in the rates of children who were the subject of a substantiation of a notification received during the year. In 2006–07, the Northern Territory and New South Wales had the highest rates of children who were the subject of a substantiation: 9.3 per 1,000 children in the Northern Territory and 9.0 per 1,000 in New South Wales (Table 2.6). The rate was lowest in Western Australia at 2.4 per 1,000 children.

Much of the variation in rates across jurisdictions is likely to be due to differences in policies and approaches to child protection matters. For example, the Australian Capital Territory introduced a practice direction in late 2006 which shifted the focus of substantiations from a single event basis to whether the child or young person had experienced significant harm or was at risk of future significant harm, leading to a drop in the rate of children in substantiations. In Queensland, the number of substantiations recorded since 2004–05 has declined due to a number of factors, including the decrease in notifications recorded since 2004–05, the introduction of Structured Decision Making (SDM) tools in 2005–06 and recording changes that have contributed to a decrease in both the number of notifications and substantiations recorded on the department's information system.

Trends in rates of children in substantiations

Trends in rates of children who were the subjects of one or more substantiations of notifications received during the year also varied across and within jurisdictions. Over the last decade rates have generally increased for most jurisdictions, except Victoria, Western Australia and South Australia where rates have remained relatively stable.

The trend data need to be interpreted with caution as increases may reflect more children requiring a child protection response, increased community awareness about child abuse and neglect, and/or more willingness to report problems to state and territory child protection support services. Furthermore, the data are basically a measure of the activity of the departments responsible for child protection and as such are sensitive to changes in child protection legislation and departmental policies, practices, resources and data systems. Some of these are documented in the footnotes of Table 2.6.

Table 2.6: Rates of children aged 0–16 years who were the subject of a substantiation of a notification received during the relevant year, states and territories, 1998–99 to 2006–07 (per 1,000 children)^(a)

Year	NSW	Vic	Qld	WA	SA	Tas ^(b)	ACT	NT
1998–99	4.4	6.3	5.1	2.5	5.2	1.1	5.2	n.a. ^(c)
1999–00	3.9	6.3	5.6	2.3	5.0	0.7	2.5	6.2
2000–01	4.4	6.6	7.3	2.4	5.0	0.9	2.7	5.8
2001–02	4.8	6.6	8.3	2.4	5.3	1.4	2.7	5.8
2002–03	7.5 ^(d)	6.3	10.1	1.9 ^(e)	5.8	1.8	3.6	5.7
2003–04	n.a. ^(f)	6.4	14.0	2.0	5.9	3.0	6.7	8.7
2004–05	6.1	6.4	14.1	2.3	5.5	5.8	12.0	7.9
2005–06	8.4	6.7	10.9	2.0	4.5	5.9	12.0	8.1
2006–07	9.0	5.9 ^(g)	7.7 ^(h)	2.4	5.3	7.2	7.8 ⁽ⁱ⁾	9.3

(a) Rates are based on populations as at December 2006. Refer to Appendix 2 for further details.

(b) The increase in the rate of children who were the subject of a substantiation in Tasmania is considered to be due in part to increased application of the Tasmanian Risk Framework as well as greater adherence to the definition of 'substantiation' published by the AIHW. It should also be noted that data relating to Tasmanian substantiations for 2005–06 and 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August (see Table 2.1).

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

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

(e) The decline in the number of notifications in Western Australia for 2002–03 is associated with organisational and practice changes.

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

(g) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.

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

(i) The decrease in the number of substantiated investigations reflects a requirement of staff to substantiate emotional abuse or neglect only if there was, or is likely to be, significant harm and there was no-one with parental responsibility willing and able to protect the child/young person. Recording an outcome of an appraisal as not substantiated does not exclude ongoing work with the child or young person.

Notes

1. Due to the small numbers involved, children aged 17 years were not included in this table. However, children whose age was unknown are included.

2. Refer to Appendix table A1.13 for the population used in the calculation of rates for 2006–07.

Sources: AIHW child protection database; Table 2.8.

Rates by age

Rates of children who were the subjects of one or more substantiations of notifications received during 2006–07 generally decreased with age. In all jurisdictions, children aged under 1 year were most likely to be the subject of a substantiation and children aged 15–16 years least likely (Table 2.7). For example, children aged less than 1 year were at least 2.3 times as likely to be subject to a substantiation as 10–14 year olds.

Age is one of the factors that child protection workers take into consideration when determining the time taken to respond to a notification, the type of response and whether a notification will be substantiated, with younger children being regarded as the most vulnerable. As such, many jurisdictions have specific policies and procedures in place to protect younger children.

Table 2.7: Children aged 0–16 years in substantiations of notifications received during 2006–07, by age, states and territories (rates per 1,000 children)

Age (years)	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas ^(c)	ACT	NT
<1 year	21.3	15.5	17.3	6.4	16.3	17.8	15.6	20.9
1–4 years	10.0	6.4	8.5	2.8	7.2	7.3	9.7	10.7
5–9 years	8.5	5.3	7.3	2.4	5.1	6.2	7.3	8.3
10–14 years	8.1	5.3	7.0	2.1	3.8	5.0	6.8	8.5
15–16 years	4.6	3.3	4.5	0.7	1.3	2.5	4.0	4.2
0–16 years	9.0	5.9	7.7	2.4	5.3	7.2	7.8	9.3

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

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

(c) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

Notes

1. Refer to Table A1.3 for numbers for this table.
2. Due to the small numbers involved, children aged 17 years were not included in this table. Children whose age was unknown are included in the 0–16 years row.
3. Refer to Appendix table A1.13 for the population used in the calculation of rates.

Aboriginal and Torres Strait Islander children

Rates of children in substantiations

Aboriginal and Torres Strait Islander children are more likely to be the subjects of a substantiation of a notification received during the year than other children. In 2006–07 in all jurisdictions, except Tasmania, the substantiation rate for Indigenous children was higher than the rate for other children. Across Australia, Indigenous children were more than 5 times as likely as other children to be the subject of substantiation (Table 2.8).

Table 2.8: Children aged 0–16 years who were the subjects of substantiations of notifications received during 2006–07, by Indigenous status, states and territories (number and rates per 1,000 children)

State/territory	Number of children			Rate per 1,000 children			Rate ratio Indigenous/other
	Indigenous	Other	All children	Indigenous	Other	All children	
New South Wales	3,276	10,414	13,690	53.5	7.1	9.0	7.5
Victoria ^(a)	697	5,891	6,588	56.6	5.3	5.9	10.6
Queensland ^(b)	1,203	6,138	7,341	20.3	6.9	7.7	3.0
Western Australia	438	716	1,154	15.0	1.6	2.4	9.3
South Australia	439	1,314	1,753	39.0	4.1	5.3	9.4
Tasmania ^{(c)(d)}	31	768	799	4.0	7.5	7.2	0.5
Australian Capital Territory	75	483	558	41.3	6.9	7.8	6.0
Northern Territory	395	145	540	16.8	4.2	9.3	4.0
Australia	6,554	25,869	32,423	31.8	5.8	7.0	5.4

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

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

(c) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

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

Notes

1. Due to the small numbers involved, children aged 17 years were not included in this table. However, children whose age was unknown are included.
2. 'Other' includes non-Indigenous children and those children whose Indigenous status is unknown.
3. Refer to Appendix table A1.13 for the populations used in the calculation of rates.
4. Rate ratios are calculated by dividing the un-rounded rate of Indigenous children who were the subject of substantiations by the un-rounded rate of other children who were the subject of substantiations. The resulting number is a measure of how many Indigenous children were the subject of a substantiation for every one other child who was the subject of a substantiation.

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

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

Trends in the rates for Aboriginal and Torres Strait Islander children

Over the period 1998–99 to 2006–07, the rate of Aboriginal and Torres Strait Islander children in substantiations of notifications received during the year appear to have increased overall;

however, the rates have fluctuated over this period. For example, between 2005–06 and 2006–07 the rate rose in New South Wales, Western Australia, South Australia and the Northern Territory but fell in Victoria, Queensland, Tasmania and the Australian Capital Territory (Table 2.9).

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

Table 2.9: Rates of Aboriginal and Torres Strait Islander children aged 0–16 years who were the subject of a substantiation of a notification received during the relevant year, states and territories, 1998–99 to 2006–07 (per 1,000 children)

Year	NSW	Vic	Qld	WA	SA	Tas ^{(a)(b)(c)}	ACT ^(a)	NT
1998–99	15.2	n.a. ^(d)	9.3	10.9	25.6	1.1	14.3	n.a. ^(e)
1999–00	13.2	48.5	9.3	11.9	31.6	0.5	3.7	7.7
2000–01	14.9	50.9	12.4	12.6	29.4	0.3	12.1	6.8
2001–02	15.4	48.4	14.3	13.6	31.8	0.3	6.6	9.7
2002–03	31.9 ^(f)	55.3	15.6	9.6 ^(g)	32.0	2.5	19.4	8.6
2003–04	n.a. ^(h)	57.7	20.8	11.2	39.9	1.6	25.3	16.2
2004–05	27.1	63.0	20.4	12.2	43.2	4.8	56.0	13.7
2005–06	44.2	67.7	23.0	10.9	32.3	4.4	56.8	15.2
2006–07	53.5	56.6 ⁽ⁱ⁾	20.3 ^(j)	15.0	39.0	4.0	41.3 ^(k)	16.8

- (a) Rates from Tasmania and the Australian Capital Territory should be interpreted with care due to the small numbers. Any fluctuation in the numbers of children has a large impact on the rates.
- (b) Data relating to substantiations in Tasmania for 2005–06 and 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August (see Table 2.1).
- (c) Due to the high number of children with Indigenous status unknown in Tasmania, Indigenous children may be considerably under-reported.
- (d) Indigenous data were not available from Victoria in 1998–99.
- (e) Data for 1998–99 were not available from the Northern Territory.
- (f) The data for 2002–03 and previous years should not be compared with data from 2003–04 onwards. New South Wales implemented a modification to the data system to support legislation and practice changes during 2002–03 which would make any comparison inaccurate.
- (g) The decline in the number of substantiations is due to the decreased number of notifications in Western Australia.
- (h) New South Wales data for 2003–04 were not available due to the introduction of a new client information system.
- (i) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.
- (j) 2006–07 data for Queensland are interim and will be revised in 2008.
- (k) The decrease in the number of substantiated investigations reflects a requirement of staff to substantiate emotional abuse or neglect only if there was, or is likely to be, significant harm and there was no-one with parental responsibility willing and able to protect the child/young person. Recording an outcome of an appraisal as not substantiated does not exclude ongoing work with the child or young person,

Note: Refer to Appendix table A1.13 for the population used in the calculation of rates for 2006–07.

Sources: AIHW child protection database; Table 2.8.

Types of abuse and neglect

The overall pattern of substantiated abuse and neglect for Aboriginal and Torres Strait Islander children was similar to that of other children. However, the proportion of substantiations for Indigenous children which were recorded as neglect was generally higher

than that of other children. For example, in Western Australia, 50% of Indigenous children in substantiations were the subject of a substantiation of neglect, compared with 36% of other children (Table 2.10).

Table 2.10: Children who were the subject of a substantiation of a notification received during 2006–07, by type of abuse or neglect and Indigenous status, states and territories (per cent)

Type of abuse or neglect	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas ^{(c)(d)}	ACT	NT
Indigenous children								
Physical abuse	16.5	31.3	22.6	19.6	10.0	9.7	15.8	30.1
Sexual abuse	8.7	4.6	4.9	12.5	2.7	19.4	3.9	9.9
Emotional abuse	37.1	44.8	39.5	17.5	50.0	9.7	39.5	30.1
Neglect	37.7	19.4	33.0	50.3	37.3	61.3	40.8	29.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Other children								
Physical abuse	20.8	34.8	22.7	24.3	15.9	22.6	13.3	42.9
Sexual abuse	16.6	7.4	6.7	22.5	5.9	12.1	3.1	14.3
Emotional abuse	36.9	42.3	46.4	16.9	46.7	28.7	50.4	29.9
Neglect	25.7	15.5	24.2	36.3	31.5	36.5	33.2	12.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All children								
Physical abuse	19.8	34.5	22.7	22.5	14.4	22.1	13.7	33.6
Sexual abuse	14.7	7.1	6.4	18.7	5.1	12.4	3.2	11.1
Emotional abuse	36.9	42.5	45.2	17.2	47.5	28.0	48.9	30.1
Neglect	28.6	15.9	25.6	41.6	33.0	37.5	34.2	25.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

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

(c) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

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

Notes

1. If a child was the subject of more than one type of abuse or neglect as part of the same notification, the type of abuse or neglect reported is the one considered by the child protection workers to cause the most harm to the child. Where a child is the subject of more than one substantiation during the year, the type of abuse or neglect reported is the one associated with the first substantiation decision during the year.
2. In Tasmania and the Australian Capital Territory, the proportion of Indigenous children who were the subject of a substantiation should be interpreted with caution due to the small number.
3. Refer to Table A1.4 for numbers for this table.
4. 'Other' includes non-Indigenous children and those children whose Indigenous status is unknown.
5. Percentages in tables may not add to 100 due to rounding.

Additional data on notifications and substantiations

Source of notifications

Child protection notifications made to state and territory child protection and support services come from a range of different sources. Data on the sources of notifications for finalised investigations show that the most common sources of those notifications in 2006–07 were police, hospitals and other health centres and school personnel (Table 2.11). In New South Wales, for instance, police were the source of 29% of the notifications, hospitals/health centres were the source of 16% and school personnel accounted for 11%.

Table 2.11: Investigations, by source of notification, states and territories, 2006–07 (per cent)

Source of notification	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas	ACT	NT
Subject child	0.3	—	..	2.2	1.8	0.3	0.6	0.3
Parent/guardian	7.9	6.4	..	9.2	6.3	5.0	9.1	7.2
Sibling	0.1	0.5	..	0.3	0.2	0.1	0.4	0.1
Other relative	5.7	8.6	..	9.6	8.1	6.4	5.7	7.6
Friend/neighbour	4.0	7.3	..	4.3	5.8	4.2	8.3	6.5
Medical practitioner	0.6	3.4	..	1.4	10.2	0.2	0.4	1.7
Other health personnel	1.7	6.8	..	0.9	3.1	1.1	0.9	1.1
Hospital/health centre	16.0	6.2	..	12.4	0.3	4.7	9.5	16.1
Social worker	1.0	0.3	..	—	19.5	4.8	1.1	1.4
School personnel	11.3	11.8	..	12.8	15.4	20.2	19.3	12.4
Childcare personnel	1.5	—	..	1.4	1.8	0.3	0.6	0.4
Police	28.5	23.6	..	22.0	19.8	28.9	17.5	30.4
Departmental officer	1.3	0.1	..	10.6	0.9	10.1	6.4	6.0
Non-government organisation	7.8	11.5	..	3.8	0.6	8.3	16.0	4.0
Anonymous	5.2	—	..	1.8	2.8	1.5	0.5	1.7
Other	7.0	13.6	..	7.3	3.4	3.8	3.8	3.1
Total	100.0	100.0	..	100.0	100.0	100.0	100.0	100.0

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

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

Notes

1. 'Other' category may include the person responsible.
2. Investigations include 'investigations finalised', 'investigations in process' and 'investigations closed—no outcome possible'.
3. Refer to Table A1.5 for numbers for this table.
4. Percentages exclude cases where the source of notification was not stated.
4. Percentages in tables may not add to 100 due to rounding.

Family type

Data on the type of family in which children in substantiations of notifications received during the year were living were available from all jurisdictions except New South Wales. It is important to note that the family member with whom the child was living may not have been the person responsible for the abuse, neglect or harm to the child. It should also be

noted that the family type is recorded at different times during the process across jurisdictions (see Note 1 under Table 2.12).

Compared with the distribution of family types in the Australian population, a relatively high proportion of substantiations involved children living in lone mother families and in two-parent step or blended families, whereas a relatively low proportion of substantiations involved children living in two-parent intact families. For example, in South Australia, 38% of substantiations involved children from lone mother families, 4% involved children living in lone father families, 21% involved children from two-parent step or blended families, and 33% involved children from two-parent intact families (Table 2.12). In comparison, in 2003, 20% of all South Australian children lived in lone mother families, 7% lived in lone father families, 8% lived in two-parent step or blended families and 69% lived in two-parent intact families (ABS 2004a).

There is likely to be a number of reasons for the over-representation of one-parent families in substantiations. For instance, lone parents are more likely to have low incomes and be financially stressed (AIHW 2007a; Saunders & Adelman 2006) and suffer from social isolation (Loman 2006; Saunders & Adelman 2006) – all factors that have been associated with child abuse and neglect (Coohey 1996).

Table 2.12: Substantiations of notifications received during 2006–07, by type of family in which the child was residing, states and territories

Family type	NSW ^(a)	Vic ^(b)	Qld ^{(c)(d)}	WA	SA	Tas ^(e)	ACT	NT
	Number							
Two parent—intact	n.a.	1,673	2,652	372	735	345	330	270
Two parent—step or blended	n.a.	320	1,735	173	452	198	112	62
Single parent—female	n.a.	2,679	3,032	478	846	570	293	192
Single parent—male	n.a.	402	315	47	85	50	45	17
Other relatives/kin	n.a.	345	192	88	50	29	20	39
Foster	n.a.	—	—	23	5	26	16	9
Other	n.a.	7	478	45	30	34	15	14
Not stated	n.a.	1,402	37	7	39	—	21	18
Total	37,094	6,828	8,441	1,233	2,242	1,252	852	621
	Per cent							
Two parent—intact	..	30.8	31.6	30.3	33.4	27.6	39.7	44.8
Two parent—step or blended	..	5.9	20.6	14.1	20.5	15.8	13.5	10.3
Single parent—female	..	49.4	36.1	39.0	38.4	45.5	35.3	31.8
Single parent—male	..	7.4	3.7	3.8	3.9	4.0	5.4	2.8
Other relatives/kin	..	6.4	2.3	7.2	2.3	2.3	2.4	6.5
Foster	..	—	—	1.9	0.2	2.1	1.9	1.5
Other	..	0.1	5.7	3.7	1.4	2.7	1.8	2.3
Total	..	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) New South Wales could not provide these data.

(b) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information

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

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

(e) Data relating to Tasmanian substantiations for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

Notes

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

3 Care and protection orders

Overview

Children who are in need of care and protection

If a child has been the subject of a child protection substantiation, there is often a need for state and territory child protection and support services to have continued involvement with the family. The relevant department generally attempts to protect the child through the provision of appropriate support services to the child and family. In situations where further intervention is required, the department may apply to the relevant court to place the child on a care and protection order. Recourse to the court is usually a last resort—for example, where supervision and counselling are resisted by the family, where other avenues for resolution of the situation have been exhausted, or where removal of the child to out-of-home care needs legal authorisation.

Not all applications for an order will be granted. The term ‘care and protection order’ in this publication refers not only to legal orders but also to other legal processes relating to the care and protection of children, including administrative arrangements or care applications.

Fewer children are placed on a care and protection order compared to the number who are the subject of a substantiation. The proportion of children who were the subject of a substantiation in 2005–06, and who were placed on a care and protection order within 12 months, ranged from 16% in the Australian Capital Territory to 39% in the Northern Territory (Table A1.6). The variations between jurisdictions are likely to reflect the differences in child protection policies and in the types of orders available in each state and territory and the availability of alternatives (see section on state and territory differences).

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

Each state and territory has its own legislation that provides a definition of ‘in need of care and protection’ (see Appendix 3). In some states and territories, the definition in the legislation covers a wide range of factors that may lead to a child being considered in need of care and protection, such as truancy or homelessness. In other jurisdictions, the legislation defines the need for care and protection more narrowly to refer to situations where the child has been abandoned or where the child’s parent(s) are unable to protect the child from significant harm.

Although the legislation provides the framework within which the relevant departments must operate in regard to children in need of care and protection, there are several factors that are likely to affect the decision of departmental officers to apply for a care and protection order. These include the different policies and practices of the states and territories, the characteristics of the particular child, the characteristics of the family, previous encounters of the child or family with state and territory child protection and support services, and the availability of alternative options.

The Children's Court

In most jurisdictions, applications for care and protection orders by the relevant department are made to the Children's Court. In South Australia, applications are made to the Youth Court, and in the Northern Territory to the Family Matters Court. A small number of applications may also be brought before the Family Court, or the state or territory Supreme Court, but orders granted by these courts are only included for some jurisdictions.

Temporary Protection Visas

In some jurisdictions, children on Temporary Protection Visas are included in the data collection. The Department of Immigration and Citizenship issues these visas and then advises the department responsible for child protection. The child is then under the guardianship of the relevant minister until they turn 18 years. These children are counted under guardianship or custody order/administrative arrangements (see below). Data on the exact number of children are not collected by the AIHW.

Types of care and protection orders

There are several different types of care and protection orders and these have been grouped into three categories for this report.

1. Guardianship or custody orders/administrative arrangements

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

In previous years, guardianship orders generally involved the transfer of both guardianship and custody to the department, with the head of the state or territory child protection and support services becoming the guardian of the child. More recently, several jurisdictions have introduced options for transferring guardianship to a third party, for example Victoria has Permanent Care Orders, which may follow a period of state-based care. Under the new legislation introduced in New South Wales, these types of orders relate to 'parental responsibility' rather than 'guardianship' and can be issued to individuals as well as to an officer of the state. In Western Australia under new legislation implemented on 1 March 2006, the concept of 'guardianship' has been replaced with 'parental responsibility' which means all the duties, powers, responsibilities and authority which, by law, parents have in relation to children. Protection orders (time limited) and protection orders (until 18) confer parental responsibility to the chief executive officer of the department, while protection order (enduring parental responsibility) confers parental responsibility to a third party.

Custody orders generally refer to care and protection orders that place children in the custody of a third party. These orders usually involve child protection staff (or the person who has been granted custody) being responsible for the day-to-day requirements of the child while the parent retains guardianship. Custody alone does not bestow any responsibility regarding the long-term welfare of the child. In New South Wales under the

new legislation, the state can hold parental responsibility but the authorised carer has the power to make decisions about the daily care and control of the child or young person.

This category also includes those administrative arrangements with the relevant departments that have the same effect as a court order of transferring custody or guardianship. These are legal arrangements, but not all states and territories have such provisions in their legislation.

2. Supervisory orders

This category includes supervisory and other court orders that give the department some responsibility for the child's welfare. Under these types of orders, the department supervises the level of care provided to the child. Such care is generally provided by parents, and the guardianship or custody of the child is not affected. They are therefore less interventionist than guardianship or custody orders.

This category also includes undertakings which are voluntary orders regarding the care or conduct of the child. These orders must be agreed to by the child, and the child's parents or the person with whom the child is living.

3. Interim and temporary orders

Interim and temporary orders generally provide for a limited period of supervision and/or placement of a child. These can include applications to the court for care and protection orders that, in effect, may be very similar to a finalised custody order while proceedings take place. These types of orders vary considerably between states and territories.

Scope of the data collection

The data collection includes data for the 2006–07 financial year on children admitted to and discharged from care and protection orders, orders issued during 2006–07, as well as data on the characteristics of children on orders at 30 June 2007. Trend data are also presented.

Children are counted only once, even if they were admitted to or discharged from more than one order or they were on more than one order at 30 June 2007. If a child was on more than one order at 30 June 2007, then the child is counted as being on the order that implies the highest level of intervention by the department (with guardianship or custody orders being the most interventionist, and interim and temporary orders the least).

The data included in this year's report are broadly comparable with the data in the reports from 1998–99 onwards. Before 1998–99, there was a separate category for administrative and voluntary arrangements between families and state and territory child protection and support services. These arrangements are now included in the category 'guardianship and custody orders' if they have the same effect as a court order of transferring custody or guardianship.

As in all other years, data for children on juvenile justice orders are not included in this data collection. The AIHW, working with the Australasian Juvenile Justice Administrators, produces national data on juvenile justice, covering both the community and detention aspects of this system (AIHW 2006, 2007b, 2007c). A scoping study on the feasibility of linking juvenile justice data with child protection and SAAP homelessness data is also currently being undertaken.

State and territory differences

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

- In Western Australia, the *Children and Community Services Act 2004* enables the Children's Court to make four types of protection orders according to the needs and circumstances of the child or young person: Protection Order (supervision), Protection Order (time limited), Protection Order (until 18) and Protection Order (enduring parental responsibility). This system has been in place since 1 March 2006. Previously, children who were the subject of an application to the court for a care and protection order seeking guardianship were counted in the category 'interim and temporary orders'.
- Orders that grant permanent guardianship and custody of a child to a third party are issued only in some jurisdictions and, depending on the level of involvement of the department, may or may not be recorded in the data. In Victoria, the Permanent Care Order was introduced in 1996-97 and is included in this data collection in the category 'guardianship and custody orders'. Western Australian and Tasmania also include children on long-term orders in their data. Although South Australia has provisions for the transfer of guardianship to a third party, these cases are not recorded in the data. New South Wales has the Sole Parental Responsibility Order which is included in the national data. Long-term guardianship orders can also be made to a family member or other suitable person in Queensland.

Data and analysis

This section includes data on admissions to and discharges from care and protection orders, and orders issued during 2006-07 as well as data on the characteristics of children who were on care and protection orders at 30 June 2007. The differences between states and territories in legislation, policies and practices in relation to care and protection orders should be taken into account when interpreting the data.

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

For some tables, data have not been provided for Queensland due to the recent transition to a new information management system. Where data are reported for Queensland, it is important to note that 2006-07 data are interim and may be subject to revision in 2008.

Admissions, discharges and orders issued

Children admitted to orders

The number of children admitted to care and protection orders and arrangements across Australia during 2006-07 is shown in Table 3.1 and ranges between 261 in the Australian Capital Territory and 3,495 in New South Wales. There were more children admitted to

orders in 2006–07 than in 2005–06 in all jurisdictions except Victoria (Table 3.1; AIHW child protection database). As noted earlier, a child may be admitted to a care and protection order for a range of reasons – for example, where he or she was the subject of a child protection substantiation, where there was an irretrievable breakdown in the relationship between the child and his or her parents, or where parents were unwilling or unable to adequately care for the child.

Table 3.1: Children admitted to and discharged from care and protection orders, states and territories, 2006–07

	NSW ^(a)	Vic ^(b)	Qld ^(c)	WA	SA	Tas	ACT	NT ^(d)
Children admitted to orders	3,495	2,934	n.a.	1,362	888	582	261	304
Children admitted for the first time	2,426	1,887	n.a.	1,163	432	299	121	223
% of all admissions	69.4	64.3	n.a.	85.4	48.6	51.4	46.4	73.4
Children discharged from orders	1,967	2,510	n.a.	422	286	296	153	260

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

(b) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.

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

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

Notes

1. Data may include children who were discharged around the age of 18 years.
2. If a new care and protection order is applied within five days of discharge, then a discharge is not counted.
3. A renewal of an existing order is not counted as an admission.
4. If a child is on multiple care and protection orders/arrangements, all orders/arrangements must be discharged before a discharge for the purposes of this table is counted.
5. Children are counted for only one admission and discharge during the year.

Some of the children admitted to orders in 2006–07 had been admitted to a care and protection order or arrangement on a prior occasion. The proportion of children admitted to orders for the first time ranged from 46% in the Australian Capital Territory to 85% in Western Australia.

Data on the age of children admitted to orders show that the largest proportion of children admitted to orders in 2006–07 were aged 0–4 years, ranging from 38% in the Australian Capital Territory to 51% in South Australia (Table 3.2). However, there was also a considerable proportion of children aged 5–9 and 10–14 years admitted to orders in each jurisdiction, generally around one-quarter for 5–9 year olds and one-fifth for 10–14 year olds. The age distribution of children admitted to orders during the year is considerably younger than that for children who were on orders at the end of the year, since those on orders at the end of the year include those admitted during previous years and not yet discharged (Table 3.7).

Table 3.2: Children admitted to care and protection orders, by age, states and territories, 2006–07 (number and per cent)

Age (years)	NSW ^(a)	Vic ^(b)	Qld ^(c)	WA	SA	Tas	ACT	NT
Number								
<1	582	179	n.a.	228	134	80	20	49
1–4	976	947	n.a.	413	319	157	79	95
5–9	844	748	n.a.	383	228	187	67	69
10–14	858	725	n.a.	283	175	134	65	73
15–17	234	301	n.a.	55	32	24	30	18
Unknown	1	34	n.a.	—	—	—	—	—
Total	3,495	2,934	n.a.	1,362	888	582	261	304
Per cent								
<1	16.7	6.2	..	16.7	15.1	13.7	7.7	16.1
1–4	27.9	32.7	..	30.3	35.9	27.0	30.3	31.3
5–9	24.2	25.8	..	28.1	25.7	32.1	25.7	22.7
10–14	24.6	25.0	..	20.8	19.7	23.0	24.9	24.0
15–17	6.7	10.4	..	4.0	3.6	4.1	11.5	5.9
Total	100.0	100.0	..	100.0	100.0	100.0	100.0	100.0

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

(b) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.

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

Notes

1. A renewal of an existing order is not counted as an admission.
2. Children are counted for only one admission and discharge during the year.
3. Percentages exclude children of unknown age.
4. Percentages in tables may not add to 100 due to rounding.

Children discharged from orders

In all jurisdictions, there were more children admitted to care and protection orders than discharged from orders during 2006–07. There were 2–3 times as many children admitted than discharged from orders in most jurisdictions (Table 3.1).

In most jurisdictions, the majority of children who were discharged had been on an order for less than one year – between 55% and 72% had been on an order for less than one year for all jurisdictions except South Australia and the Australian Capital Territory (Table 3.3). In South Australia, a considerable proportion had been on an order for one to four years or eight or more years (36% and 18% respectively) and in the Australian Capital Territory almost half (48%) of the children discharged had been on an order for one to four years. In Western Australia and South Australia, more than a quarter (27% and 28% respectively) of the children discharged had been on an order for four years or more.

Table 3.3: Children discharged from care and protection orders, by length of time on an order, states and territories, 2006–07 (number and per cent)

State/territory	Length of time continually on an order at time of discharge								Total
	Months				Years				
	<1	1 to <3	3 to <6	6 to <12	1 to <2	2 to <4	4 to <8	8 or more	
Number									
New South Wales ^(a)	677	267	191	161	165	160	175	171	1,967
Victoria ^(b)	23	279	536	942	364	285	80	—	2,509
Queensland ^(c)	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	..
Western Australia	175	19	16	36	21	41	64	50	422
South Australia	11	76	1	15	47	56	30	50	286
Tasmania	54	64	30	14	69	33	12	20	296
Australian Capital Territory	30	15	10	4	23	51	8	12	153
Northern Territory	126	34	20	7	41	18	10	4	260
Per cent									
New South Wales ^(a)	34.4	13.6	9.7	8.2	8.4	8.1	8.9	8.7	100.0
Victoria ^(b)	0.9	11.1	21.4	37.5	14.5	11.4	3.2	—	100.0
Queensland ^(c)	..	..	..	..	..	..	..	..	..
Western Australia	41.5	4.5	3.8	8.5	5.0	9.7	15.2	11.8	100.0
South Australia	3.8	26.6	0.3	5.2	16.4	19.6	10.5	17.5	100.0
Tasmania	18.2	21.6	10.1	4.7	23.3	11.1	4.1	6.8	100.0
Australian Capital Territory	19.6	9.8	6.5	2.6	15.0	33.3	5.2	7.8	100.0
Northern Territory	48.5	13.1	7.7	2.7	15.8	6.9	3.8	1.5	100.0

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

(b) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.

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

Notes

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

Orders issued

There were more orders issued during 2006–07 than children admitted to orders because more than one order can be issued for any one child. For example, a child will often be admitted to a temporary or interim order followed by a guardianship or custody order. The ratio of children admitted to orders issued (which indicates the extent to which children are placed on more than one order over the year) also varied considerably across the states and

territories, ranging from one child admitted to 1.2 orders issued in Victoria to one child admitted to 3.1 orders issued in South Australia (Table 3.4).

The types of care and protection orders issued varied across jurisdictions, reflecting both the different types of orders available and the different policies and practices. In Victoria, supervisory orders were the most commonly issued type of order. In the Australian Capital Territory, guardianship or custody orders/arrangements were the most commonly issued type of order. In all other jurisdictions, interim and temporary orders were the most commonly issued type of order. In Western Australia, interim orders actually refer to care applications, which will most likely become a guardianship/custody order. Therefore, the number of applications each year is greater than the number of applications granted, due to the time delay between the initial application and the subsequent court hearing, and also the small number of cases where the department withdraws the application before the order is granted.

Table 3.4: Care and protection orders issued, by type of order and ratio of children admitted to orders issued, states and territories, 2006–07

Type of order	NSW	Vic ^(a)	Qld ^(b)	WA ^(c)	SA	Tas	ACT	NT
Number								
Guardianship or custody orders/arrangements	1,729	1,085	n.a.	622	812	594	179	n.a.
Supervisory orders	n.a.	1,468	n.a.	70	—	41	74	n.a.
Interim and temporary orders	2,758	911	n.a.	1,160	1,944	741	154	n.a.
Total	4,487	3,464	n.a.	1,852	2,756	1,376	407	n.a.
Per cent								
Guardianship or custody orders/arrangements	38.5	31.3	..	..	29.5	43.2	44.0	..
Supervisory orders	..	42.4	..	..	—	3.0	18.2	..
Interim and temporary orders	61.5	26.3	..	..	70.5	53.9	37.8	..
Total	100.0	100.0	..	..	100.0	100.0	100.0	..
Ratio of orders issued to children admitted	1.3	1.2	..	..	3.1	2.4	1.6	..

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

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

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

Notes

1. New South Wales could not provide data on children on supervisory orders.
2. Percentages in tables may not add to 100 due to rounding.

Trends in the number of children on orders

At 30 June 2007, there were more children on care and protection orders than in previous years for all jurisdictions except Queensland (Table 3.5). The increase in the number of children on orders was greatest in Western Australia, which showed a 29% increase, rising from 2,046 in 2005–06 to 2,629 in 2006–07. This increase is due to the *Children and Community Services Act 2004* which became operational in March 2006. This resulted in policy and

practice changes and provided for new types of protection orders that can be sought for children in need of protection. In Queensland the number of children on orders decreased by 5% (from 6,446 in 2005–06 to 6,156 in 2006–07).

Since 1997, the number of children on care and protection orders across Australia has increased significantly, rising 87% from 15,718 in 1997 to 29,406 in 2007. The increase in the number of children on care and protection orders may be attributed to a greater awareness of child abuse and neglect but also to the cumulative effect of the growing number of children who enter the child protection system at a young age and remain on orders until they are 18 years of age. Departmental analyses across the states and territories indicate that children are being admitted to orders for increasingly complex factors associated with parental substance abuse, mental health and family violence (VDHS 2002).

Table 3.5: Trends in the number of children on care and protection orders, states and territories, at 30 June 1997 to 30 June 2007

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
1997	5,764	3,865	3,249	785	1,172	508	264	111	15,718
1998	5,987 ^(a)	4,215	3,433	799	1,102	520	255	138	16,449
1999	6,948	4,358	3,609	1,019 ^(b)	1,024	440	236	177	17,811
2000	7,661	4,752	3,612	1,105	1,210	470	232	220	19,262
2001	8,105	4,782	3,573	1,320	1,260	453	219	205	19,917
2002	8,229	4,975	3,765	1,384	1,286	463	261	194	20,557
2003	8,975	5,038	4,107	1,470	1,378	600	288	274	22,130
2004	n.a. ^(c)	5,251	4,950	1,639 ^(d)	1,455	634	353	345	n.a.
2005	8,620	5,658	5,857	1,783	1,553	716	464	414	25,065
2006	9,213	5,984	6,446	2,046 ^(e)	1,671	833	558	437	27,188
2007	10,639	6,179 ^(f)	6,156 ^(g)	2,629 ^(h)	1,881	897	574	451	29,406

(a) New South Wales data from 1998 onwards do not include children on supervisory orders.

(b) From 1999, care applications were included in Western Australia for the first time and this resulted in an increase in the numbers.

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

(d) Data for Western Australia include for the first time children in care applications adjourned at 30 June where no subsequent court appearance had occurred by the end of August. Data from 1999 to 2003 do not include these children.

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

(f) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.

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

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

Source: AIHW child protection database.

Characteristics of children on care and protection orders

Types of orders

Across Australia, the vast majority of children who were on care and protection orders at 30 June 2007 were on guardianship or custody orders, ranging from 70% in Victoria to 95% in South Australia (Table 3.6). There was, however, some variation among the jurisdictions in the proportion of children on other types of care and protection orders. For example, in Victoria a relatively high proportion of children were on supervisory orders (26%) compared

with 3% in Western Australia. Conversely, in Western Australia, 21% of children were on interim or temporary orders compared with 3% in Victoria.

Table 3.6: Children on care and protection orders, by type of order, states and territories, at 30 June 2007

Type of order	NSW	Vic ^(a)	Qld ^{(b)(c)}	WA ^(d)	SA	Tas	ACT	NT
Number								
Guardianship or custody orders/arrangements	9,119	4,341	n.a.	2,024	1,795	754	435	408
Supervisory orders	n.a.	1,627	n.a.	65	—	32	59	—
Interim and temporary orders	1,520	211	n.a.	540	86	111	80	43
Total	10,639	6,179	6,156	2,629	1,881	897	574	451
Per cent								
Guardianship or custody orders/arrangements	85.7	70.3	..	77.0	95.4	84.1	75.8	90.5
Supervisory orders	..	26.3	..	2.5	—	3.6	10.3	—
Interim and temporary orders	14.3	3.4	..	20.5	4.6	12.4	13.9	9.5
Total	100.0	100.0	..	100.0	100.0	100.0	100.0	100.0

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

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

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

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

Notes

1. New South Wales could not provide data on children on supervisory orders.
2. Percentages in tables may not add to 100 due to rounding.

Age and sex

The age profile of children on orders varied across the jurisdictions (Table 3.7). The proportion of children on orders who were aged under five years ranged from 23% to 33%. Conversely, the proportion of children aged 15–17 years ranged from 11% in Western Australia to 18% in Queensland and South Australia.

In all jurisdictions except Western Australia, there were slightly more males than females on care and protection orders (Table A1.7). In Western Australia, there was an equal distribution of males and females on care and protection orders.

Table 3.7: Children on care and protection orders, by age, states and territories, at 30 June 2007

Age (years)	NSW	Vic ^(a)	Qld ^(b)	WA ^(c)	SA	Tas	ACT	NT
Number								
<1	332	154	209	138	76	39	18	18
1–4	2,140	1,502	1,394	680	400	189	123	131
5–9	3,329	1,549	1,659	824	504	286	164	134
10–14	3,411	1,438	1,812	689	570	257	176	116
15–17	1,421	838	1,082	298	331	126	93	52
Unknown	6	698	—	—	—	—	—	—
Total	10,639	6,179	6,156	2,629	1,881	897	574	451
Per cent								
<1	3.1	2.8	3.4	5.2	4.0	4.3	3.1	4.0
1–4	20.1	27.4	22.6	25.9	21.3	21.1	21.4	29.0
5–9	31.3	28.3	26.9	31.3	26.8	31.9	28.6	29.7
10–14	32.1	26.2	29.4	26.2	30.3	28.7	30.7	25.7
15–17	13.4	15.3	17.6	11.3	17.6	14.0	16.2	11.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

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

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

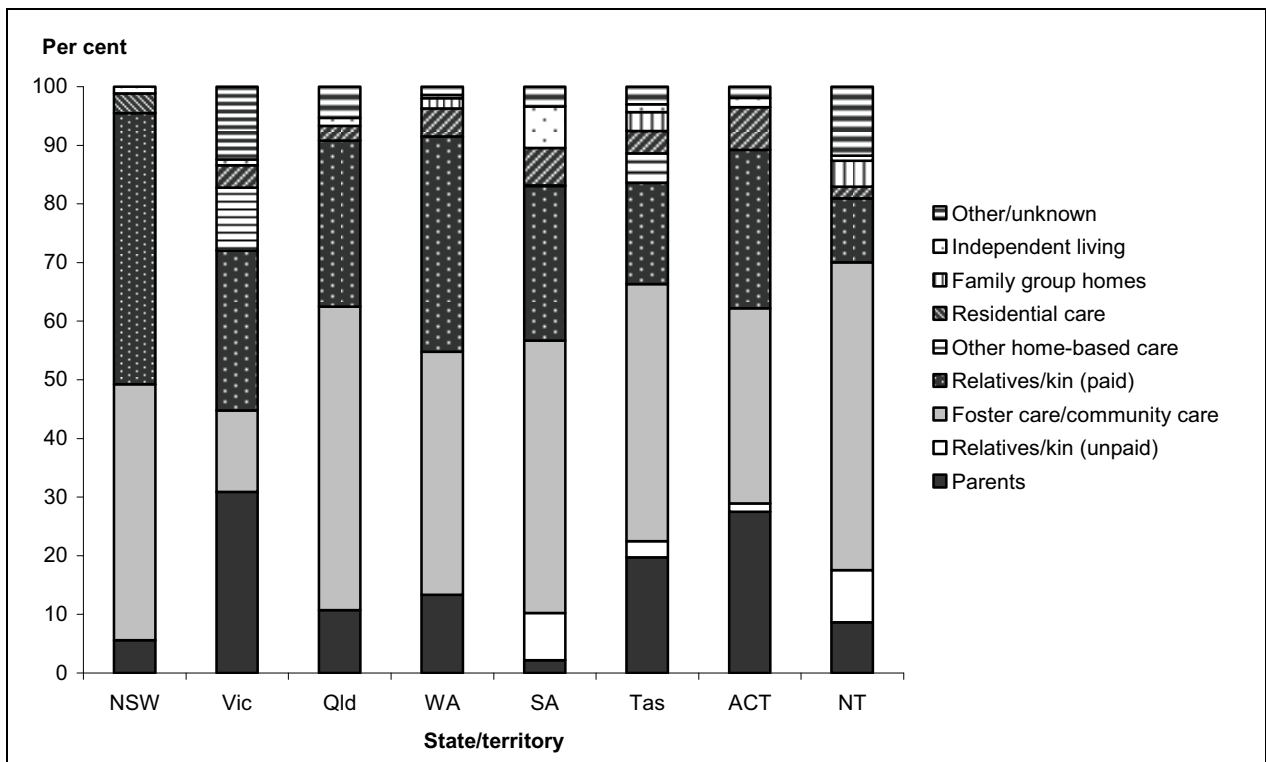
Notes

1. New South Wales data do not include supervisory orders.
2. Percentages exclude children of unknown age.
3. Percentages in tables may not add to 100 due to rounding.

Living arrangements

Most children on care and protection orders live in some type of family or home-based care, ranging from 81% to 96% across all jurisdictions. However, living arrangements varied somewhat by state and territory (Figure 3.1 and Table 3.8). For example, the proportion of children on orders who live with at least one of their parents ranged from 2% in South Australia to 31% in Victoria. The Australian Capital Territory had the highest proportion of children living in residential care (7%).

Living arrangements varied slightly with the age of the child, although home-based out-of-home care was the most common type of living arrangement across all ages (Table A1.8). A relatively high proportion of children aged 15–17 years were in residential care (12%) or living independently (8%).



Notes

1. Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.
2. 2006–07 data for Queensland are interim and will be revised in 2008.

Source: Table 3.8.

Figure 3.1: Children on care and protection orders, by living arrangements, states and territories, at 30 June 2007

Table 3.8: Children on care and protection orders, by living arrangements, states and territories, at 30 June 2007

Living arrangements	NSW	Vic ^{(a)(b)}	Qld ^(c)	WA ^(d)	SA	Tas	ACT	NT
Number								
Parents	594	1,908	659	351	41	177	158	39
Relatives/kin ^{(e)(f)}	—	—	—	—	152	25	8	40
<i>Total family care</i>	<i>594</i>	<i>1,908</i>	<i>659</i>	<i>351</i>	<i>193</i>	<i>202</i>	<i>166</i>	<i>79</i>
Foster care/community care ^(g)	4,645	859	3,186	1,089	874	393	191	237
Relatives/kin ^{(g)(h)}	4,918	1,685	1,746	965	495	155	155	49
Other	—	665	—	—	2	45	—	—
<i>Total home-based care</i>	<i>9,563</i>	<i>3,209</i>	<i>4,932</i>	<i>2,054</i>	<i>1,371</i>	<i>593</i>	<i>346</i>	<i>286</i>
Residential care ⁽ⁱ⁾	359	233	152	126	120	34	42	9
Family group homes ⁽ⁱ⁾	—	—	—	47	—	29	—	20
Independent living ^(k)	123	63	84	14	133	12	9	4
Other/unknown ⁽ⁱ⁾	—	766	329	37	64	27	11	53
Total	10,639	6,179	6,156	2,629	1,881	897	574	451
Per cent								
Parents	5.6	30.9	10.7	13.4	2.2	19.7	27.5	8.6
Relatives/kin ^{(e)(f)}	—	—	—	—	8.1	2.8	1.4	8.9
<i>Total family care</i>	<i>5.6</i>	<i>30.9</i>	<i>10.7</i>	<i>13.4</i>	<i>10.3</i>	<i>22.5</i>	<i>28.9</i>	<i>17.5</i>
Foster care/community care ^(g)	43.7	13.9	51.8	41.4	46.5	43.8	33.3	52.5
Relatives/kin ^{(g)(h)}	46.2	27.3	28.4	36.7	26.3	17.3	27.0	10.9
Other	—	10.8	—	—	0.1	5.0	—	—
<i>Total home-based care</i>	<i>89.9</i>	<i>51.9</i>	<i>80.1</i>	<i>78.1</i>	<i>72.9</i>	<i>66.1</i>	<i>60.3</i>	<i>63.4</i>
Residential care ⁽ⁱ⁾	3.4	3.8	2.5	4.8	6.4	3.8	7.3	2.0
Family group homes ⁽ⁱ⁾	—	—	—	1.8	—	3.2	—	4.4
Independent living ^(k)	1.2	1.0	1.4	0.5	7.1	1.3	1.6	0.9
Other/unknown ⁽ⁱ⁾	—	12.4	5.3	1.4	3.4	3.0	1.9	11.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

- (a) In Victoria, all children on orders who were living with relatives/kin were included in the category of home-based out-of-home care and not in the category of family care.
- (b) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.
- (c) 2006–07 data for Queensland are interim and will be revised in 2008.
- (d) Includes 24 children who were placed on Enduring Parental Responsibility orders.
- (e) This category includes relatives/kin, other than parents, who were not reimbursed.
- (f) From 31 May 2006 all carers in Queensland were brought under the same regulatory framework as foster carers, with a six-month transition process finalised by 30 November 2006. Under the framework all kinship carers are now subject to the same level of suitability screening and the same obligations to provide care that meets the Standards of Care as foster carers.
- (g) Some foster carers may be relatives of the child being cared for and some relative carers may actually be fully assessed as registered foster carers.
- (h) This category includes relatives/kin, other than parents, who were reimbursed.

- (i) In previous years, Queensland has reported children in the following living arrangements in the category 'Residential care': youth justice residentials, pre-release programs, establishments for people with disabilities, general and other hospitals, maternal/child health welfare services, hostels, boarding schools detention centres, prisons and watch houses. From 2006–07, these living arrangement types are reported in the 'Other' category. Residential Care Services funded by the Queensland Department of Child Safety are still reported in the 'Residential' category.
- (j) Western Australia was able to report the number of children in family group homes for the first time in 2004–05. In previous reports, children in family group homes were included in the residential care category.
- (k) This category includes private board.

Notes

1. New South Wales data do not include supervisory orders.
2. Percentages in tables may not add to 100 due to rounding.

Rates of children on care and protection orders

The rates of children on care and protection orders at 30 June 2007 varied across the states and territories, ranging from 5.2 per 1,000 in Victoria and Western Australia to 7.5 and 7.6 per 1,000 in the Australian Capital Territory and Tasmania, respectively (Table 3.9). Some of the variation is probably due to the different orders available and to variations in policies and practices across jurisdictions.

Trends in rates of children on orders

In the period from 30 June 1997 to 30 June 2007, the rate of children aged 0–17 years on orders in Australia increased from 3.3 per 1,000 to 6.0 per 1,000 (Table 3.9). The size of the increase varied across the states and territories over this period from 1.5 times as high in Victoria to more than 3 times as high in Western Australia and the Northern Territory. In Western Australia and the Northern Territory the rate of children on care and protection orders increased from 1.7 to 5.2 per 1,000 and from 1.9 to 7.3 per 1,000 respectively.

Table 3.9: Rates of children aged 0–17 years on care and protection orders, per 1,000 children, states and territories, 30 June 1997 to 30 June 2007

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
1997	3.7	3.4	3.6	1.7	3.3	4.0	3.3	1.9	3.3
1998	3.8	3.7	3.8	1.7	3.1	4.2	3.2	2.4	3.5
1999	4.4	3.8	4.0	2.1 ^(a)	2.9	3.6	3.0	3.0	3.8
2000	4.8	4.2	4.0	2.3	3.4	3.9	3.0	3.7	4.1
2001	5.1	4.2	3.9	2.7	3.6	3.8	2.8	3.4	4.2
2002	5.1	4.3	4.0	2.8	3.6	3.9	3.3	3.2	4.3
2003	5.6	4.3	4.3	3.0	3.9	5.1	3.7	4.6	4.6
2004	n.a. ^(b)	4.5	5.2	3.4 ^(c)	4.2	5.4	4.6	5.8	n.a.
2005	5.4	4.9	6.0	3.7	4.5	6.1	6.1	7.0	5.2
2006	5.8	5.1	6.5	4.2 ^(d)	4.8	7.1	7.4	7.3	5.6
2007	6.6	5.2 ^(e)	6.0 ^(f)	5.2	5.4	7.6	7.5	7.3	6.0

(a) From 1999, care applications were included for the first time and this resulted in an increase in the numbers for Western Australia.

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

(c) Data for Western Australia include for the first time children in care applications adjourned at 30 June where no subsequent court appearance had occurred by the end of August. Data from 1999 to 2003 do not include these children.

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

(e) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.

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

Notes

1. New South Wales data from 1998 onwards do not include children on supervisory orders.

2. Refer to Appendix table A1.14 for the population used in the calculation of rates for 2006–07.

Source: AIHW child protection database.

Aboriginal and Torres Strait Islander children

Number and rates

Aboriginal and Torres Strait Islander children are far more likely to be on care and protection orders than other children in all jurisdictions (Table 3.10). The rates of Aboriginal and Torres Strait Islander children on care and protection orders varied considerably across jurisdictions, ranging from 12.1 per 1,000 in the Northern Territory to 58.9 per 1,000 in the Australian Capital Territory. In all jurisdictions, the rate of Indigenous children on orders was higher than the rate for other children, ranging from 3 to 11 times as high across jurisdictions. Across Australia, the rate of Indigenous children on orders was more than 7 times higher than that of other children. Some of the reasons for this difference are outlined on page 29.

Most Indigenous children were on guardianship and custody orders or arrangements (Table A1.9). The types of orders that Indigenous children were on compared to other children were very similar except in the Australian Capital Territory where Indigenous children were relatively less likely to be on supervisory orders or interim/temporary orders than other children.

Table 3.10: Children on care and protection orders, by number and rate per 1,000 children aged 0–17 years and Indigenous status, states and territories, at 30 June 2007

State/territory	Number of children				Rate per 1,000 children			Rate ratio Indigenous/ other
	Indigenous	Non- Indigenous	Unknown	All children	Indigenous	Other	All children	
New South Wales ^(a)	2,880	7,746	13	10,639	44.5	5.0	6.6	8.9
Victoria ^(b)	623	4,507	1,049	6,179	47.6	4.7	5.2	10.1
Queensland ^(c)	1,690	4,466	—	6,156	27.0	4.7	6.0	5.8
Western Australia ^(d)	1,091	1,537	1	2,629	35.2	3.2	5.2	10.8
South Australia	440	1,400	41	1,881	36.9	4.3	5.4	8.7
Tasmania	164	733	—	897	19.9	6.7	7.6	3.0
Australian Capital Territory ^(e)	113	342	119	574	58.9	6.2	7.5	9.5
Northern Territory	300	145	6	451	12.1	4.1	7.3	2.9
Australia	7,301	20,876	1,229	29,406	33.4	4.7	6.0	7.1

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

(b) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.

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

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

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

Notes

1. 'Other' includes non-Indigenous children and those children whose Indigenous status is unknown.
2. Refer to Appendix table A1.14 for the populations used in the calculation of rates.
3. Rate ratios are calculated by dividing the un-rounded rate of Indigenous children who were on a care and protection order by the un-rounded rate of other children who were on a care and protection order. The resulting number is a measure of how many Indigenous children were on a care and protection order for every one other child who was on a care and protection order.

4 Out-of-home care

Overview

Children who are placed in out-of-home care

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

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

The current emphasis in policy and practice is to keep children with their families wherever possible. Where children, for various reasons, need to be placed in out-of-home care, the practice is to attempt to reunite children with their families. There is a range of intensive family support programs across jurisdictions that seek to prevent the separation of children from their families as a result of child protection concerns, or to reunify families where separation has already occurred (see Chapter 1 for more information).

In Australia, most children who are placed in out-of-home care are eventually reunited with their families (Forwood & Carver 1999:740). If it is necessary to remove a child from his or her family, then placement within the wider family or community is preferred. This is particularly the case with Aboriginal and Torres Strait Islander children in order to be consistent with the Aboriginal Child Placement Principle (see below).

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

As with the majority of child protection services, states and territories are responsible for funding out-of-home care. Non-government organisations are widely used, however, to provide these services.

Out-of-home care and court orders

Children can be placed in out-of-home care voluntarily or through some type of court order. Such orders include care and protection orders, including formal administrative arrangements, and other legal orders such as juvenile justice orders (see Chapter 3). There is considerable variety between the jurisdictions:

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

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

Scope and coverage of out-of-home care data collection

For the purposes of this collection, 'out-of-home care' is defined as out-of-home overnight care for children and young people under 18 years of age, where the state or territory makes a financial payment. This includes placements with relatives (other than parents) but does not include placements made in disability services, medical or psychiatric services, juvenile justice facilities, overnight child care services or supported accommodation assistance placements. However, some jurisdictions are not always able to exclude these placements from the data, and so may be included. The data exclude children in unfunded placements and children living with parents where the jurisdiction makes a financial payment.

Types of placements

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

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

State and territory differences

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

Data and analysis

Some of the data in this section relate to children admitted to out-of-home care during 2006–07. However, most of the data relate to children who were in out-of-home care for the night of 30 June 2007.

Some children in foster care are placed with relatives who are registered to provide foster care to any child. Victoria and Western Australia report these children in the 'Foster carer' category whilst Queensland and South Australia report these children in the 'Relative/kin' category.

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

For some tables, data have not been provided for Queensland due to the recent transition to a new information management system. Where data are reported for Queensland, it is important to note that 2006–07 data are interim and will be subject to revision in 2008.

The number of children in out-of-home care as at 30 June 2007 is not comparable to that reported for previous years for Tasmania because of the exclusion in the 2006–07 data of a cohort of children who did not meet the AIHW definition of out-of-home care.

Admissions and discharges

The number of children admitted to out-of-home care in 2006–07 ranged from 4,334 children in New South Wales to 207 in the Australian Capital Territory (Table 4.1). In New South Wales, Western Australia and the Northern Territory, the number of children admitted to out-of-home care during 2006–07 was higher than in 2005–06 (Table 4.1; AIHW child protection database).

Between a third and a half of all children admitted to out-of-home care were aged under 5 years, with between 13% and 21% aged under 1 year. Children aged 15–17 years represented 9% of all admissions in 2006–07.

Table 4.1: Children admitted to out-of-home care, by age group, states and territories, 2006-07

Age (years)	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas	ACT	NT	Total
Number									
<1	605	408	n.a.	209	130	63	32	50	..
1-4	1,123	729	n.a.	281	189	96	45	111	..
5-9	1,119	693	n.a.	239	167	95	47	89	..
10-14	1,151	806	n.a.	221	172	99	65	99	..
15-17	333	358	n.a.	40	70	19	18	35	..
Unknown	3	—	n.a.	—	—	—	—	—	..
Total	4,334	2,994	..	990	728	372	207	384	..
Per cent									
<1	14.0	13.6	..	21.1	17.9	16.9	15.5	13.0	..
1-4	25.9	24.3	..	28.4	26.0	25.8	21.7	28.9	..
5-9	25.8	23.1	..	24.1	22.9	25.5	22.7	23.2	..
10-14	26.6	26.9	..	22.3	23.6	26.6	31.4	25.8	..
15-17	7.7	12.0	..	4.0	9.6	5.1	8.7	9.1	..
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..

(a) Due to new service and data reporting arrangements, the Victorian child protection data for 2006-07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.

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

Notes

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

There were fewer children discharged from care than those admitted in all jurisdictions except Victoria (Table 4.2; Table 4.1). As would be expected, the age distribution of children discharged from care was considerably older than that of children admitted to out-of-home care. For example, 44% of those discharged from care were aged 15-17 years in the Australian Capital Territory compared to 9% admitted to out-of-home care.

Table 4.2: Number of children discharged from out-of-home care, by age group, states and territories, 2006–07

Age (years)	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas	ACT	NT
	Number							
<1	142	248	n.a.	38	21	23	2	35
1–4	533	739	n.a.	126	72	71	14	99
5–9	526	771	n.a.	140	65	77	10	82
10–14	706	803	n.a.	130	83	89	34	87
15–17	508	645	n.a.	132	124	44	48	50
Unknown	4	—	n.a.	—	—	—	—	—
Total	2,419	3,206	..	566	365	304	108	353
	Per cent							
<1	5.9	7.7	..	6.7	5.8	7.6	1.9	9.9
1–4	22.1	23.1	..	22.3	19.7	23.4	13.0	28.0
5–9	21.8	24.0	..	24.7	17.8	25.3	9.3	23.2
10–14	29.2	25.0	..	23.0	22.7	29.3	31.5	24.6
15–17	21.0	20.1	..	23.3	34.0	14.5	44.4	14.2
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

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

Notes

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

Trends in numbers in out-of-home care

At 30 June 2007, there were 28,441 children in out-of-home care in Australia (Table 4.3). This compares with 25,454 children who were in out-of-home care at 30 June 2006, an increase of 12%. The number of children in out-of-home care at 30 June 2007 was higher than at 30 June 2006 in all jurisdictions except in Tasmania, where a cohort of children who did not meet the definition of out-of-home care was excluded.

Nationally, the number of children in out-of-home care in Australia at 30 June has increased each year since 1997 when there were 14,078 children in out-of-home care (Table 4.3).

Between 1997 and 2007, the number of children in out-of-home care in Australia increased by 102%.

Table 4.3: Number of children aged 0–17 years in out-of-home care, states and territories, 30 June 1997 to 30 June 2007

Year	NSW	Vic	Qld ^(a)	WA	SA	Tas ^(b)	ACT	NT	Total
1997	5,486	3,393	2,211	1,050	1,193	461	173	111	14,078
1998	5,603	3,615	2,346	1,093	1,055	442	179	137	14,470
1999	6,359	3,581	2,613	1,192	1,045	533	174	177	15,674
2000	7,041	3,867	2,634	1,326	1,131	548	200	176	16,923
2001	7,786	3,882	3,011	1,436	1,175	572	215	164	18,241
2002	8,084	3,918	3,257	1,494	1,196	544	224	163	18,880
2003	8,636	4,046	3,787	1,615	1,245	468	277	223	20,297
2004	9,145	4,309	4,413	1,681	1,204	487	298	258	21,795
2005	9,230	4,408	5,657	1,829	1,329	576	342	324	23,695
2006	9,896	4,794	5,876	1,968	1,497	683	388	352	25,454
2007	11,843	5,052 ^(c)	6,034 ^(d)	2,371	1,678	667 ^(e)	399	397	28,441

(a) The data for the years 1997 to 2000 include only those children who were on a care and protection order or remanded in temporary custody. From 2001, the data include all children in out-of-home care.

(b) The number of children in out-of-home care in Tasmania from 2003 should not be compared with previous years, as a group of children who did not meet the definition of out-of-home care were excluded from that year's collection. These children were not the subject of care and protection orders and out-of-home care services did not arrange their placement with relatives.

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

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

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

Source: AIHW child protection database.

Characteristics of children in out-of-home care

Most children (95%) in out-of-home care at 30 June 2007 were in home-based care—50% in foster care, 44% in relative/kinship care and 1% in some other type of home-based care (Table 4.4). The high proportion of children in home-based care reflects the trends in recent decades of increased use of placements with relatives and kin or foster carers, and decreased use of placements in residential care (Johnstone 2001).

Compared with other jurisdictions, the Northern Territory and Queensland had a relatively high proportion of children in foster care (65% and 64% respectively), and New South Wales had a relatively high proportion of children placed with relatives or kin (57%) (Figure 4.1 and Table 4.4).

Four per cent of children in out-of-home care were living in residential care Australia-wide. This ranged from 2% in New South Wales and the Northern Territory to 11% in the Australian Capital Territory.

Residential care is mainly used for children who have complex needs. In many jurisdictions, priority is given to keeping siblings together, which sometimes results in periods of residential care for larger family groups.

Table 4.4: Children in out-of-home care, by type of placement, states and territories, at 30 June 2007

Type of placement	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas ^(c)	ACT	NT	Total
Number									
Foster care ^(d)	4,741	2,597	3,848	1,126	910	397	200	256	14,075
Relatives/kin ^(d)	6,780	1,781	2,005	1,017	553	155	150	58	12,499
Other home-based care	—	296	—	—	3	45	—	—	344
<i>Total home-based care</i>	<i>11,521</i>	<i>4,674</i>	<i>5,853</i>	<i>2,143</i>	<i>1,466</i>	<i>597</i>	<i>350</i>	<i>314</i>	26,918
Family group homes ^(e)	—	—	—	47	—	30	—	21	98
Residential care	263	337	181	139	141	35	44	9	1,149
Independent living	59	41	—	17	9	—	4	4	134
Other ^(f)	—	—	—	25	62	5	1	49	142
Total	11,843	5,052	6,034	2,371	1,678	667	399	397	28,441
Per cent									
Foster care ^(d)	40.0	51.4	63.8	47.5	54.2	59.5	50.1	64.5	49.5
Relatives/kin ^(d)	57.2	35.3	33.2	42.9	33.0	23.2	37.6	14.6	43.9
Other home-based care	—	5.9	—	—	0.2	6.7	—	—	1.2
<i>Total home-based care</i>	<i>97.3</i>	<i>92.5</i>	<i>97.0</i>	<i>90.4</i>	<i>87.4</i>	<i>89.5</i>	<i>87.7</i>	<i>79.1</i>	94.6
Family group homes ^(e)	—	—	—	2.0	—	4.5	—	5.3	0.3
Residential care	2.2	6.7	3.0	5.9	8.4	5.2	11.0	2.3	4.0
Independent living	0.5	0.8	—	0.7	0.5	—	1.0	1.0	0.5
Other ^(f)	—	—	—	1.1	3.7	0.7	0.3	12.3	0.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

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

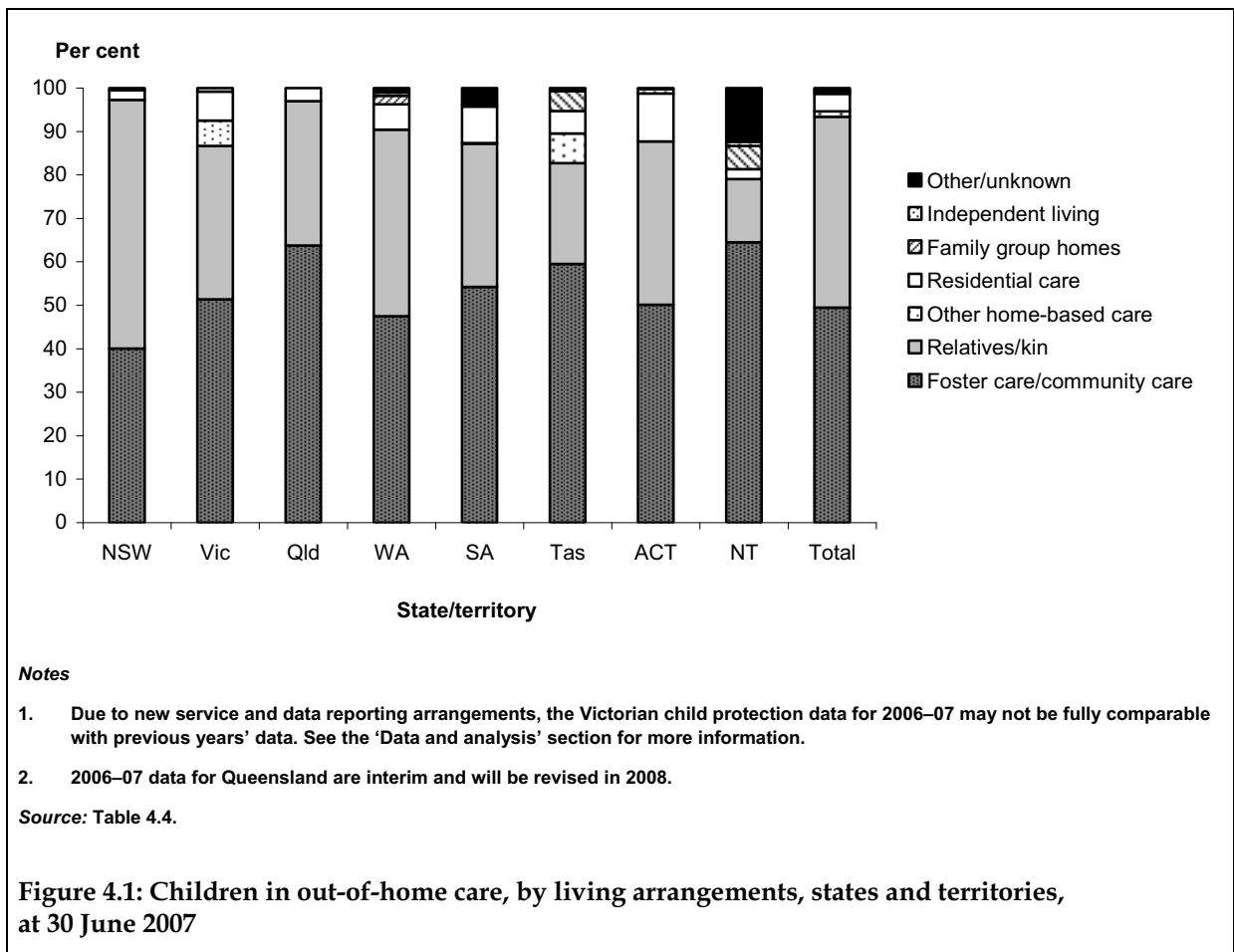
(c) The number of children in out-of-home care as at 30 June 2007 is not comparable to that reported for previous years for Tasmania because of exclusion of a cohort of children on orders who did not meet the definition of out-of-home care.

(d) Some foster carers may be relatives of the child being cared for and some relative carers may actually be fully assessed as registered foster carers. For Western Australia, these cases are recorded in the foster care category.

(e) Western Australia reported children in family group homes separately to residential care for the first time in 2004–05.

(f) 'Other' includes unknown living arrangements.

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



Age and sex

Almost a third (31%) of children in out-of-home care were aged 10–14 years (Table A1.10). A further 30% were aged 5–9 years, 25% were aged less than 5 years and 14% were aged 15–17 years. Just over half (51%) of all children in out-of-home care were males (Table A1.11).

Children in residential care were considerably older than children in home-based care—42% of children in residential care were aged 10–14 years and a further 41% were aged 15–17 years. The corresponding proportions in home-based care were 31% for children aged 10–14 years and 13% for children aged 15–17 years (Table A1.12). Only 5% of children in residential care in Australia were aged less than 5 years compared with 26% of those in home-based care.

Whether children were on an order

As previously noted, in the Northern Territory, all children in out-of-home care are required to be on care and protection orders or authorities. In other jurisdictions, the proportion of children in out-of-home care who were on care and protection orders ranged from 75% in Victoria to 99% in Tasmania (Table 4.5).

Table 4.5: Children in out-of-home care, whether the child was on an order, states and territories, at 30 June 2007

Whether the child was on an order	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas ^(c)	ACT	NT
Number								
On care and protection order	9,819	3,797	5,084	2,262	1,463	658	378	397
On another type of order	—	226	—	—	98	2	4	—
<i>Total children on orders</i>	<i>9,819</i>	<i>4,023</i>	<i>5,084</i>	<i>2,262</i>	<i>1,561</i>	<i>660</i>	<i>382</i>	<i>397</i>
Not on an order	2,024	1,029	950	109	117	7	17	—
Total	11,843	5,052	6,034	2,371	1,678	667	399	397
Per cent								
On care and protection order	82.9	75.2	84.3	95.4	87.2	98.7	94.7	100.0
On another type of order	—	4.5	—	—	5.8	0.3	1.0	—
<i>Total children on orders</i>	<i>82.9</i>	<i>79.6</i>	<i>84.3</i>	<i>95.4</i>	<i>93.0</i>	<i>99.0</i>	<i>95.7</i>	<i>100.0</i>
Not on an order	17.1	20.4	15.7	4.6	7.0	1.0	4.3	—
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

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

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

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

Length of time in placement

In all jurisdictions at 30 June 2007, at least 40% of the children had been in their current out-of-home care placement for less than two years (Table 4.6). However, the proportion of children who had been in out-of-home care for five years or more was relatively high—between 20% and 35% in all jurisdictions except the Northern Territory where the proportion was 8%.

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

Table 4.6: Children in out-of-home care, by length of time in continuous placement, states and territories, at 30 June 2007

Time in continuous placement	NSW	Vic ^(a)	Qld ^(b)	WA ^(c)	SA	Tas ^(d)	ACT	NT
	Number							
<1 month	402	192	n.a.	56	105	27	15	148
1 month to <6 months	1,334	444	n.a.	310	287	63	51	48
6 months to <1 year	1,389	759	n.a.	271	252	97	44	63
1 year to <2 years	1,661	1,033	n.a.	351	285	136	63	45
2 years to <5 years	2,908	1,312	n.a.	630	416	213	121	62
5 years or more	4,149	1,312	n.a.	753	333	131	105	31
Not stated/unknown	—	—	n.a.	—	—	—	—	—
Total	11,843	5,052	..	2,371	1,678	667	399	397
	Per cent							
<1 month	3.4	3.8	..	2.4	6.3	4.0	3.8	37.3
1 month to <6 months	11.3	8.8	..	13.1	17.1	9.4	12.8	12.1
6 months to <1 year	11.7	15.0	..	11.4	15.0	14.5	11.0	15.9
1 year to <2 years	14.0	20.4	..	14.8	17.0	20.4	15.8	11.3
2 years to <5 years	24.6	26.0	..	26.6	24.8	31.9	30.3	15.6
5 years or more	35.0	26.0	..	31.8	19.8	19.6	26.3	7.8
Total	100.0	100.0	..	100.0	100.0	100.0	100.0	100.0

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

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

(c) A placement at home for two months or less is not considered a break in the length of time spent in care.

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

Notes

1. In those jurisdictions where children in out-of-home care for respite reasons could be identified, they were included in the 'less than 1 month' category: New South Wales (38 children), Victoria (3 children), South Australia (3 children) and the Australian Capital Territory (17 children).
2. If a child has a return home or unapproved break of two months or less before returning to the same or different placement they are considered to be continuously in care during this period.
3. Percentages exclude cases where the length of time in a continuous placement was not stated or unknown.
4. Percentages in tables may not add to 100 due to rounding.

Rates of children in out-of-home care

There were 5.8 children per 1,000 aged 0–17 years in out-of-home care in Australia at 30 June 2007. This represents an increase of 9% from a rate of 5.3 in 2006 (Table 4.7). The rates of children in out-of-home care varied by state and territory and ranged from 4.3 per 1,000 in Victoria to 7.3 per 1,000 in New South Wales. The reasons for this variation are likely to include differences in the policies and practices of the relevant departments in relation to early intervention and out-of-home care, as well as variations in the availability of appropriate care options for children who are regarded as being in need of this service.

Trends in rates of children in out-of-home care

The rate of children in out-of-home care in Australia increased from 3.0 per 1,000 at 30 June 1997 to 5.8 per 1,000 at 30 June 2007, an increase of 93% (Table 4.7). Over this period, the rates of children in out-of-home care increased in all jurisdictions. The largest increases were in the Australian Capital Territory where rates increased from 2.1 to 5.2 per 1,000, and in the Northern Territory where they increased from 1.9 to 6.4.

The overall increase in the number of children in out-of-home care could be related to a number of factors. One explanatory factor reported by several states and territories is the increasingly complex family situations of children associated with parental substance abuse, mental health and family violence. This also impacts on the length of time children remain in care. For example, in New South Wales, the percentage of children in care for five years and longer increased from 22% at 30 June 2002 to 35% at 30 June 2007 (Table 4.6; AIHW 2002).

Table 4.7: Rates of children in out-of-home care, states and territories, 30 June 1997 to 30 June 2007 (per 1,000 children)

Year	NSW	Vic	Qld ^(a)	WA	SA	Tas ^(b)	ACT	NT	Total
1997	3.4	3.0	2.5	2.2	3.2	3.7	2.1	1.9	3.0
1998	3.5	3.2	2.6	2.3	2.8	3.6	2.2	2.3	3.1
1999	4.0	3.1	2.9	2.5	2.9	4.4	2.2	3.0	3.3
2000	4.5	3.4	2.9	2.8	3.2	4.6	2.6	3.0	3.6
2001	4.9	3.4	3.3	3.0	3.3	4.8	2.8	2.7	3.9
2002	5.0	3.4	3.5	3.1	3.4	4.6	2.8	2.7	3.9
2003	5.4	3.5	4.0	3.3	3.6	4.0	3.6	3.8	4.2
2004	5.7	3.7	4.6	3.5	3.5	4.1	3.8	4.3	4.5
2005	5.8	3.8	5.8	3.8	3.9	4.9	4.5	5.5	4.9
2006	6.2	4.1	6.0	4.0	4.3	5.8	5.1	5.9	5.3
2007	7.3	4.3 ^(c)	5.9 ^(d)	4.7	4.8	5.7 ^(e)	5.2	6.4	5.8

(a) The Queensland data for the years 1997 to 2000 only include those children who were on a care and protection order or remanded in temporary custody. From 2001, the data include all children in out-of-home care.

(b) The number of children in out-of-home care in Tasmania from 2003 should not be compared to previous years as a group of children who did not meet the definition of out-of-home care were excluded from that year's collection. These children were not the subject of care and protection orders and out-of-home care services did not arrange their placement with relatives.

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

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

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

Note: Refer to Appendix table A1.14 for the population used in the calculation of rates for 2006–07.

Sources: AIHW child protection database; Table 4.3.

Aboriginal and Torres Strait Islander children

At 30 June 2007, there were 7,892 Aboriginal and Torres Strait Islander children in out-of-home care, an increase of 1,395 since 30 June 2006 (Table 4.8; AIHW child protection database). The rate of Aboriginal and Torres Strait Islander children in out-of-home care at 30 June 2007 was 36.1 per 1,000 Indigenous children aged 0–17 years, ranging from 10.8 per

1,000 in the Northern Territory to 57.0 per 1,000 in New South Wales. Some of the reasons for this difference are outlined on page 29.

Table 4.8: Children in out-of-home care, by number and rate per 1,000 children aged 0–17 years and Indigenous status, states and territories, at 30 June 2007

State/territory	Number of children				Rate per 1,000 children			Rate ratio Indigenous /other
	Indigenous	Non-Indigenous	Unknown	All children	Indigenous	Other children	All children	
New South Wales	3,689	8,131	23	11,843	57.0	5.3	7.3	10.8
Victoria ^(a)	626	4,316	110	5,052	47.8	3.8	4.3	12.7
Queensland ^(b)	1,724	4,310	—	6,034	27.5	4.5	5.9	6.1
Western Australia	978	1,392	1	2,371	31.6	2.9	4.7	10.7
South Australia	405	1,273	—	1,678	34.0	3.8	4.8	9.0
Tasmania ^(c)	113	554	—	667	13.7	5.1	5.7	2.7
Australian Capital Territory ^(d)	89	248	62	399	46.4	4.1	5.2	11.2
Northern Territory	268	125	4	397	10.8	3.5	6.4	3.1
Australia	7,892	20,349	200	28,441	36.1	4.4	5.8	8.3

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

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

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

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

Notes

1. For details on the calculation of rates, see Appendix 2.
2. Other children includes those children whose Indigenous status is unknown.
3. Refer to Appendix table A1.14 for the populations used in the calculation of rates.
4. Rate ratios are calculated by dividing the un-rounded rate of Indigenous children who were in out-of-home care by the un-rounded rate of other children who were in out-of-home care. The resulting number is a measure of how many Indigenous children were in out-of-home care for every one other child who was in out-of-home care.

In all jurisdictions, there were higher rates of Aboriginal and Torres Strait Islander children in out-of-home care than other children (Table 4.8). The national rate of Indigenous children in out-of-home care was over 8 times the rate for other children.

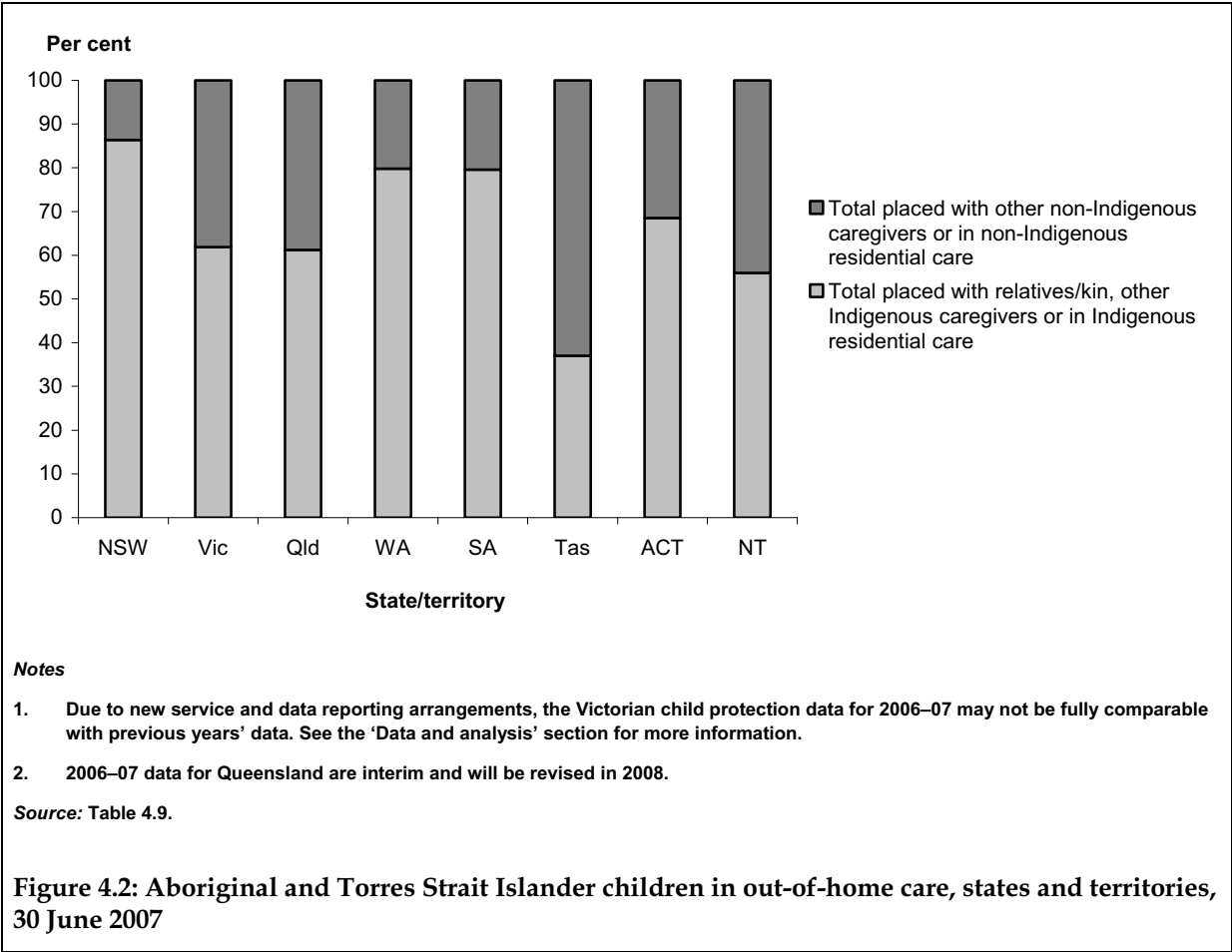
Indigenous status of caregivers

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

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

All jurisdictions have adopted the Aboriginal Child Placement Principle in legislation and policy. The impact of the Principle is reflected in the relatively high proportions of Aboriginal and Torres Strait Islander children who were placed either with Indigenous caregivers or with relatives in many jurisdictions (Figure 4.2).

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



Except for Tasmania, the proportion of Aboriginal and Torres Strait Islander children who were placed with either an Indigenous carer or a relative was at least 56%. For example, in New South Wales, 86% of Indigenous children were placed with Indigenous relatives/kin and other Indigenous caregivers or in Indigenous residential care (Table 4.9).

Table 4.9: Aboriginal and Torres Strait Islander children in out-of-home care, by Indigenous status and relationship of carer, states and territories, at 30 June 2007

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

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

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

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

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

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

Notes

1. This table does not include Indigenous children who were living independently or whose living arrangements were unknown.
2. For details on coding of Indigenous status, see Appendix 2.
3. Percentages in tables may not add to 100 due to rounding.

5 Intensive family support services

Family support services

Family support services are used by all jurisdictions in some capacity. They include services that seek to benefit families by improving their ability to care for children and to strengthen family relationships (AIHW 2001). These services are becoming increasingly recognised as an alternative to the more traditional forensic investigation. For example, where notifications to the departments do not involve child maltreatment, children and their families are being referred to family support services rather than being investigated. In some states and territories, these cases are streamed into family support services instead of being recorded as a notification.

There is a broad range of these services across the jurisdictions. These include: information and referral, education/skill development counselling, mediation and therapy, residential and in-home support, and advocacy (AIHW 2001). Because of this breadth, the level of intensity of these services also varies. This section specifically relates to those services defined as being intensive in nature, including those services which aim to prevent imminent separation of children from their primary caregivers because of child protection concerns, and those services which aim to reunify families where separation has already occurred. At a minimum, this service must provide at least four hours of support a week and last for up to six months.

At present, the AIHW and NCPASS are undertaking a project examining the feasibility of developing a national data collection for child protection treatment and support services targeted to at-risk families where there are concerns about the safety and wellbeing of children. These services will include those that strengthen family relationships in response to concerns about the welfare of a child and will be broader in scope than intensive family support services. The aim of this project is to identify core data items and tables that could potentially be included in a national collection to complement the statutory child protection data currently published in *Child Protection Australia*.

Intensive family support services data

The AIHW has been collecting data on the intensive family support services (IFSS) since 1999–2000. While most of these data are about the children who received the service, there is some limited information about the services. In 2006–07, there were 92 services reported to the AIHW. About half of these services were aimed at preventing the separation of the child from the family; the rest were aimed at both prevention of separation and reunification of the child into the family. Most of these services were located in capital cities or other major urban centres.

The age of the children who commenced an intensive family support service was broadly similar across the jurisdictions. Around two-thirds of the children were aged less than 10 years, with just over half of these being under the age of 5 years (Table 5.1).

Table 5.1: Number of children aged 0–17 years commencing intensive family support services, by age at commencement of service, states and territories, 2006–07

Age (years)	NSW	Vic	Qld	WA ^(a)	SA	Tas	ACT	NT
	Number							
0–4	106	408	328	235	22	15	150	23
5–9	58	333	442	144	19	28	151	19
10–14	73	464	278	78	16	8	86	15
15–17	28	117	106	38	3	2	31	4
Unknown	—	419	86	3	—	—	—	—
Total	265	1,741	1,240	498	60	53	418	61
	Per cent							
0–4	40.0	30.9	28.4	47.5	36.7	28.3	35.9	37.7
5–9	21.9	25.2	38.3	29.1	31.7	52.8	36.1	31.1
10–14	27.5	35.1	24.1	15.8	26.7	15.1	20.6	24.6
15–17	10.6	8.9	9.2	7.7	5.0	3.8	7.4	6.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

Notes

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

In all states except South Australia and Queensland, the majority of children who received a service were living with their parents. In Queensland, an equal proportion of children were living with their parents or in out-of-home care. In South Australia, all children receiving intensive family support were living in out-of-home care (Table 5.2). This indicates a stronger emphasis on reunification by the services in South Australia.

Table 5.2: Children commencing intensive family support services, by living arrangements at commencement of service, states and territories, 2006–07

Living situation	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Number								
Family care								
Child living with parent(s)	239	1,103	556	415	—	43	403	59
Child living with other relatives/kin	21	1	93	10	—	—	4	—
Child in out-of-home care	4	336	557	46	60	4	11	2
Child in shared care	—	4	14	1	—	6	—	—
Other	1	129	6	13	—	—	—	—
Not available	—	168	14	13	—	—	—	—
Total	265	1,741	1,240	498	60	53	418	61
Per cent								
Family care								
Child living with parent(s)	90.2	70.1	45.4	85.6	—	81.1	96.4	96.7
Child living with other relatives/kin	7.9	0.1	7.6	2.1	—	—	1.0	—
Child in out-of-home care	1.5	21.4	45.4	9.5	100.0	7.5	2.6	3.3
Child in shared care	—	0.3	1.1	0.2	—	11.3	—	—
Other	0.4	8.2	0.5	2.7	—	—	—	—
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

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

Appendix 1: Detailed tables

Child protection

Table A1.1: Substantiations of notifications received during 2006–07, by type of abuse or neglect, states and territories

Type of abuse or neglect	NSW	Vic ^(a)	Qld ^{(b)(c)}	WA	SA	Tas ^(d)	ACT	NT
Number								
Physical abuse	6,835	2,298	1,890	273	263	266	102	217
Sexual abuse	3,917	471	532	227	103	129	27	71
Emotional abuse	14,896	2,936	3,793	213	1,036	370	442	183
Neglect	11,446	1,123	2,226	520	840	487	281	150
Total	37,094	6,828	8,441	1,233	2,242	1,252	852	621
Per cent								
Physical abuse	18.4	33.7	22.4	22.1	11.7	21.2	12.0	34.9
Sexual abuse	10.6	6.9	6.3	18.4	4.6	10.3	3.2	11.4
Emotional abuse	40.2	43.0	44.9	17.3	46.2	29.6	51.9	29.5
Neglect	30.9	16.4	26.4	42.2	37.5	38.9	33.0	24.2
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

- (a) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' subsection of the 'Notification, investigations and substantiations' section for more information.
- (b) 2006–07 data for Queensland are interim and will be revised in 2008.
- (c) 2006–07 substantiation figures for Queensland are affected by a change in recording practice. From March 2007, any new child protection concerns received by the department that relate to an open notification or investigation and assessment are recorded as an additional concern and linked to the open notification/investigation and assessment. Previously, any new child protection concerns received by the department were recorded as an additional notification. If an investigation relating to these notifications was substantiated, each notification was recorded as a separate substantiation. Because new concerns are now recorded as additional concerns, and not notifications, only the original notification is counted as substantiation, where the investigation outcome is substantiated.
- (d) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

Notes

- Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2007.
- If a child was the subject of more than one type of abuse or neglect as part of the same notification, the type of abuse or neglect reported is the one considered by the child protection workers to cause the most harm to the child. Where a child is the subject of more than one substantiation during the year, the type of abuse or neglect reported is the one associated with the first substantiation decision during the year.
- Percentages in tables may not add to 100 due to rounding.
- Includes children aged 0–17 years and children of unknown age.

Table A1.2: Children in substantiations of notifications received during 2006–07, by type of abuse or neglect and sex, states and territories

Type of abuse or neglect	NSW	Vic ^(a)	Qld ^{(b)(c)}	WA	SA	Tas ^(d)	ACT	NT
Males								
Physical	1,445	1,148	848	138	135	87	41	83
Sexual	516	208	141	49	21	33	7	9
Emotional	2,560	1,422	1,603	104	406	103	137	83
Neglect	2,096	543	1,026	243	320	166	102	68
Total	6,617	3,321	3,618	534	882	389	287	243
Females								
Physical	1,275	1,109	802	123	118	84	36	99
Sexual	1,501	260	333	168	68	64	11	51
Emotional	2,465	1,371	1,719	95	422	114	137	80
Neglect	1,813	495	829	240	258	120	89	69
Total	7,054	3,235	3,683	626	866	382	273	299
Unknown								
Physical	7	14	30	—	—	6	—	—
Sexual	6	1	3	—	1	2	—	—
Emotional	56	11	26	—	7	7	2	—
Neglect	29	9	42	—	1	14	2	—
Total	98	35	101	..	9	29	4	..
All children								
Physical	2,727	2,271	1,680	261	253	177	77	182
Sexual	2,023	469	477	217	90	99	18	60
Emotional	5,081	2,804	3,348	199	835	224	276	163
Neglect	3,938	1,047	1,897	483	579	300	193	137
Total	13,769	6,591	7,402	1,160	1,757	800	564	542

(a) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' subsection of the 'Notification, investigations and substantiations' section for more information.

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

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

(d) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

Notes

- Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2007.
- If a child was the subject of more than one type of abuse or neglect as part of the same notification, the type of abuse or neglect reported is the one considered by the child protection workers to cause the most harm to the child. Where a child is the subject of more than one substantiation during the year, the type of abuse or neglect reported is the one associated with the first substantiation decision during the year.
- Includes children aged 0–17 years and children of unknown age.

Table A1.3: Children in substantiations of notifications received during 2006–07, by age and Indigenous status, states and territories

Age group (years)	NSW	Vic ^(a)	Qld ^{(b)(c)}	WA	SA	Tas ^{(d)(e)}	ACT	NT
Indigenous children								
<1	558	109	197	77	81	5	11	65
1–4	909	183	325	108	132	5	21	125
5–9	839	191	315	137	123	10	21	91
10–14	817	177	297	109	89	7	18	96
15–17	160	37	80	8	16	3	5	18
15–16	152	37	69	7	13	3	4	18
Unknown	1	—	—	—	1	1	—	—
Total	3,284	697	1,214	439	442	31	76	395
Other children								
<1	1,375	929	707	102	216	110	56	10
1–4	2,572	1,441	1,509	188	386	170	138	26
5–9	2,903	1,502	1,722	195	365	187	128	52
10–14	2,859	1,604	1,743	196	299	163	129	47
15–17	769	418	507	40	42	33	37	12
15–16	698	415	457	35	41	32	32	10
Unknown	7	—	—	—	7	106	—	—
Total	10,485	5,894	6,188	721	1,315	769	488	147
All children								
<1	1,933	1,038	904	179	297	115	67	75
1–4	3,481	1,624	1,834	296	518	175	159	151
5–9	3,742	1,693	2,037	332	488	197	149	143
10–14	3,676	1,781	2,040	305	388	170	147	143
15–17	929	455	587	48	58	36	42	30
15–16	850	452	526	42	54	35	36	28
Unknown	8	—	—	—	8	107	—	—
Total	13,769	6,591	7,402	1,160	1,757	800	564	542

(a) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' subsection of the 'Notification, investigations and substantiations' section for more information.

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

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

(d) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

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

Notes

1. Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2007.
2. 'Other children' includes those children whose Indigenous status is unknown.

Table A1.4: Children aged 0–17 years who were the subject of a substantiation of a notification received during 2006–07, by type of abuse or neglect and Indigenous status, states and territories

Type of abuse or neglect	NSW	Vic ^(a)	Qld ^{(b)(c)}	WA	SA	Tas ^{(d)(e)}	ACT	NT
Indigenous children								
Physical	541	218	274	86	44	3	12	119
Sexual	287	32	60	55	12	6	3	39
Emotional	1,217	312	479	77	221	3	30	119
Neglect	1,239	135	401	221	165	19	31	118
Total	3,284	697	1,214	439	442	31	76	395
Other children								
Physical	2,186	2,053	1,406	175	209	174	65	63
Sexual	1,736	437	417	162	78	93	15	21
Emotional	3,864	2,492	2,869	122	614	221	246	44
Neglect	2,699	912	1,496	262	414	281	162	19
Total	10,485	5,894	6,188	721	1,315	769	488	147
All children								
Physical	2,727	2,271	1,680	261	253	177	77	182
Sexual	2,023	469	477	217	90	99	18	60
Emotional	5,081	2,804	3,348	199	835	224	276	163
Neglect	3,938	1,047	1,897	483	579	300	193	137
Total	13,769	6,591	7,402	1,160	1,757	800	564	542

(a) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' subsection of the 'Notification, investigations and substantiations' section for more information.

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

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

(d) Data relating to substantiations in Tasmania for 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007 (see Table 2.1).

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

Notes

1. Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2007.
2. 'Other children' includes those children whose Indigenous status is unknown.
3. If a child was the subject of more than one type of abuse or neglect as part of the same notification, then the abuse and/or neglect is the one considered by the child protection workers to cause the most harm to the child. Where a child is the subject of more than one substantiation during the year, then the type of abuse reported in this table is the type of abuse and/or neglect associated with the first substantiation decision during the year.

Table A1.5: Number of investigations, by source of notification, states and territories, 2006–07

Source of notification	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas	ACT	NT
Subject child	359	—	n.a.	84	105	13	16	5
Parent/guardian	8,970	643	n.a.	359	363	228	251	108
Sibling	171	48	n.a.	10	10	5	11	2
Other relative	6,523	864	n.a.	376	471	292	156	114
Friend/neighbour	4,528	735	n.a.	167	334	193	228	98
Medical practitioner	729	338	n.a.	54	592	11	12	26
Other health personnel	1,996	682	n.a.	36	178	49	24	16
Hospital/health centre	18,312	623	n.a.	483	19	213	263	243
Social worker	1,191	26	n.a.	—	1,133	219	30	21
School personnel	12,901	1,180	n.a.	500	893	925	533	187
Child care personnel	1,733	—	n.a.	53	106	16	16	6
Police	32,508	2,367	n.a.	859	1,149	1,322	482	458
Departmental officer	1,521	6	n.a.	412	51	464	176	90
Non-government organisation	8,947	1,150	n.a.	150	37	381	442	61
Anonymous	5,908	—	n.a.	71	162	70	14	26
Other ^(c)	7,957	1,358	n.a.	283	198	176	106	46
Not stated	—	1,283	n.a.	5	5	—	—	1
Total	114,254	11,303	n.a.	3,902	5,806	4,577	2,760	1,508

(a) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' subsection of the 'Notification, investigations and substantiations' section for more information.

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

(c) 'Other' category may include the person responsible.

Notes

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

Care and protection orders

Table A1.6: Children substantiated in 2005–06 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 2005–06
New South Wales	n.a.	..
Victoria ^(a)	2,251	30.3
Queensland ^(b)	n.a.	..
Western Australia	394	30.9
South Australia	309	21.1
Tasmania	203	24.6
Australian Capital Territory	140	15.9
Northern Territory	243	38.7

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

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

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

Table A1.7: Children on care and protection orders, by sex, states and territories, at 30 June 2007

Sex of child	NSW	Vic ^(a)	Qld ^(b)	WA ^{(c)(d)}	SA	Tas	ACT	NT ^(e)
Number								
Male	5,549	2,846	3,099	1,315	988	478	305	228
Female	5,090	2,634	3,057	1,314	891	419	269	223
Unknown	—	699	—	—	2	—	—	—
Persons	10,639	6,179	6,156	2,629	1,881	897	574	451
Per cent								
Male	52.2	51.9	50.3	50.0	52.6	53.3	53.1	50.6
Female	47.8	48.1	49.7	50.0	47.4	46.7	46.9	49.4
Persons	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

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

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

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

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

Notes

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

Table A1.8: Children on care and protection orders, by age and living arrangements, at 30 June 2007

Age (years)	Family care ^(a)	Home-based out-of-home care ^(b)	Residential care	Family group homes	Independent living ^(c)	Other	Total
Number							
<1	140	772	11	2	2	57	984
1–4	1,095	5,212	34	11	8	199	6,559
5–9	1,155	6,922	77	34	14	247	8,449
10–14	1,172	6,412	435	40	60	350	8,469
15–17	561	2,474	493	9	352	352	4,241
Unknown	29	562	25	0	6	82	704
Total	4,152	22,354	1,075	96	442	1,287	29,406
Per cent							
<1	14.2	78.5	1.1	0.2	0.2	5.8	100.0
1–4	16.7	79.5	0.5	0.2	0.1	3.0	100.0
5–9	13.7	81.9	0.9	0.4	0.2	2.9	100.0
10–14	13.8	75.7	5.1	0.5	0.7	4.1	100.0
15–17	13.2	58.3	11.6	0.2	8.3	8.3	100.0
Total	14.4	75.9	3.7	0.3	1.5	4.2	100.0

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

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

(c) This category includes private board.

Notes

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

Table A1.9: Children on care and protection orders, by type of order and Indigenous status, states and territories, at 30 June 2007

Type of order	NSW	Vic ^(a)	Qld ^(b)	WA ^{(c)(d)(e)}	SA	Tas	ACT	NT ^(f)	Total
Number									
Indigenous children									
Guardianship or custody orders/arrangements	2,505	436	n.a.	818	416	134	98	274	4,681
Supervisory orders	n.a.	164	n.a.	23	—	6	6	—	199
Interim and temporary orders	375	23	n.a.	250	24	24	9	26	731
<i>Total</i>	<i>2,880</i>	<i>623</i>	<i>n.a.</i>	<i>1,091</i>	<i>440</i>	<i>164</i>	<i>113</i>	<i>300</i>	<i>5,611</i>
Other children									
Guardianship or custody orders/arrangements	6,614	3,905	n.a.	1,206	1,379	620	337	134	14,195
Supervisory orders	n.a.	1,463	n.a.	42	—	26	53	—	1,584
Interim and temporary orders	1,145	188	n.a.	290	62	87	71	17	1,860
<i>Total</i>	<i>7,759</i>	<i>5,556</i>	<i>—</i>	<i>1,538</i>	<i>1,441</i>	<i>733</i>	<i>461</i>	<i>151</i>	<i>17,639</i>
All children									
Guardianship or custody orders/arrangements	9,119	4,341	n.a.	2,024	1,795	754	435	408	18,876
Supervisory orders	n.a.	1,627	n.a.	65	—	32	59	—	1,783
Interim and temporary orders	1,520	211	n.a.	540	86	111	80	43	2,591
Total	10,639	6,179	..	2,629	1,881	897	574	451	23,250
Per cent									
Indigenous children									
Guardianship or custody orders/arrangements	87.0	70.0	..	75.0	94.5	81.7	86.7	91.3	83.4
Supervisory orders	..	26.3	..	2.1	—	3.7	5.3	—	3.5
Interim and temporary orders	13.0	3.7	..	22.9	5.5	14.6	8.0	8.7	13.0
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>..</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Other children									
Guardianship or custody orders/arrangements	85.2	70.3	..	78.4	95.7	84.6	73.1	88.7	80.5
Supervisory orders	..	26.3	..	2.7	—	3.5	11.5	—	9.0
Interim and temporary orders	14.8	3.4	..	18.9	4.3	11.9	15.4	11.3	10.5
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>..</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
All children									
Guardianship or custody orders/arrangements	85.7	70.3	..	77.0	95.4	84.1	75.8	90.5	81.2
Supervisory orders	n.a.	26.3	..	2.5	—	3.6	10.3	—	7.7
Interim and temporary orders	14.3	3.4	..	20.5	4.6	12.4	13.9	9.5	11.1
Total	100.0	100.0	..	100.0	100.0	100.0	100.0	100.0	100.0

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

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

- (c) Implementation of the Western Australian Children and Community Services Act 2004 in March 2006 required the legal status of children in care to be reviewed and protection orders were sought for a number of children already in care but not under care and protection orders.
- (d) Includes 24 children who were placed on Enduring Parental Responsibility orders.
- (e) In Western Australia, the application for a care and protection order to be issued for a child is counted as an interim order for national reporting purposes, but there is, in fact, no order issued during this stage. It is thus not relevant to compare the number of orders by a percentage basis or the ratio of orders issued per child.
- (f) Data from the Northern Territory include all children admitted to care and protection orders for the first time since October 1998 (when the client information system was commissioned) and exclude those children with a current care and protection order at that time.

Notes

1. New South Wales could not provide data on children on supervisory orders.
2. Other children includes those children whose Indigenous status is unknown.
3. Percentages in tables may not add to 100 due to rounding.

Out-of-home care

Table A1.10: Children in out-of-home care, by age, states and territories, at 30 June 2007

Age (years)	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas ^(c)	ACT	NT	Total
Number									
<1	338	146	250	122	66	30	18	19	989
1–4	2,251	994	1,505	602	358	152	79	107	6,048
5–9	3,753	1,307	1,780	735	477	219	113	128	8,512
10–14	3,970	1,594	1,723	634	535	190	120	100	8,866
15–17	1,525	1,011	776	278	242	76	69	43	4,020
Unknown	6	—	—	—	—	—	—	—	6
Total	11,843	5,052	6,034	2,371	1,678	667	399	397	28,441
Per cent									
<1	2.9	2.9	4.1	5.1	3.9	4.5	4.5	4.8	3.5
1–4	19.0	19.7	24.9	25.4	21.3	22.8	19.8	27.0	21.3
5–9	31.7	25.9	29.5	31.0	28.4	32.8	28.3	32.2	29.9
10–14	33.5	31.6	28.6	26.7	31.9	28.5	30.1	25.2	31.2
15–17	12.9	20.0	12.9	11.7	14.4	11.4	17.3	10.8	14.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

- (a) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 may not be fully comparable with previous years' data. See the 'Data and analysis' section for more information.
- (b) 2006–07 data for Queensland are interim and will be revised in 2008.
- (c) The number of children in out-of-home care as at 30 June 2007 is not comparable to that reported for previous years for Tasmania because of exclusion of a cohort of children on orders who did not meet the definition of out-of-home care.

Notes

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

Table A1.11: Children in out-of-home care, by sex, states and territories, at 30 June 2007

Sex of child	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas ^(c)	ACT	NT	Total
Number									
Male	6,141	2,598	2,967	1,187	882	351	209	199	14,534
Female	5,702	2,446	3,067	1,184	795	316	190	198	13,898
Unknown	—	8	—	—	1	—	—	—	9
Persons	11,843	5,052	6,034	2,371	1,678	667	399	397	28,441
Per cent									
Male	51.9	51.5	49.2	50.1	52.6	52.6	52.4	50.1	51.1
Female	48.1	48.5	50.8	49.9	47.4	47.4	47.6	49.9	48.9
Persons	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

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

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

Notes

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

Table A1.12: Children in out-of-home care, by age and type of placement, states and territories, at 30 June 2007

Type of placement/ age (years)	NSW	Vic ^(a)	Qld ^(b)	WA	SA	Tas ^(c)	ACT	NT	Total
Number									
Home-based									
<1	336	141	250	112	63	29	18	19	968
1–4	2,249	990	1,498	576	337	151	78	99	5,978
5–9	3,749	1,265	1,760	689	438	208	113	108	8,330
10–14	3,843	1,475	1,646	555	444	156	99	65	8,283
15–17	1,338	803	699	211	184	53	42	23	3,353
Unknown	6	—	—	—	—	—	—	—	6
Total	11,521	4,674	5,853	2,143	1,466	597	350	314	26,918
Residential (including family group homes)									
<1	2	5	—	10	—	—	—	—	17
1–4	2	4	7	24	12	—	—	1	50
5–9	4	42	20	44	18	11	—	5	144
10–14	120	119	77	67	70	32	20	15	520
15–17	135	167	77	41	41	22	24	9	516
Unknown	—	—	—	—	—	—	—	—	—
Total	263	337	181	186	141	65	44	30	1,247
Per cent									
Home-based									
<1	2.9	3.0	4.3	5.2	4.3	4.9	5.1	6.1	3.6
1–4	19.5	21.2	25.6	26.9	23.0	25.3	22.3	31.5	22.2
5–9	32.6	27.1	30.1	32.2	29.9	34.8	32.3	34.4	31.0
10–14	33.4	31.6	28.1	25.9	30.3	26.1	28.3	20.7	30.8
15–17	11.6	17.2	11.9	9.8	12.6	8.9	12.0	7.3	12.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Residential (including family group homes)									
<1	0.8	1.5	—	5.4	—	—	—	—	1.4
1–4	0.8	1.2	3.9	12.9	8.5	—	—	3.3	4.0
5–9	1.5	12.5	11.0	23.7	12.8	16.9	—	16.7	11.5
10–14	45.6	35.3	42.5	36.0	49.6	49.2	45.5	50.0	41.7
15–17	51.3	49.6	42.5	22.0	29.1	33.8	54.5	30.0	41.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

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

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

Notes

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

Populations

Table A1.13: Population of children aged 0–16 years, by age and Indigenous status, December 2006

Age of child (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Indigenous children^(a)									
<1	3,851	775	3,604	1,838	696	480	104	1,416	12,761
1–4	14,621	2,896	13,977	7,069	2,668	1,808	420	5,507	48,965
5–9	17,840	3,415	17,391	8,471	3,217	2,173	579	6,796	59,881
10–14	18,227	3,791	17,847	8,607	3,387	2,359	528	7,078	61,822
15–16 ^(b)	6,690	1,444	6,308	3,280	1,276	927	186	2,649	22,761
0–16	61,228	12,319	59,126	29,265	11,244	7,746	1,816	23,445	206,189
Other children									
<1	86,823	66,161	48,783	26,016	17,484	5,967	4,189	2,177	257,597
1–4	332,932	250,649	201,936	97,911	69,513	22,203	16,002	8,560	999,705
5–9	422,771	318,112	260,232	128,046	92,104	29,586	19,878	10,380	1,281,108
10–14	436,865	332,736	273,176	135,300	98,242	31,802	20,973	9,658	1,338,750
15–16	179,207	136,710	111,378	55,819	40,505	12,999	8,872	3,959	549,448
0–16	1,458,597	1,104,367	895,504	443,092	317,848	102,556	69,913	34,733	4,426,607
All children									
<1	90,673	66,935	52,386	27,854	18,180	6,446	4,292	3,592	270,358
1–4	347,553	253,544	215,912	104,980	72,181	24,011	16,421	14,067	1,048,669
5–9	440,611	321,526	277,622	136,517	95,321	31,759	20,457	17,175	1,340,988
10–14	455,091	336,527	291,023	143,906	101,629	34,160	21,500	16,736	1,400,572
15–16	185,897	138,154	117,686	59,099	41,781	13,926	9,058	6,608	572,209
0–16	1,519,825	1,116,686	954,629	472,356	329,092	110,302	71,728	58,178	4,632,796

(a) The December 2006 population for Indigenous children is the average of 30 June 2006 and 30 June 2007 Indigenous population projections.

(b) The 15–16 year old age group for Indigenous children is derived from data for the 15–19 year old Indigenous population projections. It is calculated by taking the 15–19 year old age group, dividing this by five and then multiplying by two, based on the assumption that there is a fairly even distribution of children in each single year of age between 15 and 19.

Source: ABS 2004b, 2007a.

Table A1.14: Population of children aged 0–17 years, by age and Indigenous status, March 2007

Age of child (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Indigenous children^(a)									
<1	3,887	784	3,635	1,854	703	485	104	1,418	12,875
1–4	14,725	2,925	14,072	7,125	2,692	1,823	421	5,518	49,321
5–9	17,772	3,391	17,352	8,501	3,227	2,170	584	6,789	59,813
10–14	18,205	3,771	17,892	8,571	3,343	2,360	531	7,087	61,785
15–17 ^(b)	10,160	2,223	9,674	4,946	1,951	1,387	280	4,006	34,628
0–17	64,749	13,094	62,625	30,997	11,916	8,225	1,920	24,818	218,345
Other children									
<1	86,238	65,142	53,418	26,472	17,821	6,123	4,306	2,218	261,733
1–4	333,703	251,711	203,175	98,718	69,623	22,313	16,205	8,626	1,004,054
5–9	422,427	318,176	261,113	128,249	91,961	29,485	19,836	10,467	1,281,687
10–14	436,642	332,901	273,824	135,658	98,153	31,782	20,921	9,618	1,339,474
15–17	269,371	206,673	167,142	84,322	61,214	19,395	13,518	5,863	827,497
0–17	1,548,381	1,174,603	958,672	473,419	338,772	109,098	74,786	36,792	4,714,522
All children									
<1	90,125	65,926	57,053	28,326	18,524	6,608	4,410	3,636	274,608
1–4	348,428	254,636	217,247	105,843	72,315	24,136	16,626	14,144	1,053,375
5–9	440,199	321,567	278,465	136,750	95,188	31,655	20,420	17,256	1,341,500
10–14	454,847	336,672	291,716	144,229	101,496	34,142	21,452	16,705	1,401,259
15–17	279,531	208,896	176,816	89,268	63,165	20,782	13,798	9,869	862,125
0–17	1,613,130	1,187,697	1,021,297	504,416	350,688	117,323	76,706	61,610	4,932,867

(a) The Indigenous population for March 2007 is the 30 June 2007 Indigenous population projection.

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

Source: ABS 2004b, 2007b.

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 2007 (ABS 2007b). The rates of children subject to child protection substantiations during 2005–06 were calculated using the ABS population estimates for 31 December 2006 (ABS 2007a).

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

$$\frac{\text{Number of children aged 0–17 years on care and protection orders at 30 June 2007}}{\text{ABS estimated population of children aged 0–17 years at 31 March 2007}} \times 1,000$$

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

$$\frac{\text{Number of children aged 0–17 years in out-of-home care at 30 June 2007}}{\text{ABS estimated population of children aged 0–17 years at 31 March 2007}} \times 1,000$$

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

$$\frac{\text{Number of children aged 0–16 years who were the subjects of substantiations in 2006–07}}{\text{ABS estimated population aged 0–16 years at 31 December 2006}} \times 1,000$$

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 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 2004b).

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.

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 data 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 Aboriginal and Torres Strait Islander Australians are included in the Indigenous category. Where the Indigenous children were living in facility-based care specifically for Indigenous children, the caregiver was counted as Indigenous. Where children were living in other types of facility-based care, the caregiver was not counted as Indigenous.

Appendix 3: Legislation

Child protection legislation

Commonwealth

Family Law Act 1975

New South Wales

Children and Young Persons (Care and Protection) Act 1998

Victoria

Children, Youth and Families Act 2005

Child Wellbeing and Safety Act 2005

Queensland

Child Protection Act 1999

Western Australia

Children and Community Services Act 2004

South Australia

Family and Community Services Act 1972

Children's Protection Act 1993

Tasmania

Children, Young Persons and Their Families Act 1997

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

In New South Wales, a child or young person must be found under section 71(1) of the Children and Young Persons (Care and Protection) Act 1998 to be in need of care and protection by reason of any of the following:

- (a) 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

- (b) 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
- (c) the child or young person has been, or is likely to be, physically or sexually abused or ill-treated
- (d) subject to subsection (2), the child's or young person's basic physical, psychological or educational needs may not be met, or are likely not to be met, by his or her parents
- (e) the child or young person is suffering, or is likely to suffer, serious developmental impairment or serious psychological harm as a consequence of the domestic environment in which he or she is living
- (f) in the case of a child who is under the age of 14 years, the child has exhibited sexually abusive behaviours and an order of the Children's Court is necessary to ensure his or her access to, or attendance at, an appropriate therapeutic service
- (g) the child or young person is subject to a care and protection order of another state or territory that is not being complied with
- (h) section 171(1) applies in respect of the child or young person.

Victoria

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

Section 162(1)

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

Queensland

In Queensland, 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.

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

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

Western Australia

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

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

South Australia

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

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

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

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

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

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

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

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

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

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

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

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

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

Tasmania

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

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

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

- (a) the child has been, is being, or is likely to be, abused or neglected
- (b) any person with whom the child resides or who has frequent contact with the child (whether the person is or is not a guardian of the child)
 - (i) has threatened to kill or abuse or neglect the child and there is a reasonable likelihood of the threat being carried out
 - (ii) has killed or abused or neglected some other child or an adult and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person
- (c) the guardians of the child are
 - (i) unable to maintain the child
 - (ii) unable to exercise adequate supervision and control over the child
 - (iii) unwilling to maintain the child
 - (iv) unwilling to exercise adequate supervision and control over the child
 - (v) dead, have abandoned the child or cannot be found after reasonable inquiry
 - (vi) are unwilling or unable to prevent the child from suffering abuse or neglect
- (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.

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

Australian Capital Territory

In the Australian Capital Territory, 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 the child or young person:

- (i) has been abused or neglected; or
- (ii) is being abused or neglected; or
- (iii) is at risk of abuse or neglect; and

- (b) no-one with parental responsibility for the child or young person is willing and able to protect the child or young person from 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 been or is being exposed to conduct that is domestic violence under the Domestic Violence and Protection Orders Act 2001; and
 - (ii) the exposure has caused or is causing significant harm to the wellbeing or development of the child or young person.

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

A child or young person is *at risk of abuse or neglect if*, on the balance of probabilities, there is a significant risk of the child or young person being abused or neglected.

Action taken by Office of Children, Youth and Family Support (OCYFS) in relation to a report (notification) is at the discretion of the Chief Executive as per section 161 of the Act.

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 needs 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. A revised edition of the Interagency Guidelines for Child Protection Intervention was published in 2006.

Victoria

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

Queensland

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

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

Other government departments and community agencies have internal policies that require their employees to report child protection concerns, but are not legislative requirements. For example, under the *Education (General Provisions) Act 2006*, staff members of state or non-state schools are required to make a written report where they are aware, or reasonably suspect, that another employee of the school is sexually abusing a student of the school aged under 18 years. Internal policies within particular education jurisdictions also require teachers and staff members to report other forms of harm or risk of harm, but this is not required by law.

From February 2005, the Queensland Police Service revised operational policy in relation to referring children involved in incidents of domestic violence. In the event of a domestic violence incident, the policy requires the identification of any children normally residing with the victim or perpetrator so an assessment can be made by the Queensland Police Service's Child Protection and Investigation Unit as to whether the children are at significant risk of harm or neglect. Where the assessed level of risk is low, children will be referred directly to the Department of Child Safety as a standard intake. Children assessed as being at high risk are referred to the relevant multi-agency Suspected Child Abuse and Neglect (SCAN) team for further assessment and case management.

Western Australia

The Department for Child Protection 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, protocols were established between the Department of Health, Department for Community Development (now Department for Child Protection) and the Western Australia Police requiring the reporting of all children under 14 years of age with sexually acquired sexually transmitted infections (STIs) and the reporting of children between 14 and 16 years of age with an STI acquired through abuse.

Some highly specific legislative requirements for the reporting of child abuse are already in place. 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 *Child Care Services Act 2007* regulations, licensed providers of child care, family day care, outside school hours family day care or outside school hours care services are required to report abuse in a child care service.

In addition, in March 2007, the government announced the development of legislation for the mandatory reporting of child sexual abuse by doctors, nurses, teachers and police. The legislation was introduced into State Parliament on 28 November 2007.

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 officers; probation officers; social workers; ministers of religion; persons who are employees of or volunteers in an organisation formed for religious or spiritual purposes; teachers; family day care providers; and employees of, or volunteers in, government departments, agencies or local government or non-government organisations that provide health, welfare, education, sporting or recreational, childcare or residential services wholly or partly for children.

Tasmania

In Tasmania, the *Children, Young Persons and Their Families Act 1997* (CYPF) 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 child care 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. During 2004–05, an amendment was made to the CYPF Act to extend the definition of abuse and neglect to include a child affected by family violence.

Australian Capital Territory

Mandatory reporting was introduced on 1 June 1997. The groups mandated are doctors, dentists, nurses, midwives, teachers, police officers, school counsellors, licensed child carers and public servants who work with, or provide services to, children and families. These groups are mandated to report physical and sexual abuse, where grounds arise during the course of or from the person's work (whether for remuneration or otherwise). Other forms of child maltreatment are also discussed in training sessions with mandated reporters.

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

Child protection and support services

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

Indigenous child

A child of Aboriginal or Torres Strait Island descent who is identified as an Aboriginal or Torres Strait Islander.

Other child

All children who have not been identified as being of Aboriginal or Torres Strait Islander descent, including children of unknown Indigenous status.

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 2006 and 30 June 2007, 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.

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.

Investigation outcome

The following categories are used:

Finalised investigation

A finalised investigation is a notification received between 1 July 2006 and 30 June 2007 which was investigated and the investigation was completed and an outcome of substantiated or not substantiated recorded by 31 August 2007.

Finalised investigations are broken down into the following two categories:

Substantiated

A finalised investigation is classified as 'substantiated' where there is reasonable cause to believe that the child has been, is being or is likely to be abused or neglected or otherwise harmed. Substantiation does not necessarily require sufficient evidence for a successful prosecution and does not imply that treatment or case management was, or is to be, provided.

Not substantiated

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

Investigation closed – no outcome possible

An investigation that is closed with no outcome possible is a notification made between 1 July 2006 and 30 June 2007 which was investigated, but where the investigation was not able to be finalised in order to reach the outcome of substantiated or not substantiated. These files would be closed for administrative purposes. This may happen, for example, in cases where

the family have relocated. These investigations would be completed between 1 July 2006 and 30 June 2007.

Investigation in process

An investigation that is in process is a notification received between 1 July 2006 and 30 June 2007 which was investigated, but where the investigation was not completed and an investigation outcome was not recorded by 31 August 2007.

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 (that is, 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 of 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.

Child care 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 child protection and support 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 (for example, ministers of religion, or government agencies and instrumentalities not classified above).

Not stated

Includes all notifications that are received from unknown sources.

Substantiation of a notification received during the year

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

Type of abuse or neglect

Physical abuse

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

Sexual abuse

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

Emotional abuse

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

Neglect

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

Type of action (for child protection notifications)

Investigation

An investigation is the process whereby state and territory child protection and support services obtain more detailed information about a child who is the subject of a notification and make 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.

Dealt with by other means

Notifications that were responded to by means other than investigation, such as provision of advice or referral to services.

Definitions for care and protection orders

Age of child

This is the age of the child in completed years at 30 June 2007. Tables containing information on admissions or discharges show the age at the time of first admission or discharge.

Child subject to orders

This covers any child for whom state/territory child protection and support services 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 state and territory child protection and support services 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 (for example, 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 child protection and support services department officer (for example, director) or similar tribunal or officer.

Living arrangements

This category covers the type of living arrangements in which the child spent the night of 30 June 2007. 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 2007. For children admitted to care during the year, age is counted at the time of the first admission for the year. For children exiting care, age is counted at the time of exiting the last placement.

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.

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.

Residential care

Where the placement is in a residential building whose purpose is to provide placements for children and where there are paid staff. This category includes facilities where there are rostered staff and where staff are off-site (for example, a lead tenant or supported residence arrangement), as well as other facility-based arrangements.

Independent living

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.

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