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Australian Institute of Health and Welfare

Board Chair

Hon. Peter Collins, AM, QC

Director

Penny Allbon

Any enquiries about or comments on this publication should be directed to:

Tim Beard

Child and Youth Welfare Unit

Australian Institute of Health and Welfare

GPO Box 570

Canberra ACT 2601

Phone: (02) 6244 1270

Email: tim.beard@aihw.gov.au

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Contents

Acknowledgments	v
Abbreviations	vi
Symbols used in tables	vi
Technical notes	vi
Summary	vii
1 Introduction	1
1.1 Child protection overview and processes.....	1
1.2 The National Framework for Protecting Australia’s Children 2009-2020.....	5
1.3 Child protection data collections	6
1.4 Future directions for data collection	7
1.5 Purpose and structure of this report	8
2 Notifications, investigations and substantiations	9
2.1 Overview	9
2.2 Data and analysis	10
3 Care and protection orders	23
3.1 Overview	23
3.2 Data and analysis	25
4 Out-of-home care	36
4.1 Overview	36
4.2 Data and analysis	37
5 Intensive family support services	48
5.1 Overview	48
5.2 Data and analysis	49
Appendix 1: Detailed tables	52
Notifications, investigations and substantiations.....	52
Care and protection orders	60
Out-of-home care	65
Trend data (prior to 2004–05)	68
Population data	72
Appendix 2: Technical notes	75
Calculation of rates	75
Identification of Indigenous status	76
Appendix 3: Mandatory reporting requirements	77
Appendix 4: Legislation	80

Child protection legislation	80
Legislative definition of 'in need of care and protection'	81
Appendix 5: Policy and practice differences in states and territories	88
Appendix 6: Recent state and territory policy changes	92
Appendix 7: Jurisdictions' data systems	101
Appendix 8: Inquiries into child protection services	104
Glossary.....	105
Definitions for care and protection orders.....	110
Definitions for out-of-home care.....	111
Definitions for intensive family support services.....	112
References.....	114
List of tables	116
List of figures	119

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New South Wales

Department of Community Services
Locked Bag 4028
Ashfield 2131
Phone: (02) 9716 2222

South Australia

Families SA
Department for Families and Communities
GPO Box 292
Adelaide 5001
Phone: (08) 8226 7000

Victoria

Department of Human Services
GPO Box 4057
Melbourne 3001
Phone: (03) 9096 7777

Tasmania

Department of Health and Human Services
GPO Box 125
Hobart 7001
Phone: (03) 6233 4745

Queensland

Department of Communities
GPO Box 806
Brisbane 4001
Phone: (07) 3224 8045

Western Australia

Department for Child Protection
PO Box 6334
East Perth 6892
Phone: (08) 9222 2555

Australian Capital Territory

Office for Children, Youth and Family
Support
PO Box 158
Canberra 2601
Phone: (02) 6207 1088

Northern Territory

Department of Health and Families
PO Box 40596
Casuarina 0811
Phone: (08) 8999 2400

Abbreviations

ABS	Australian Bureau of Statistics
AIHW	Australian Institute of Health and Welfare
CDSMAC	Community and Disability Services Ministerial Advisory Committee
CDSMC	Community and Disability Services Ministers' Conference
COAG	Council of Australian Governments
NCPASS	National Child Protection and Support Services
NFIWG	The National Framework Implementation Working Group
PDWG	Performance and Data Working Group

Symbols used in tables

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

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

Child Protection Australia 2008–09 is the thirteenth annual comprehensive child protection report. The report provides detailed statistical information on state and territory child protection and support services, and some of the characteristics of the children within these systems. In Australia, child protection is a state and territory government responsibility, and there are significant differences in how each deals with and reports child protection issues. Statistical comparisons between states and territories should therefore be treated with caution.

Main findings

Nationally the evidence in this report shows that:

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

It is important to note that although there appears to have been a real rise in children needing protection, other factors may have played a part. These include greater community awareness of child abuse and neglect issues, a broadening in what some jurisdictions define as child abuse or neglect, and changes in child protection policies and practices.

The reasons for the over-representation of Aboriginal and Torres Strait Islander children in the child protection system are complex and include the legacy of past policies of the forced removal of some Aboriginal children from their families, the intergenerational effects of previous separations from family and culture, and poor socioeconomic status.

Notifications, investigations and substantiations

- In the last 12 months:
 - The number of children subject to a notification increased by 6.2% to 207,462.
 - The number of children subject to a substantiation of a notification increased by 1.7% to 32,641 (from 6.8 to 6.9 per 1,000 children).
- Over the last 5 years the number of children subject to a substantiation of a notification has decreased by 4% (from 7.5 to 6.9 per 1,000 children).

Children on care and protection orders

- In the last 12 months the number of children on care and protection orders increased by 8.5% to 35,409 (from 6.6 to 7.0 per 1,000 children).
- Over the last 5 years the number of children on care and protection orders increased by 47% from 24,075 (from 4.8 to 7.0 per 1,000 children).

Children in out-of-home care

- In the last 12 months the number of children in out-of-home care increased by 9.3% to 34,069. Over the last 5 years the number of children in out-of-home care rose by 44% from 23,695 (from 4.9 to 6.7 per 1,000 children in 2009).
- Across Australia in 2008–09, 47% of children in out-of-home care were in foster care, 45% were in relative or kinship care and 5% were in residential care. This is consistent with the pattern of distribution observed over the last 5 years.

Aboriginal and Torres Strait Islander Children

In 2008–09:

- The rate of Indigenous children on care and protection orders was more than 8 times the rate of non-Indigenous children.
- The rate of Aboriginal and Torres Strait Islander children in out-of-home care was just over 9 times the rate of non-Indigenous children.
- Indigenous children were 7.5 times as likely to be the subject of substantiations as non-Indigenous children.

Intensive family support services

Family support services are services that seek to benefit families by improving their ability to care for children and to strengthen family relationships. Many jurisdictions have introduced family support services as an alternative early intervention response for less serious incidents where notifications do not involve child maltreatment.

- In 2008–09, 254 intensive family support services were delivered across 267 locations.
- Almost 50% of the children who received a support service were aged less than 5 years when they commenced the service.
- In most jurisdictions, the majority of children who commenced a support service were living with their parents.

1 Introduction

This introduction provides an overview of child protection processes and policy developments across Australia, including the *National Framework for Protecting Australia's Children*, data collection differences and limitations, and future directions for the development of the national child protection data collection.

1.1 Child protection overview and processes

Statutory child protection is a state and territory government responsibility, and there are significant differences in how jurisdictions deal with and report child protection issues.

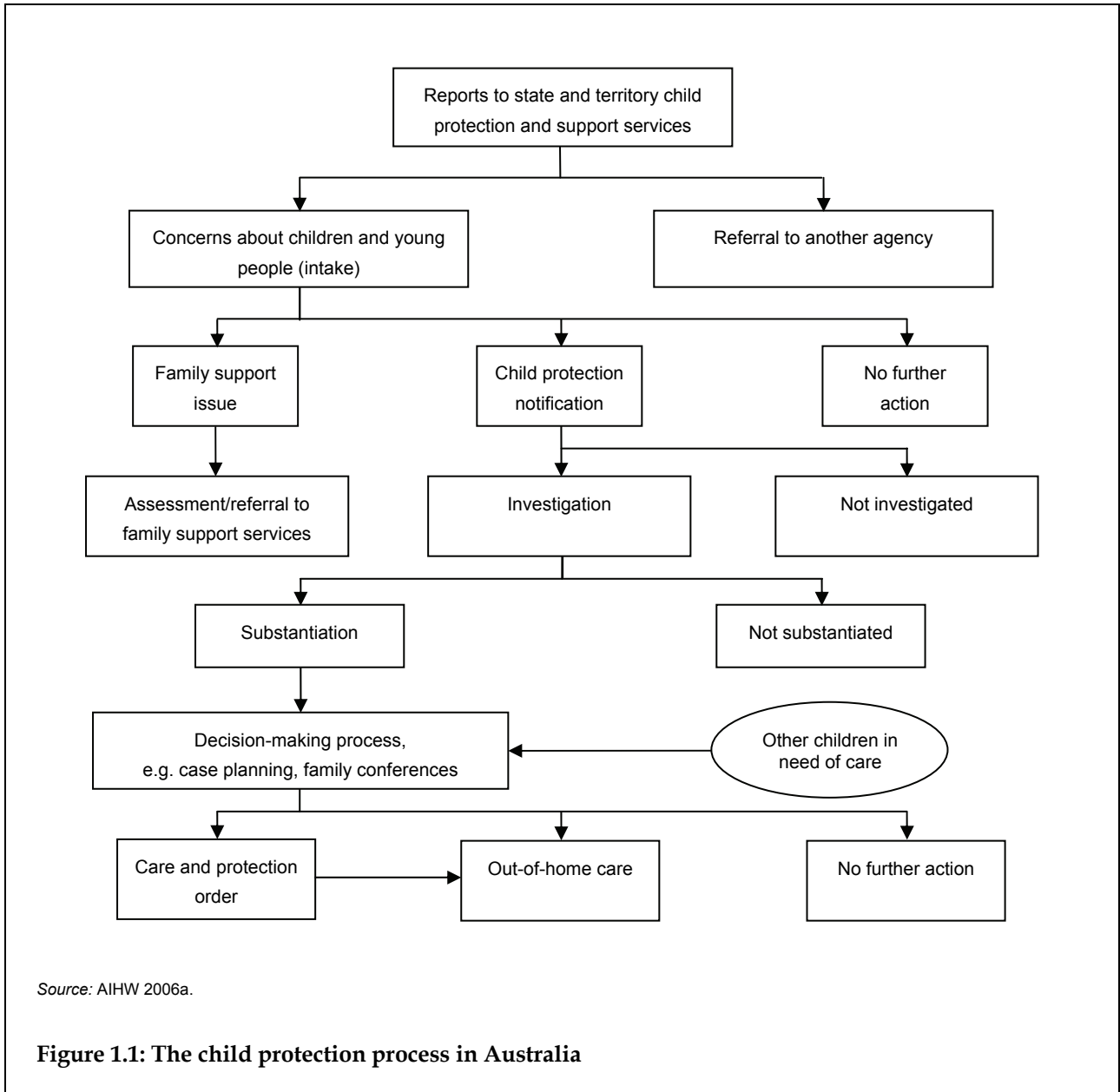
The state and territory departments responsible for child protection provide assistance for vulnerable children who are suspected of being abused, neglected, harmed, or whose parents are unable to provide adequate care or protection.

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 directed specifically towards children (and their families) who are in need of protection, while others are available to a wider section of the population and attempt to deal with a broad range of issues.

Health and welfare professionals, teachers, police, or other community members usually reports incidents or suspected cases of child abuse and neglect, in the first instance to government departments. In some jurisdictions, only those in selected professions are mandated to report suspected child abuse or neglect, whereas in other jurisdictions anyone who suspects child abuse or neglect is legally obliged to report it to the appropriate authority. Further details about mandatory reporting requirements in each state and territory are provided in Appendix 3. Broader legislative and policy differences between jurisdictions are presented in appendixes 4 and 5, respectively.

Although there appears to have been a real rise in children needing protection, other factors may have contributed to this rise to some degree. Contributing factors may include: greater community awareness of child abuse and neglect; a broadening of the definition and scope in what some governments regard as child abuse or neglect; and changes in child protection policies and practices. On the other hand, many jurisdictions have introduced alternative early intervention responses for less serious incidents (for example, family support services), which may help limit rises in the number of notifications, investigations and substantiations.

Although each jurisdiction has its own legislation, policies and practices in relation to child protection, the processes used to protect children are broadly similar (Bromfield & Higgins 2005). A simplified version of the main processes used in child protection systems across Australia is shown in Figure 1.1. These processes are outlined in more detail below.



Reports to the department

Children who are assessed to be in need of protection can come into contact with state and territory child protection and support services through a number of avenues. These include reports of concerns about a child made by community members, professionals, organisations, the child themselves, their parent(s) or another relative. These reports may relate to abuse and neglect or to broader family concerns such as economic problems or social isolation.

Reports to the department are assessed, and may be referred to another agency. The child protection and support services department may undertake additional assessment 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.

Notifications, investigations and substantiations

A notification may take different forms. For example, in some jurisdictions it is defined as the initial contact made to the authorised department by persons or other bodies making allegations of child abuse and neglect, child maltreatment or harm to a child. In other jurisdictions, a notification is the product of an initial assessment where the information received suggests that a child needs protection. The department assesses a child protection notification to determine whether it requires an investigation; whether it should be dealt with by other means, such as referral to other organisations or to family support services; or whether no further protective action is necessary or possible. An investigation is the process whereby the department responsible for child protection obtains more detailed information about a child who is the subject of a notification and makes an assessment of the degree of harm or risk of harm for the child. After an investigation is completed, a notification will either be 'substantiated' or 'not substantiated'.

A notification will be substantiated where it is concluded after investigation that the child has been, is being or is likely to be abused, neglected or otherwise harmed. 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 the child protection process (from notification, through investigation to post investigation), the department responsible for child protection can apply to the relevant court to place the child on a care and protection order. Such action is usually taken only as a last resort in situations where the department believes that continued involvement with the child is warranted. This may occur in situations where the family resists supervision and counselling, where other avenues for resolution of the situation have been exhausted, or where removal of a child into out-of-home care requires legal authorisation.

Care and protection orders are legal or administrative orders or arrangements which give community services departments some responsibility for a child's welfare. The level of responsibility varies with the type of order or arrangement. These orders include guardianship and custody orders; third-party parental responsibility arrangements, supervision and other finalised orders as well as interim and temporary orders; and administrative arrangements. The involvement might take the form of total responsibility for the welfare of the child (for example, guardianship); or 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. Jurisdictions can also engage in administrative arrangements as an alternative to seeking

protection orders from a court. Administrative arrangements are interventions where an agreement is reached with families to meet the protection and care needs of the child by working on a voluntary basis.

Out-of-home care provides alternative accommodation for children and young people who are unable to live with their parents. It is defined as out-of-home, overnight care for children and young people under 18 years of age where the state or territory offers a financial payment. In most cases, children in out-of-home care are also on a care and protection order.

Children in out-of-home care can be placed in a variety of living arrangements or placement types. The following categories are used in the national data collection:

- 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 is further divided into:
 - relative/kinship care – where the caregiver is a family member or a person with a pre-existing relationship to the child
 - foster care – where care is provided in the private home of a substitute family which receives a payment which is intended to cover the child’s living expenses
 - other home-based care – care in private homes that does not fit into the above categories.
- Residential care – where placement is in a residential building whose purpose is to provide placements for children and where there are paid staff.
- Family group homes – these provide short-term care in department-owned homes. Usually, these homes do not have salaried staff but are available rent free to approved carers, who receive board payments to reimburse them for the cost of looking after the children in their care. However, in some jurisdictions, family group homes are residential units with 24-hour paid carers as staff.
- Independent living – where young people are living independently, such as those in private boarding arrangements and lead-tenant households. A lead-tenant household provides accommodation for people who are in transition to independent living and a live-in volunteer facilitates a supportive environment.

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 or as a complementary service to a statutory response. More information on 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 under development. As such, they impact on the number of children in the child protection systems in different ways. Therefore, trends in child protection numbers should be interpreted carefully.

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 involvement of family support services is considered an important strategy in most jurisdictions to enhance outcomes for children and families and to assist in

preventing families entering or re-entering the child protection system (AIFS: Bromfield & Holzer 2008a). There has also been an increasing focus on early intervention services, with the aim to reduce the need for more intrusive child protection interventions at later stages (AIFS: Bromfield & Holzer 2008a). Cross-departmental strategies have been introduced in a number of jurisdictions. These strategies attempt to assist families in a more holistic way, by coordinating service delivery and providing better access to different types of child and family services.

The definition of what constitutes child abuse and neglect has changed and broadened over time (AIFS: Bromfield & Holzer 2008b). 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. Detailed information on recent policy and practice changes in states and territories is located in Appendix 6.

1.2 The National Framework for Protecting Australia's Children 2009-2020

The Council of Australian Governments (COAG) endorsed the *National Framework for Protecting Australia's Children 2009–2020* (COAG 2009) on 30 April 2009, demonstrating all governments' commitment to achieving a substantial and sustained reduction in child abuse and neglect in Australia.

The national framework recognises that protecting children is a shared responsibility, within families, and across communities, professions, services, and governments. Under the framework, the state and territory governments retain responsibility for statutory child protection, that is, those aspects authorised by law. Reforms to state and territory child protection systems will continue and are critical to the success of the national framework. The framework emphasises the importance of early prevention and intervention programs in protecting Australia's children.

The national framework specifies 29 'indicators of change', which will be used to measure progress against its key outcomes. Data for several of these indicators will be drawn from state and territory child protection collections.

A critical component of the national framework's implementation included a review of current governance structures, including data working groups. The National Framework Implementation Working Group (NFIWG) was set up to progress the first 3-year action plan of the National Framework on behalf of Community and Disability Services Ministers' Conference (CDSMC). The NFIWG will play a role in raising awareness and communicating key messages about the national framework to the Australian community.

The Performance and Data Working Group (PDWG) was also established to oversee data relating to the national framework and includes representatives from each state and territory and from the AIHW. The PDWG will monitor and report on the progress of the performance and data components of the national framework, as well as completing additional data projects on behalf of CDSMC.

1.3 Child protection data collections

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

Data sources

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

- Notifications, Investigations and Substantiations (NIS)
- Care and Protection Orders (CPO)
- Out-of-Home Care (OOHC)
- Intensive Family Support Services (IFSS)
- Foster Carers (FC).

Data from four of these collections are analysed and published annually in the current report and in the annual Productivity Commission's *Report on government services*.

The foster carers' data are in the preliminary stages of annual national collection and available data are limited and not of publishable quality. Jurisdictions and the AIHW are working together to improve the quality of data provided for this collection, with the aim to publish a new chapter on Foster Carers within future *Child protection Australia* reports.

Data limitations

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 separate data collections. Work is currently being undertaken to broaden the scope of the national data collection and to improve comparability.

The practices used to identify and record the Indigenous status of children in the child protection system also 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 this affects the quality of the data. Consequently, the data on Aboriginal and Torres Strait Islander children should be interpreted with care.

Key differences across state and territory collections

Although the processes used by each jurisdiction to protect children are broadly similar (Bromfield & Higgins 2005), there are some important differences between jurisdictions 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 generally 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 in relation to notifications. Across jurisdictions the definition of a 'notification' is diverse; this difference impacts the comparability of all data related to notifications, including investigations and substantiations.

Other major differences between jurisdictions worth noting include:

- 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.

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

Changes in data systems

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

1.4 Future directions for data collection

Unit record file development

The method of collecting national child protection data is undergoing significant change. Currently the data are provided to the AIHW in aggregate form in Excel spreadsheets. All jurisdictions are committed to the development of a unit record data collection and it is seen as a major project under the *National Framework for Protecting Australia's Children*. Work on data dictionaries to support this collection has progressed after a number of data development workshops and through a pilot test of the unit record data. Work continues with state and territories and the AIHW to progress the national child protection unit record collection.

Development of national framework indicators

The national framework outlines 29 indicators to measure achievement of six supporting outcomes, all aimed at achieving a substantial and sustained reduction in child abuse and neglect.

Some of the 29 indicators rely on data that is currently collected and can be reported within the next three years, while other indicators will require data development work. Additional indicators may also be included as implementation of the framework progresses.

As specified in the first 3-year national framework implementation plan, the major priority in data collection will be to enhance knowledge of children's interactions with the child protection system in order to inform future policy and service provision. Work under this priority is likely to include:

- review and improvement of data collections relating to child protection to improve national reporting
- review of existing data definitions to support unit record data collection in the child protection system
- state and territory participation in data collection and commitment to improve data sets
- developmental work on specific indicators to enable regular reporting.

1.5 Purpose and structure of this report

Child protection Australia 2008–09 provides comprehensive statistical information on state and territory child protection and support services, and some of the characteristics of the children within these systems.

This report also describes trends in child protection notifications, investigations and substantiations, children on care and protection orders and children in out-of-home care.

The subsequent chapters present data from four of the national child protection data collections:

- Notifications, investigations and substantiations (Chapter 2)
- Care and protection orders (Chapter 3)
- Out-of-home care (Chapter 4)
- Intensive family support services (Chapter 5).

Detailed tables and information regarding state and territory legislation, policies and practices are included in the appendixes, together with trend data prior to 2005, where applicable.

2 Notifications, investigations and substantiations

2.1 Overview

Scope

The data in this chapter on child protection notifications, investigations and substantiations relate to those notifications received by departments responsible for child protection between 1 July 2008 and 30 June 2009. 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 departments responsible for 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.

Definitions

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

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

Investigation describes the process whereby the relevant department obtains more detailed information about a child who is the subject of a notification received between 1 July 2008 and 30 June 2009. Departmental staff make 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 child where it is practical to do so. Investigations include a number of categories, outlined below:

- *Finalised investigation* – a notification received between 1 July 2008 and 30 June 2009 which was investigated, and where the investigation was completed and an outcome recorded by 31 August 2009. The cut-off point of 31 August is applied to allow time for investigating notifications made close to the end of the financial year.

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

- *Substantiated* – a notification received between 1 July 2008 and 30 June 2009 which was investigated and 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 2008 and 30 June 2009 where an investigation concluded that there was no reasonable cause to suspect prior, current or future abuse, neglect or harm to the child.
- *Investigation closed – no outcome possible* – a notification made between 1 July 2008 and 30 June 2009 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 2008 and 30 June 2009.
- *Investigation in process* – a notification received between 1 July 2008 and 30 June 2009 which was investigated, but where the investigation was not completed and an investigation outcome was not recorded by 31 August 2009. The cut-off point of 31 August is applied to allow time for investigating notifications made close to the end of the financial year.

Definitions of other terms used in this chapter are provided in the Glossary.

2.2 Data and analysis

This section includes national data on child protection notifications, investigations and substantiations, with a focus on the 2008–09 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.

Numbers and rates of notifications, investigations and substantiations

Notifications and investigations

The number of finalised investigations for each state and territory is shown in Table 2.1. The numbers ranged from 118,510 in New South Wales to 1,685 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 21% in the Australian Capital Territory to 100% in Queensland, with other jurisdictions generally ranging between one-quarter (26% in South Australia) and almost three-quarters (71% in New South Wales) (Table 2.1). This range reflects differences in the way in which

jurisdictions both define and deal with notifications and investigations. For example, Queensland considers investigations in the 'investigation closed – no outcome possible' category to be finalised, while other jurisdictions do not.

Table 2.1: Notifications, by type of action, states and territories, 2008–09

Type of action	NSW ^(a)	Vic	Qld ^(b)	WA	SA	Tas	ACT	NT	Total
Number									
Investigations finalised ^(c)	118,510	10,300	18,455	3,717	5,886	2,055	1,777	1,685	162,385
Investigation closed—no outcome possible	27,431	—	693	152	—	172	208	478	29,134
<i>Total closed investigations</i>	<i>145,941</i>	<i>10,300</i>	<i>19,148</i>	<i>3,869</i>	<i>5,886</i>	<i>2,227</i>	<i>1,985</i>	<i>2,163</i>	<i>191,519</i>
Investigations in process ^(d)	5,318	917	4,260	293	34	228	—	656	11,706
<i>Total investigations</i>	<i>151,259</i>	<i>11,217</i>	<i>23,408</i>	<i>4,162</i>	<i>5,920</i>	<i>2,455</i>	<i>1,985</i>	<i>2,819</i>	<i>203,225</i>
Dealt with by other means ^(e)	62,427	31,634	..	5,997	17,301	7,890	7,610	3,370	136,229
Total notifications	213,686	42,851	23,408	10,159	23,221	10,345	9,595	6,189	339,454
Percent									
Investigations finalised ^(c)	55.5	24.0	78.8	36.6	25.3	19.9	18.5	27.2	47.8
Investigation closed—no outcome possible	12.8	—	3.0	1.5	—	1.7	2.2	7.7	8.6
<i>Total closed investigations</i>	<i>68.3</i>	<i>24.0</i>	<i>81.8</i>	<i>38.1</i>	<i>25.3</i>	<i>21.5</i>	<i>20.7</i>	<i>34.9</i>	<i>56.4</i>
Investigations in process ^(d)	2.5	2.1	18.2	2.9	0.1	2.2	—	10.6	3.4
<i>Total investigations</i>	<i>70.8</i>	<i>26.2</i>	<i>100.0</i>	<i>41.0</i>	<i>25.5</i>	<i>23.7</i>	<i>20.7</i>	<i>45.5</i>	<i>59.9</i>
Dealt with by other means ^(e)	29.2	73.8	..	59.0	74.5	76.3	79.3	54.5	40.1
Total notifications	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. Not applicable.

— Nil or rounded to zero.

(a) New South Wales figures are not comparable with other jurisdictions. New South Wales has a differential investigation response whereby an investigation can be undertaken at two levels of intensity. Only the more serious cases which receive the higher level response may lead to a recorded substantiation outcome.

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

(c) 'Investigations finalised' are investigations that were completed and an outcome of substantiated or not substantiated recorded by 31 August 2009.

(d) 'Investigations in process' are investigations that were begun but not completed by 31 August 2009.

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

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

Source: AIHW Child Protection Data Collections 2009.

Outcomes of finalised investigations

Overall 66% of all finalised investigations had an outcome of not substantiated. New South Wales had the highest proportion of investigations that were not substantiated (71%). The proportion of investigations that were substantiated varied across jurisdictions from 29% in New South Wales to 62% in Victoria (Table 2.2).

Table 2.2: Outcomes of finalised investigations, states and territories, 2008–09

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Substantiated	34,078	6,344	7,315	1,523	2,419	1,188	896	858	54,621
Not substantiated	84,432	3,956	11,140	2,194	3,467	867	881	827	107,764
Total finalised investigations	118,510	10,300	18,455	3,717	5,886	2,055	1,777	1,685	162,385
			19,148 ^(a)						
Substantiated	28.8	61.6	39.6	41.0	41.1	57.8	50.4	50.9	33.6
Not substantiated	71.2	38.4	60.4	59.0	58.9	42.2	49.6	49.1	66.4
Total finalised investigations	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) For Queensland the secondary total finalised investigations (19,148) includes 693 finalised investigations where there was an assessment outcome of 'No investigation and assessment outcome'. For these cases there was insufficient information to enable an assessment outcome of substantiated or unsubstantiated to be determined. This may occur in circumstances where the family was unable to be located or has moved interstate and the investigation is therefore finalised and closed.

Notes

1. Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2009.
2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Data Collections 2009.

Recent trends in notifications and substantiations

In Australia, the number of child protection notifications increased by 6.9% in the last year, rising from 317,526 in 2007–08 to 339,454 in 2008–09 (Table 2.3). All jurisdictions showed an increase with the exception of Queensland, for which there was a decrease, and Tasmania, for which there was a change in recording processes which affected the comparability of data.

The largest reported increase was in the Northern Territory (69%). Numerous factors may have contributed to the increase in the number of child protection notifications in the Northern Territory, including the staged implementation of the *Care and Protection of Children Act 2007*. This commenced in December 2008 and replaced previous legislation (the *Northern Territory Community Welfare Act 1983*), an amendment to the *Domestic and Family Violence Act 2007* in February 2009. The new legislation provides for mandatory reporting of serious physical harm in domestic relationships; and increased community awareness of child protection mandatory reporting requirements.

Increases in the number of notifications over time may be the result of enhanced public awareness in the wider community as a result of legislative changes, public awareness campaigns or inquiries into child protection processes. Appendix 8 provides details on the various inquiries into state and territory child protection services that have been conducted in the past few years that may have impacted on public awareness. Similarly, Appendix 4 provides details of specific child protection legislation in jurisdictions that may impact on the number of notifications received during 2008–09.

Table 2.3: Number of notifications, states and territories, 2004–05 to 2008–09

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

- (a) 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.
- (b) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 onwards may not be fully comparable with previous years' data.
- (c) From 2006–07, notification figures recorded for Queensland are affected by a change in recording practice. From March 2007, any new child protection concerns received by the department that relate to an open notification or investigation and assessment are recorded as an additional concern and linked to the open notification/investigation and assessment. Previously, any new child protection concerns received by the department were recorded as an additional notification.
- (d) The number of notifications for Western Australia increased between 2005–06 and 2006–07 because all Concern for Child Wellbeing reports were counted as a notification for the first time. Previously, only those that were followed by an investigation were counted as a notification.
- (e) In Tasmania from February 2008 there was a change in the processes for recording notifications. New contacts made about similar concerns during an open notification/investigation period, within the first 6 weeks, were added to the notification as a 'case note'. Case notes are not included in the count of notifications hence comparison between values from 2007–08 to 2008–09 should be interpreted with caution.

Source: AIHW Child Protection Collections 2009.

Table 2.4: Number of substantiations of notifications received during the relevant year, states and territories, 2004–05 to 2008–09

Year	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT	Total
2004–05	15,493	7,398	17,307	1,104	2,384	782	1,213	473	46,154
2005–06	29,809	7,563	13,184	960	1,855	793 ^(b)	1,277	480	55,921
2006–07	37,094	6,828 ^(c)	10,108 ^(d)	1,233	2,242	1,252	852 ^(e)	621	60,230
2007–08	34,135	6,365	8,028	1,464	2,331	1,214	827	756	55,120
2008–09	34,078	6,344	7,315	1,523	2,419	1,188	896	858	54,621
% change 2007–08 to 2008–09	-0.2	-0.3	-8.9	4.0	3.8	-2.1	8.3	13.5	-0.9

- (a) The increase in substantiations in Tasmania is considered to be in part due to increased application of the Tasmanian Risk Framework as well as greater adherence to the definition of 'substantiation' published by the AIHW.
- (b) Data relating to substantiations for Tasmania for 2005–06 and 2006–07 should be interpreted carefully due to the high proportion of investigations still in process by 31 August 2007.
- (c) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 onwards may not be fully comparable with previous years' data.
- (d) From 2006–07, substantiation figures recorded for Queensland are affected by a change in recording practice. From March 2007, any new child protection concerns received by the department that relate to an open notification or investigation and assessment are recorded as an additional concern and linked to the open notification/investigation and assessment. Previously, any new child protection concerns received by the department were recorded as an additional notification. As each notification must have an associated assessment outcome (e.g. substantiated), the recording change whereby new concerns are now recorded within the original notification has therefore also affected the substantiation count.
- (e) The decrease in the number of substantiated investigations reflects a requirement of staff to substantiate emotional abuse or neglect only if there was, or is likely to be, significant harm and there was no-one with parental responsibility willing and able to protect the child/young person. Recording an outcome of an appraisal as not substantiated does not exclude ongoing work with the child or young person.

Source: AIHW Child Protection Collections 2009.

In 2008–09, the total number of substantiations of notifications received during the year fell by 499 (0.9%) over the previous year (Table 2.4). However, patterns differed across jurisdictions with Western Australia, South Australia, Australian Capital Territory, and Northern Territory recording increases by 4%, 4%, 8%, and 14% respectively. The largest decrease was observed in Queensland (9%); the remaining three jurisdictions experienced decreases of less than 5%.

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 overall the most common source of notifications in 2008–09 was police. The second most common source of notification varied across the jurisdictions. For example, in South Australia, social workers were the second most common source of notifications but in Tasmania it was school personnel (Table 2.5).

Table 2.5: Investigations, by source of notification, states and territories, 2008–09 (per cent)

Source of notification	NSW	Vic	Qld ^(a)	WA	SA	Tas	ACT	NT
Subject child	0.2	—	0.7	0.8	1.4	—	0.4	0.2
Parent/guardian	7.1	6.4	7.7	7.8	5.3	3.0	4.0	3.7
Sibling	0.1	0.5	0.7	0.2	0.2	0.2	0.2	0.1
Other relative	5.1	6.8	6.6	9.4	7.8	4.4	5.0	7.8
Friend/neighbour	3.3	5.5	6.6	4.3	4.7	3.8	5.9	3.5
Medical practitioner	0.5	3.5	15.5	2.2	14.2	1.8	0.6	2.3
Other health personnel	2.6	6.9	..	0.7	3.0	5.0	1.7	2.0
Hospital/health centre	15.3	6.9	..	12.9	0.3	3.6	9.8	15.2
Social worker	0.9	0.4	..	—	19.3	13.7	1.0	2.7
School personnel	11.6	13.9	12.8	13.8	10.8	14.8	16.8	13.0
Childcare personnel	1.6	—	1.0	0.8	2.1	0.9	1.3	0.5
Police	29.2	24.8	25.9	24.9	22.5	34.3	22.1	27.9
Departmental officer	1.9	0.3	10.5	10.2	0.7	10.5	12.9	7.4
Non-government organisation	8.5	9.4	3.7	2.0	1.0	0.5	11.6	6.2
Anonymous	5.2	—	3.3	1.7	3.0	1.0	2.1	1.9
Other	6.8	14.6	5.0	8.4	3.6	2.4	4.7	5.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. Not applicable.

— Nil or rounded to zero.

(a) With the introduction of the Integrated Client Management System in March 2007, the primary source categories of social worker, hospital/health centre and other health personnel were discontinued. From March 2007 social workers are primarily recorded in the departmental officer or non-government organisation categories, and health sources are primarily recorded in the medical practitioner category.

Notes

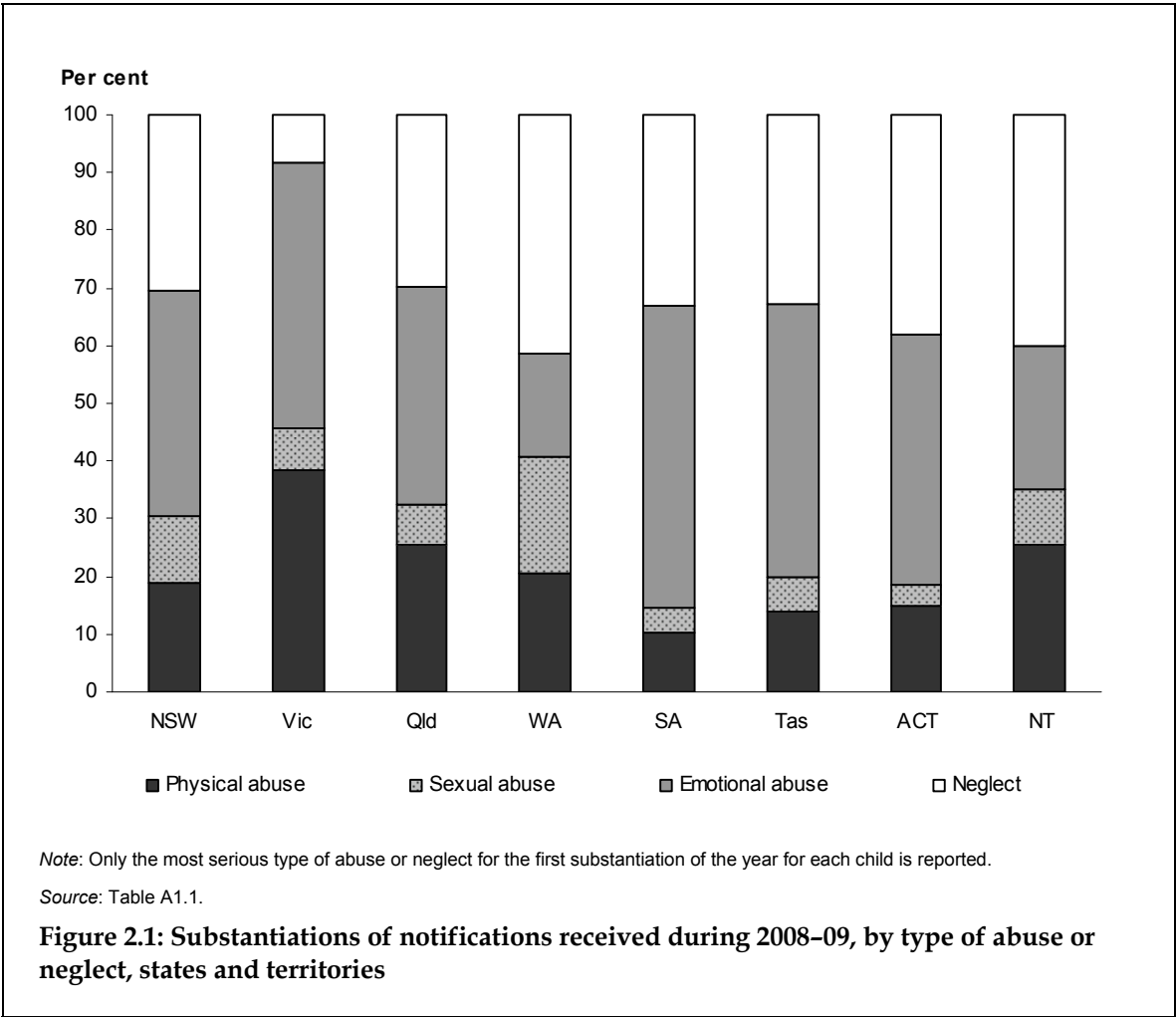
- Investigations include 'investigations finalised', 'investigations in process' and 'investigations closed—no outcome possible'.
- Refer to Table A1.5 for numbers for this table.
- Percentages exclude cases where the source of notification was not stated. Percentages in tables may not add to 100 due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

Source: AIHW Child Protection Collections 2009.

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 was the subject of more than one substantiation during the year, the type of abuse reported was the one associated with the first substantiation decision during the year. Therefore, it is difficult to measure the overall patterns of types of abuse or neglect that each child may experience.

In all jurisdictions except Western Australia and the Northern Territory, the most common type of substantiated abuse was emotional, ranging between 38% in Queensland and 52% in South Australia. In the Northern Territory and Western Australia, the most common type of substantiated abuse was neglect (40% and 41% respectively). The relatively high proportion of substantiations of emotional abuse may be partially attributed to the broadening legislative definition of emotional abuse. Appendix 4 includes information on how each of the four types of maltreatment is defined in each jurisdiction.



Rates of children in substantiations

Overall the rate of children subject to a substantiated notification remained relatively steady from the previous year (Table 2.6). There were considerable 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 2008–09, the Northern Territory and Tasmania had the highest rates of children who were the subject of a substantiation – 12.9 per 1,000 children in the Northern Territory and 9.7 per 1,000 in Tasmania (Table 2.6). The rate was lowest in Western Australia at 2.9 per 1,000 children. Much of the variation in the rates across jurisdictions is partly due to differences in policies and approaches to child protection matters.

Over the last five years rates have increased for New South Wales, Tasmania and the Northern Territory, decreased for Queensland and the Australian Capital Territory and remained relatively stable for the remaining jurisdictions.

The trend data need to be interpreted with caution as increases may be the result of a number of factors, including an increase in children requiring a child protection response, increased community awareness and/or increase in willingness to report problems. In addition it is important to note that the data collected is 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.

Table 2.6: Rates of children 0–16 years who were the subject of substantiation of a notification received during the relevant year, states and territories, 2004–05 to 2008–09 (per 1,000 children)

Year	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT	Total
2004–05	6.1	6.4	14.1	2.3	5.5	5.8	12.0	7.9	7.5
2005–06	8.4	6.7	10.9	2.0	4.5	5.9	12.0	8.1	7.6
2006–07	9.0	5.9 ^(b)	9.2	2.4	5.3	7.2	7.8 ^(c)	9.3	7.3
2007–08	8.6	5.5	7.5	2.9	5.5	8.3	7.4	11.9	6.8
2008–09	9.1	5.4	6.6	2.9	5.7	9.7	8.2	12.9	6.9

(a) The increase in the rate of children who were the subject of a substantiation in Tasmania is considered to be due in part to increased application of the Tasmanian Risk Framework as well as greater adherence to the definition of 'substantiation' published by the AIHW. It should also be noted that data relating to Tasmanian substantiations for 2005–06 and 2006–07 should be interpreted carefully due to the high proportion of investigations in process by 31 August 2007.

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

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

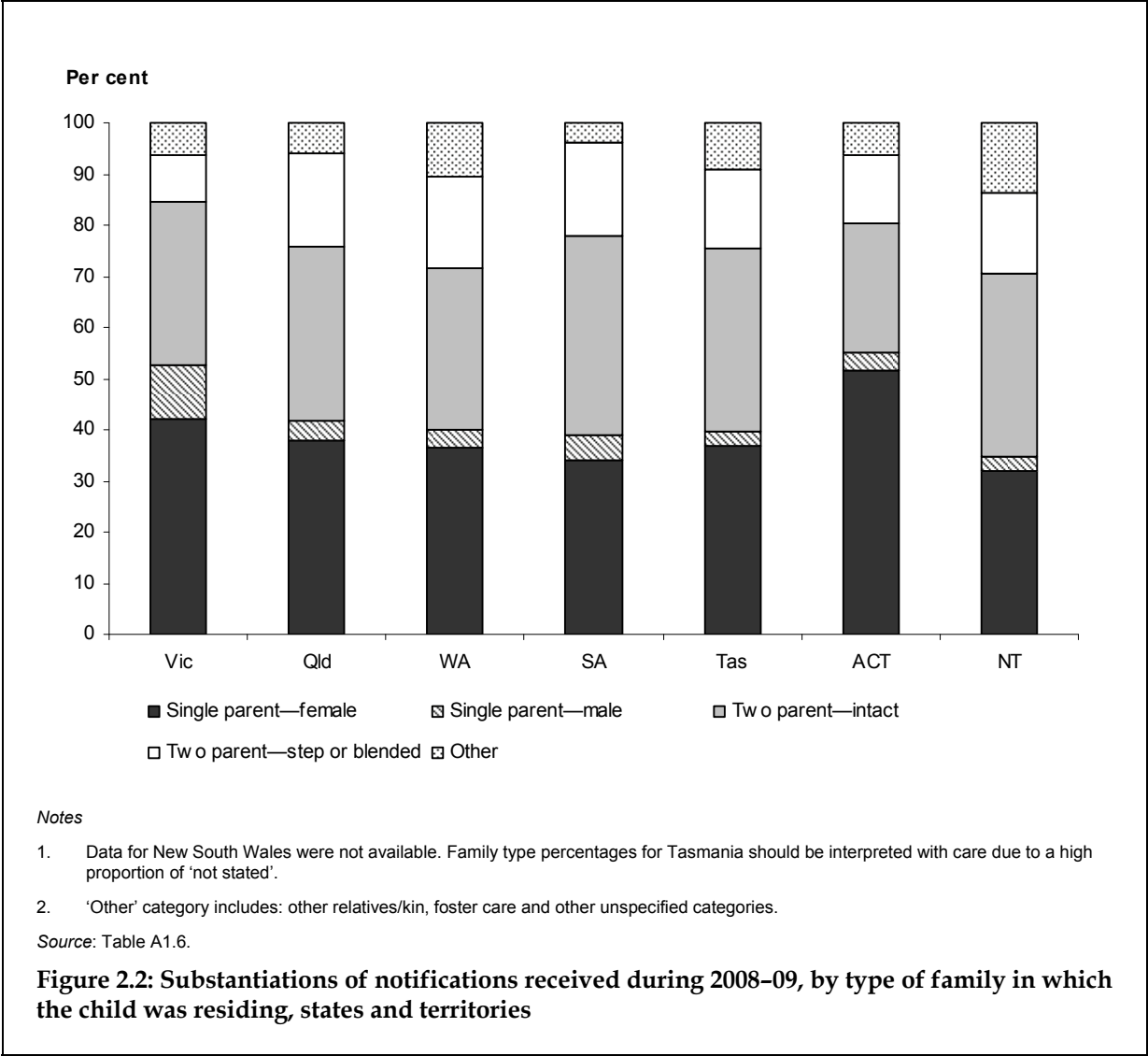
Notes

1. Children may have been the subject of more than one substantiation.
2. Children aged 17 are not included in this table due to different legislation and practice across jurisdictions. There are a small number of children aged 17 involved in this collection. Where the age of the child is unknown these children are included.
3. Refer to Appendix table A1.25 for the population used in the calculation of rates for 2008–09. Population estimates have been updated in 2009 and this may impact on rate comparison over time.

Source: AIHW Child Protection Collections 2009.

Family type

Single parent – female and two parent intact families had the highest proportions of substantiations across all jurisdictions (Figure 2.2). There is likely to be a number of reasons for the over-representation of single parent – female families in substantiations. For instance, lone parents are more likely to have low incomes and be financially stressed (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). Furthermore, it is important to note that single parent – female families are over-represented when compared to the family structure characteristics of the Australian general population (ABS 2008). It should also be noted that the family type is recorded at different times during the child protection process across 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 2008–09 in New South Wales, there were 112,035 children who were the subject of a notification compared with 213,686 notifications, and 14,052 children who were the subject of a substantiation compared with 34,078 substantiations (Table 2.7).

While these data indicate that a number of children across Australia were the subject of more than one substantiation during 2008–09, national data are not available to allow calculation of the exact proportion of children who were the subject of more than one notification or substantiation in any given year.

The number of children subject to a notification in Australia increased by 28% between 2004–05 and 2008–09 (from 161,960 to 207,462). The number of children who were the subject of a substantiation of a notification in Australia decreased slightly (4%) over the same time period (34,046 to 32,641) (Table 2.7 and AIHW 2006b). Over the last 12 months, the number of children subject to a notification increased from 195,387 to 207,462 and the number of children subject to a substantiation of a notification increased from 32,098 to 32,641 (Table 2.7 and AIHW 2009).

Table 2.7: Number of notifications, substantiations of notifications and number of children who were the subject of a notification and/or substantiation of a notification, 2008–09, states and territories

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Children in notifications	112,035	33,640	20,959	8,892	15,227	7,240	5,157	4,312	207,462
Total notifications	213,686	42,851	23,408	10,159	23,221	10,345	9,595	6,189	339,454
Children in substantiations	14,052	6,129	6,628	1,463	1,916	1,075	613	765	32,641
Total substantiations	34,078	6,344	7,315	1,523	2,419	1,188	896	858	54,621

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

Source: AIHW Child Protection Collections 2009.

Rates by sex of child

The type of abuse or neglect most commonly reported differed for males and females across jurisdictions. In all jurisdictions females were more likely to be the subject of a substantiation of sexual abuse than males (Table A1.2). This is consistent with victimisation studies of sexual assault (Carmody & Carrington 2000; Cook et al. 2001). In contrast, males were slightly more likely to be the subject of a substantiation of physical abuse than females in all jurisdictions except the Northern Territory and the Australian Capital Territory.

The number of children who were the subject of a substantiation of a notification received during 2008–09 was larger in the younger age categories, with approximately two-thirds aged less than 10 years (Table A1.3). This is consistent with the corresponding figures for 2006–07 and 2007–08.

Rates by age of child

Rates of children who were the subjects of one or more substantiations of notifications received during 2008–09 generally decreased with age. In all jurisdictions, children aged less than 1 year were most likely to be the subject of a substantiation followed by children aged 1–4 years. Conversely in all jurisdictions children aged 15–16 years were least likely to be the subject of a substantiation (Table 2.8).

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, most jurisdictions have specific policies and procedures in place to protect younger children.

Table 2.8: Children aged 0–17 years in substantiations of notifications received 2008–09, by age, states and territories (per 1,000 children)

Age (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
<1 year	14.5	12.8	15.2	5.1	15.4	18.7	13.7	31.6
1–4 years	10.3	5.6	7.1	3.3	7.9	11.0	8.7	16.4
5–9 years	8.2	4.9	6.7	3.0	5.2	10.2	8.2	10.8
10–14 years	8.4	4.9	5.7	2.7	4.0	8.5	8.0	11.0
15–17 years	3.9	2.1	2.2	0.9	1.6	2.5	3.7	3.5
0–16 years	8.8	5.4	6.6	2.9	5.7	9.6	8.2	12.9
0–17 years	8.3	5.0	6.2	2.7	5.4	9.0	7.8	12.2
Number of children 0–17 years	13,523	6,126	6,619	1,429	1,907	1,066	612	765

Notes

1. Refer to Table A1.3 for numbers for this table.
2. Children of unknown age are excluded.
3. Refer to Appendix table A1.27 for the population used in the calculation of rates. Population estimates have been updated in 2009 and this may affect rate comparison over time.

Source: AIHW Child Protection Collections 2009.

Types of abuse and neglect

Patterns of substantiated abuse and neglect are shown in Table 2.9. Overall, emotional abuse was the most common type of substantiated abuse in all jurisdictions except Western Australia and the Northern Territory, where neglect was the most common type. Sexual abuse was the least common substantiation in all jurisdictions except Western Australia, where emotional abuse was the least common.

Table 2.9: Children who were the subject of a substantiation of a notification received during 2008–09, by type of abuse or neglect and Indigenous status, states and territories (per cent)

Type of abuse or neglect	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT
Indigenous children								
Physical abuse	18.9	38.5	29.1	17.9	6.6	6.1	10.2	23.3
Sexual abuse	10.2	2.8	4.9	14.2	1.7	3.1	7.1	9.7
Emotional abuse	34.6	48.0	28.2	18.6	56.0	64.3	45.9	23.6
Neglect	36.3	10.8	37.8	49.3	35.7	26.5	36.7	43.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Other children								
Physical abuse	19.9	39.1	24.3	22.2	13.2	14.0	18.3	36.7
Sexual abuse	18.2	7.8	7.9	24.0	6.5	6.0	3.7	11.6
Emotional abuse	34.8	45.3	41.4	17.4	49.8	46.1	39.0	32.0
Neglect	27.1	7.8	26.4	36.4	30.5	33.9	39.0	19.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All children								
Physical abuse	19.6	39.0	25.6	20.6	11.1	13.3	17.0	25.9
Sexual abuse	16.1	7.3	7.1	20.4	5.0	5.8	4.2	10.1
Emotional abuse	34.8	45.6	37.9	17.8	51.7	47.7	40.1	25.2
Neglect	29.5	8.1	29.5	41.2	32.2	33.2	38.7	38.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) The counts for both 'Indigenous children' and 'other children' should be interpreted with care due to the high number of children with an 'unknown' Indigenous status at substantiation in Tasmania.

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 small numbers.
3. Refer to Table A1.4 for numbers for this table.
4. 'Other' includes those children whose Indigenous status is unknown.
5. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collection 2009.

Aboriginal and Torres Strait Islander children

Aboriginal and Torres Strait Islander children were more likely to be the subjects of a substantiation of a notification received during the year than non-Indigenous children. In 2008–09, in all jurisdictions, the substantiation rate for Indigenous children was higher than the rate for non-Indigenous children. Across Australia, Indigenous children were 7.5 times as likely as non-Indigenous children to be the subject of substantiation (Table 2.10). In Tasmania rates have been suppressed due to the high number of children with unknown Indigenous status.

Table 2.10: Children aged 0–16 years who were the subjects of substantiations of notifications received during 2008–09, by Indigenous status, states and territories (number and rates per 1,000 children)

State/ territory	Number of children					Rate per 1,000 children			
	Indigenous	Non-Indigenous	Unknown no.	Unknown %	All children	Indigenous	Non-Indigenous	All children	Rate ratio Indigenous/non-Indigenous
NSW	3,749	10,186	22	0.2	13,957	56.8	7.0	9.1	8.2
Vic	684	5,441	4	0.1	6,129	48.3	4.8	5.4	10.0
Qld	1,747	3,902	947	14.4	6,596	27.0	4.2	6.6	6.5
WA	545	808	101	6.9	1,454	18.7	1.7	2.9	10.7
SA	598	1,221	82	4.3	1,901	50.9	3.8	5.7	13.4
Tas	98	178	798	74.3	1,074	n.a.	n.a.	9.7	n.a.
ACT	97	481	27	4.5	605	54.2	6.7	8.2	8.1
NT	617	132	13	1.7	762	24.1	3.9	12.9	6.1
Australia	8,135	22,349	1,994	6.1	32,478	37.7	5.0	6.9	7.5

n.a. Not available.

Notes

1. Refer to Appendix table A1.25 for the populations used in the calculation of rates. Population estimates have been updated in 2009 and this may affect rate comparison over time.
2. Rate ratios are calculated by dividing the un-rounded rate of Indigenous children who were the subject of substantiations by the un-rounded rate of non-Indigenous children who were the subject of substantiations. The resulting number is a measure of how many Indigenous children were the subjects of substantiation for every non-Indigenous child who was the subject of substantiation.
3. The rate for Indigenous and non-Indigenous children and rate ratio has not been reported for Tasmania due to the high proportion of children for whom Indigenous status was unknown. Tasmania has been excluded from the Australian total rates and rate ratio.
4. Percentage of unknown is the percentage of 'All children' in state/territory.

Source: AIHW Child Protection Collection 2009.

The reasons for the over-representation of Aboriginal and Torres Strait Islander children in child protection substantiations are complex. The 1997 report *Bringing them home* (HREOC 1997) 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.

Over the period 2004–05 to 2008–09, the rate of Aboriginal and Torres Strait Islander children in substantiated notifications during the year generally increased, despite some fluctuations. For example, between 2006–07 and 2007–08 the rate fell slightly in Victoria, New South Wales and Queensland, but rose in all other jurisdictions and between 2007–08 and 2008–09, the rate rose in all jurisdictions except Victoria and Queensland (Table 2.11).

The impact of improvements in the quality of Indigenous identification is important to consider 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 people as well as increases in the number of Indigenous children requiring child protection. Trends in rates of Aboriginal and Torres Strait Islander children who were the subject of a substantiation of a notification received for 2004–05 to 2008–09 are presented in Table 2.11.

Table 2.11: 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, 2004–05 to 2008–09 (per 1,000 children)

Year	NSW	Vic	Qld	WA	SA	Tas ^{(a)(b)}	ACT ^(a)	NT
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 ^(c)	29.2	15.0	39.0	4.0 ^(d)	41.3 ^(e)	16.8
2007–08	53.0	55.0	27.1	17.7	48.4	5.0	47.9	23.7
2008–09	56.8	48.3	27.1	18.7	50.9	12.7	54.2	24.1

(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) Due to the high number of children with Indigenous status unknown in Tasmania, Indigenous children may be considerably under-reported and comparison of rates from previous years should be conducted with caution.

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

(d) 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.

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

Note: Refer to Appendix table A1.25 for the population used in the calculation of rates for 2008–09. Population estimates have been updated in 2009 and this may affect rate comparison over time.

Source: AIHW Child Protection Collection 2009.

3 Care and protection orders

3.1 Overview

Scope

This chapter focuses on data for the 2008–09 financial year on children admitted to and discharged from care and protection orders, orders issued during 2008–09, data on the characteristics of children at 30 June 2009, as well as trend data. Children are counted only once, even if they were admitted to or discharged from more than one order or were on more than one order at 30 June 2009. If a child was on more than one order at 30 June 2009, 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).

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 state and territory departments responsible for child protection. These children are counted under guardianship or custody orders (see below). The AIHW does not collect data on the exact number of children.

Definitions

Children who are in need of care and protection

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

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

State and territory child protection and support services may also need to assume responsibility for children and place them on a care and protection order for reasons other

than a child protection substantiation. This may occur in situations where there is family conflict and 'time out' is needed, where there is an irretrievable breakdown in the relationship between the child and his or her parents, or where the parents are unwilling or unable to adequately care for the child.

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

Types of care and protection orders

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

1. Guardianship or custody orders

Guardianship orders are sought through the court. They 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).

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.

2. Third-party parental responsibility orders

Third-party parental responsibility orders transfer all duties, powers, responsibilities and authority parents are entitled to by law, to a third party, which may be another individual such as a relative, or an officer of the state. For example, this may occur in the event a parent is unable to care for a child, and, as such, parental responsibility is transferred to a relative. Tasmania is unable to record children in this category; these children are reported under 'Guardianship and custody orders'.

3. Supervisory and other finalised orders

This category includes supervisory and other finalised 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. Parents generally provide such care 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. The child must agree to these orders, together with the child's parents or the person with whom the child is living.

4. 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.

5. Administrative arrangements

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

3.2 Data and analysis

This section includes data on admissions to and discharges from care and protection orders, and orders issued during 2008–09, as well as data on the characteristics of children who were on care and protection orders at 30 June 2009. The differences between states and territories in legislation, policies and practices in relation to care and protection orders should be taken into account when interpreting the data; details of these differences are located in appendixes 4 and 5.

Numbers and rates for care and protection orders

Admissions, discharges and orders issued

Trends in rates of children on care and protection orders

At 30 June 2009, there were more children on care and protection orders than in the previous year for all jurisdictions except Victoria, with an overall increase from 30 June 2008 of 8.5% (from 32,642 to 35,409) (Table 3.1). Increases ranged from 7.5% in South Australia to 12% in New South Wales. In Victoria the number of children on care and protection orders decreased by 2.2% (from 6,239 in 2007–08 to 6,100 in 2008–09).

Since 2005, the number of children on care and protection orders across Australia has increased from 24,075 in 2005 to 35,409 in 2009 (an increase of 41%). This is consistent with increases noted for years prior to 2005 (Table A1.21). The increase in the number of children on care and protection orders may be attributed to a flow-on effect from 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.

Research indicates that children are being admitted to orders for increasingly complex factors, including parental substance abuse, mental health and family violence (COAG 2009). Trends in the number of children on care and protection orders from 30 June 2005 to 30 June 2009 are presented in Table 3.1.

Table 3.1: Trends in the number of children on care and protection orders, states and territories, 30 June 2005 to 30 June 2009

Year	NSW	Vic ^(a)	Qld	WA	SA	Tas	ACT	NT	Total
2005	8,620	4,668	5,857	1,783	1,553	716	464	414	24,075
2006	9,213	5,011	6,446	2,046 ^(b)	1,671	833	558	437	26,215
2007	10,639	5,492	6,391	2,629	1,881	897	574	451	28,954
2008	12,086	6,239	7,040	3,094	2,197 ^(c)	914	552	520	32,642
2009	13,491	6,100	7,942	3,337	2,361	991	610	577	35,409

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

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

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

Source: AIHW Child Protection Collections 2009.

In the period from 30 June 2005 to 30 June 2009, the rate of children aged 0–17 years on orders in Australia increased from 4.8 to 7.0 per 1,000 (Table 3.2). A similar pattern of increases was found across all jurisdictions although the rates varied, ranging from 5.0 per 1,000 in Victoria to 9.2 in the Northern Territory (Table 3.2). Some of the variation is probably due to the different orders available and to variations in policies and practices across jurisdictions.

Table 3.2: Rates of children aged 0–17 years on care and protection orders, per 1,000 children, states and territories, 30 June 2005 to 30 June 2009

Year	NSW	Vic ^(a)	Qld	WA	SA	Tas	ACT	NT	Total
2005	5.4	4.0	6.0	3.7	4.5	6.1	6.1	7.0	4.8
2006	5.8	4.3	6.5	4.2 ^(b)	4.8	7.1	7.4	7.3	6.6
2007	6.6	4.6	6.3	5.2	5.4	7.6	7.5	7.3	5.8
2008	7.4	5.1	6.8	6.0	6.2 ^(c)	7.7	7.0	8.4	6.6
2009	8.3	5.0	7.4	6.3	6.7	8.4	7.8	9.2	7.0

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

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

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

Notes

1. New South Wales data from 1998 onwards do not include children on supervisory orders.
2. Refer to Appendix table A1.26 for the population used in the calculation of rates for 2008–09. Population estimates have been updated in 2009 and this may affect rate comparison over time.

Source: AIHW Child Protection Collections 2009.

Children admitted to orders during 2008–09

There were more children admitted to care and protection orders than discharged from orders during 2008–09 for all jurisdictions. The number of children admitted to care and protection orders across Australia during 2008–09 is shown in Table 3.3 and ranges between 344 in the Northern Territory and 4,647 in Queensland. All jurisdictions except Victoria, Western Australia and South Australia had an increase in children admitted to orders between 2007–08 (AIHW 2009) and 2008–09.

The majority of children admitted to orders in 2008–09 across Australia had not been admitted to a care and protection order on a prior occasion (58%). The proportion of children admitted to orders for the first time ranged across jurisdictions from 42% in Queensland to 81% in New South Wales.

There are a number of reasons a child may be admitted or re-admitted to a care and protection order—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. A re-admission to a care and protection order can also reflect a change in order type, for example from a temporary order to a longer-term order to ensure a child's continuing safety. Data may therefore partly reflect differences in states and territories policy and practice in this area.

Table 3.3: Children admitted to and discharged from care and protection orders, states and territories, 2008–09

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Children admitted to orders	3,827	3,241	4,647	1,355	1,087	627	381	344	15,509
Children admitted for the first time	3,102	1,917	1,968	708	620	289	188	257	9,049
% of all admissions	81.1	59.1	42.3	52.3	57.0	46.1	49.3	74.7	58.3
Children discharged from orders	2,114	1,777	2,268	547	539	274	175	333	8,027

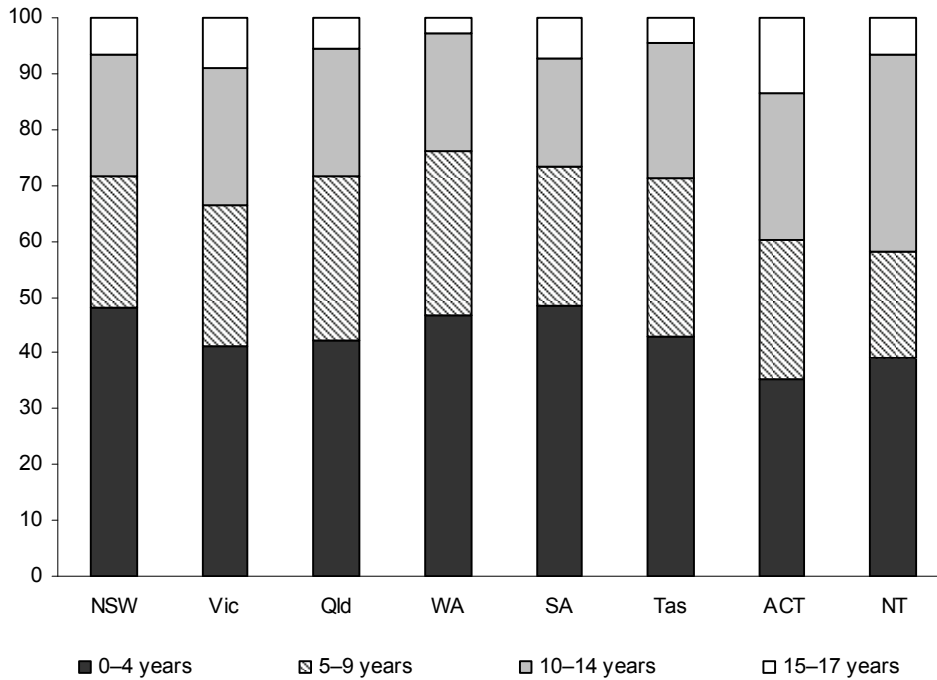
Notes

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

Source: AIHW Child Protection Collections 2009.

The majority of children admitted to orders in 2008–09 were aged between 0–4 years, ranging from 35% in the Australian Capital Territory to 48% in South Australia (Figure 3.1). However, there were also a considerable proportion of children aged 5–9 and 10–14 years admitted to orders in each jurisdiction, with an average of one-quarter for both 5–9 and 10–14 year olds.

Per cent



Source: Table A1.7

Figure 3.1: Children admitted to care and protection orders, by age, states and territories, 2008-09

Children discharged from orders

In most jurisdictions, the majority of children who were discharged had been on an order continuously for less than one year (Table 3.4). However, in Victoria and Western Australia the majority of children discharged had been continuously on an order for less than four years.

The highest proportions of children discharged who had been on an order continuously for 4 or more years were in New South Wales, Western Australia and the Australian Capital Territory (21.4%, 18.3% and 18.3% respectively).

Table 3.4: Children discharged from care and protection orders, by length of time on an order, states and territories, 2008–09 (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	639	226	137	141	263	256	181	271	2,114
Victoria	1	32	215	316	534	429	185	65	1,777
Queensland	442	198	147	189	549	423	173	147	2,268
Western Australia	114	17	35	55	85	141	49	51	547
South Australia	62	130	62	17	102	79	27	60	539
Tasmania	41	50	20	12	75	38	17	21	274
Australian Capital Territory	49	26	21	8	5	34	21	11	175
Northern Territory	151	40	28	23	51	26	9	5	333
Per cent									
New South Wales	30.2	10.7	6.5	6.7	12.4	12.1	8.6	12.8	100.0
Victoria	0.1	1.8	12.1	17.8	30.1	24.1	10.4	3.7	100.0
Queensland	19.5	8.7	6.5	8.3	24.2	18.7	7.6	6.5	100.0
Western Australia	20.8	3.1	6.4	10.1	15.5	25.8	9.0	9.3	100.0
South Australia	11.5	24.1	11.5	3.2	18.9	14.7	5.0	11.1	100.0
Tasmania	15.0	18.2	7.3	4.4	27.4	13.9	6.2	7.7	100.0
Australian Capital Territory	28.0	14.9	12.0	4.6	2.9	19.4	12.0	6.3	100.0
Northern Territory	45.3	12.0	8.4	6.9	15.3	7.8	2.7	1.5	100.0

Notes

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

Source: AIHW Child Protection Collections 2009.

Orders issued

There were more orders issued during 2008–09 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 before being placed on 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 1.2 orders issued per child in Victoria, to 5.6 in the Northern Territory (Table 3.5).

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 New South Wales, Queensland, Western Australia, South Australia, Tasmania and the Australian Capital Territory, interim and temporary orders were the most commonly issued type of order. In the Northern Territory, guardianship and custody orders were the most common order issued.

In Western Australia, interim orders actually refer to care applications, which will most likely become a guardianship/custody order.

Table 3.5: Care and protection orders issued, by type of order and ratio of children admitted to orders issued, states and territories, 2008–09

Type of order	NSW	Vic	Qld	WA ^(a)	SA	Tas ^(b)	ACT	NT
Number								
Guardianship or custody orders/arrangements	2,839	1,198	3,419	639	687	447	141	960
Third-party parental responsibility	315	—	129	44	3	n.a.	10	n.a.
Supervisory orders	n.a.	1,815	734	116	357	40	43	8
Interim and temporary orders	2,876	796	3,814	1,037	1,450	951	179	650
Administrative arrangements	805	—	n.a.	—	363	88	105	303
Total	6,835	3,809	8,096	1,836	2,860	1,526	478	1,921
Per cent								
Guardianship or custody orders/arrangements	41.5	31.5	42.2	..	24.0	29.3	29.5	50.0
Third-party parental responsibility	4.6	—	1.6	..	0.1	..	2.1	..
Supervisory orders	..	47.7	9.1	..	12.5	2.6	9.0	0.4
Interim and temporary orders	42.1	20.9	47.1	..	50.7	62.3	37.4	33.8
Administrative arrangements	11.8	—	..	—	12.7	5.8	22.0	15.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Ratio of orders issued to children admitted	1.8	1.2	1.7	..	2.6	2.4	1.3	5.6

n.a. Not available.

.. Not applicable.

— Nil or rounded to zero.

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

(b) Tasmania is not able to separately identify children under 'Third-party parental responsibility' arrangements. These children are included under the 'Guardianship or custody orders/arrangements' category.

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

Source: AIHW Child Protection Collections 2009.

Characteristics of children

Types of orders

Across Australia, the vast majority of children who were on care and protection orders at 30 June 2009 were on guardianship or custody orders (Table 3.6). There was some variation among the jurisdictions in the proportion of children on other types of care and protection orders. In New South Wales, 18% of children were on third-party parental responsibility arrangements compared with 2% in South Australia. In Tasmania, 18% of children were on interim or temporary orders compared with 6% in the Northern Territory. This is consistent with the data reported in the previous section on orders issued across jurisdictions.

Table 3.6: Children on care and protection orders, by type of order, states and territories, 30 June 2009

Type of order	NSW	Vic	Qld	WA ^(a)	SA	Tas ^(b)	ACT	NT
Number								
Guardianship or custody orders/arrangements	9,076	4,374	5,822	2,615	2,114	784	435	506
Third-party parental responsibility	2,475	—	663	104	38	n.a.	17	n.a.
Supervisory orders	n.a.	1,549	469	144	7	26	42	—
Interim and temporary orders	1,803	177	988	474	119	175	93	35
Administrative arrangements	137	—	n.a.	—	83	6	23	36
Total	13,491	6,100	7,942	3,337	2,361	991	610	577
Per cent								
Guardianship or custody orders/arrangements	67.3	71.7	73.3	..	89.5	79.1	71.3	87.7
Third-party parental responsibility	18.3	—	8.3	..	1.6	..	2.8	..
Supervisory orders	..	25.4	5.9	..	0.3	2.6	6.9	—
Interim and temporary orders	13.4	2.9	12.4	..	5.0	17.7	15.2	6.1
Administrative arrangements	1.0	—	..	—	3.5	0.6	3.8	6.2
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

n.a. Not available.

.. Not applicable.

— Nil or rounded to zero.

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

(b) Tasmania is not able to separately identify children under 'Third-party parental responsibility' arrangements. These children are included under the 'Guardianship or custody orders/arrangements' category.

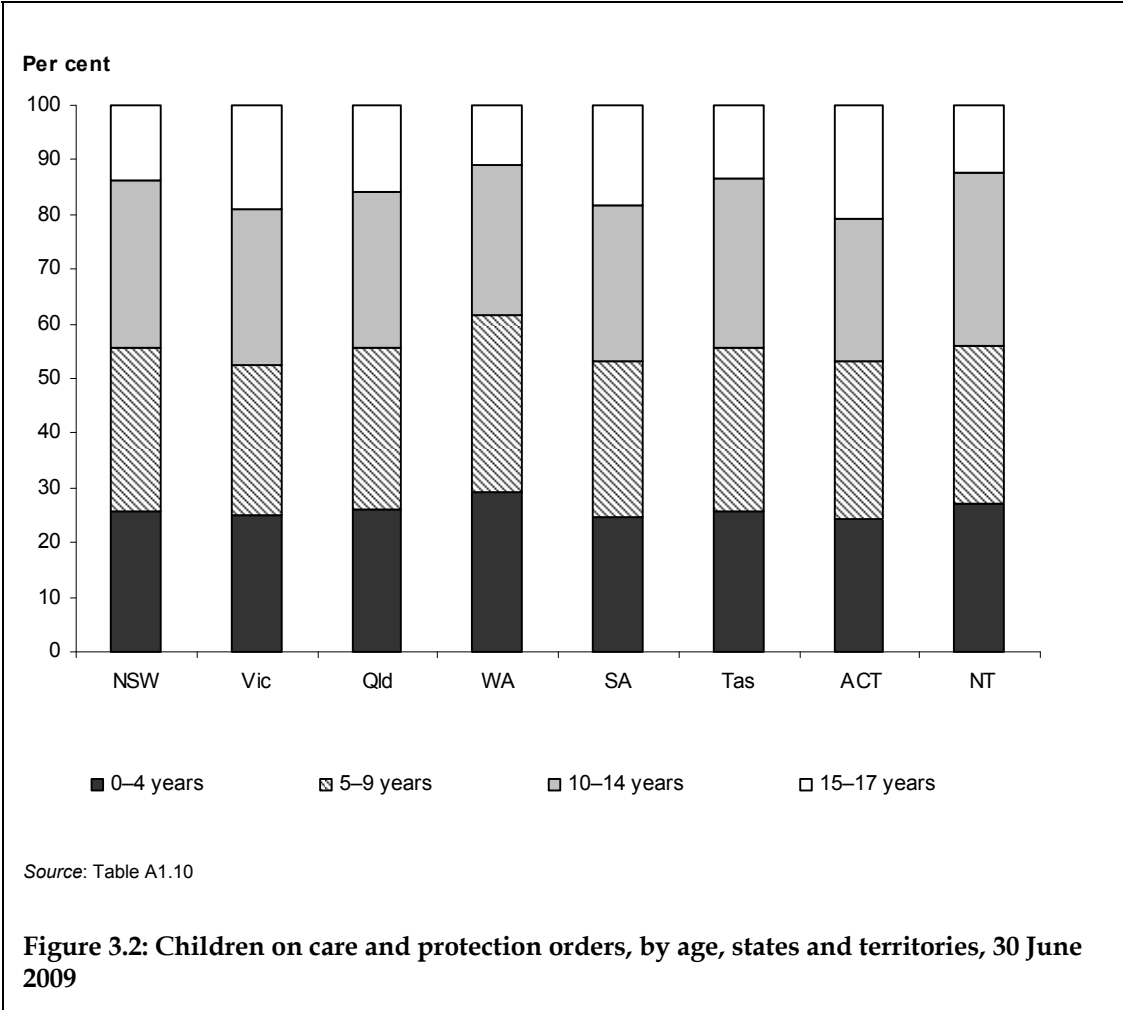
Note: Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2009.

Age and sex of children

The age profile of children on orders varied across the jurisdictions (Figure 3.2). The proportion of children on orders who were aged less than five years ranged from 24% in the Australian Capital Territory to 29% in Western Australia. Conversely, the proportion of children aged 15–17 years ranged from 11% in Western Australia to 21% in the Australian Capital Territory.

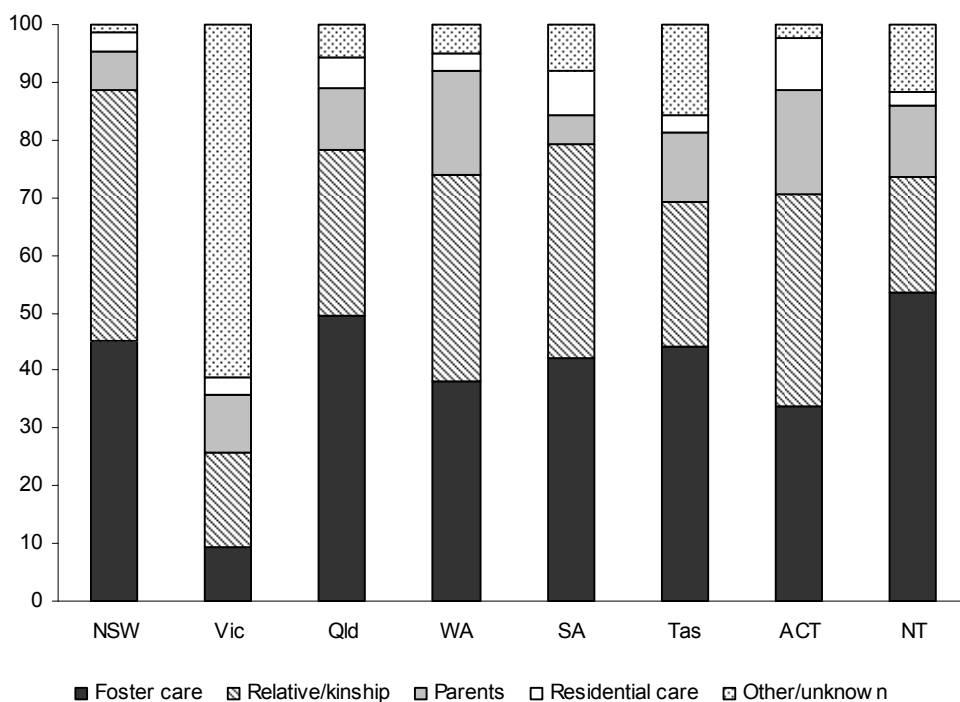
In all jurisdictions except the Northern Territory there were slightly more males than females on care and protection orders (Table A1.9). The age distribution of children admitted to orders during the year is considerably younger than that for children who were on orders at the end of the year, since those on orders at the end of the year include those admitted during previous years and not yet discharged (Table A1.10).



Living arrangements

The majority of children on care and protection orders lived in foster care or community care, except in Victoria where the majority were living in other/unknown arrangements and the Australian Capital Territory, where most lived with relatives/kin (who were paid). There was considerable variation among jurisdictions in the distribution of living arrangements (Figure 3.3 and Table 3.7). For example, the proportion of children on orders who live with at least one of their parents ranged from 4.8% in South Australia to 18% in the Australian Capital Territory and Western Australia.

Per cent



Source: Table 3.7.

Notes

1. 'Relative/kinship' category includes relatives/kin who are paid and relatives/kin who are not paid.
2. 'Other/unknown' category includes 'other home-based care', 'family group homes', 'independent living' and 'other/unknown'.

Figure 3.3: Children on care and protection orders, by living arrangements, states and territories, 30 June 2009

Living arrangements varied slightly with the age of the child (Table A1.11). Across Australia, there was a high proportion of children aged 15–17 years who were living independently (90%). The most common living arrangement for children aged less than 5 years (excluding 'other/unknown') was 'family care' (27%).

Table 3.7: Children on care and protection orders, by living arrangements, states and territories, 30 June 2009

Living arrangements	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Number								
Family care								
Parents	924	622	844	607	114	119	111	70
Relatives/kin ^(a)	..	—	..	27	122	18	5	9
<i>Total family care</i>	<i>924</i>	<i>622</i>	<i>844</i>	<i>634</i>	<i>236</i>	<i>137</i>	<i>116</i>	<i>79</i>
Home-based care								
Foster care/community care ^(b)	6,093	571	3,944	1,272	991	438	207	309
Relatives/kin ^{(b)(c)}	5,853	997	2,283	1,167	762	229	218	107
Other	—	584	..	—	2	71	—	—
<i>Total home-based care</i>	<i>11,946</i>	<i>2,152</i>	<i>6,227</i>	<i>2,439</i>	<i>1,755</i>	<i>738</i>	<i>425</i>	<i>416</i>
Residential care	440	184	421	95	181	31	54	14
Family group homes	..	—	..	90	—	29	—	17
Independent living ^(d)	180	38	104	16	76	14	1	3
Other/unknown	1	3,104	346	63	113	42	14	48
Total	13,491	6,100	7,942	3,337	2,361	991	610	577
Per cent								
Family care								
Parents	6.8	10.2	10.6	18.2	4.8	12.0	18.2	12.1
Relatives/kin	..	—	..	0.8	5.2	1.8	0.8	1.6
<i>Total family care</i>	<i>6.8</i>	<i>10.2</i>	<i>10.6</i>	<i>19.0</i>	<i>10.0</i>	<i>13.8</i>	<i>19.0</i>	<i>13.7</i>
Home-based care								
Foster care/community care	45.2	9.4	49.7	38.1	42.0	44.2	33.9	53.6
Relatives/kin	43.4	16.3	28.7	35.0	32.3	23.1	35.7	18.5
Other	—	9.6	..	—	0.1	7.2	—	—
<i>Total home-based care</i>	<i>88.5</i>	<i>35.3</i>	<i>78.4</i>	<i>73.1</i>	<i>74.3</i>	<i>74.5</i>	<i>69.7</i>	<i>72.1</i>
Residential care	3.3	3.0	5.3	2.8	7.7	3.1	8.9	2.4
Family group homes	..	—	..	2.7	—	2.9	—	2.9
Independent living	1.3	0.6	1.3	0.5	3.2	1.4	0.2	0.5
Other/unknown	—	50.9	4.4	1.9	4.8	4.2	2.3	8.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. Not applicable.

— Nil or rounded to zero.

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

(b) 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.

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

(d) This category includes private board.

Notes

1. New South Wales data are not available for 'Supervisory orders'.
2. Northern Territory data on 'Third-party parental responsibility' arrangements are not available.
3. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2009.

Aboriginal and Torres Strait Islander children

Across Australia, the rate of Indigenous children on orders was more than 8 times higher than that of non-Indigenous children. In all jurisdictions, the rate of Indigenous children on orders was higher than the rate for non-Indigenous children. Some of the reasons for the over-representation of Indigenous children in the child protection system are outlined in the previous chapter (see section on Aboriginal and Torres Strait Islander children). The rate ratio of Aboriginal and Torres Strait Islander children compared with non-Indigenous children ranged from 3.8 in the Northern Territory to 12.6 in Western Australia.

Of those Indigenous children on orders, most were on guardianship and custody orders (Table A1.12). The types of orders that Indigenous children were on compared to non-Indigenous children were very similar; however, Indigenous children were generally less likely to be on supervisory orders than non-Indigenous children.

Table 3.8: Children on care and protection orders, by number and rate per 1,000 children aged 0–17 years and Indigenous status, states and territories, 30 June 2009

State/ territory	Number of children					Rate per 1,000 children			Rate ratio Indigenous/ non- Indigenous
	Indigenous	Non- Indigenous	Unknown no.	Unknown %	All children	Indigenous	Non- Indigenous	All children	
NSW	3,979	9,509	3	—	13,491	56.9	6.1	8.3	9.3
Vic	825	5,261	14	0.2	6,100	54.7	4.4	5.0	12.5
Qld	2,720	5,172	50	0.6	7,942	39.5	5.2	7.4	7.6
WA	1,465	1,872	—	—	3,337	47.4	3.8	6.3	12.6
SA	573	1,777	11	0.5	2,361	45.8	5.2	6.7	8.8
Tas	151	838	2	0.2	991	18.4	7.6	8.4	2.4
ACT	130	477	3	0.5	610	68.2	6.2	7.8	10.9
NT	428	146	3	0.5	577	15.8	4.1	9.2	3.8
Australia	10,271	25,052	86	0.2	35,409	43.8	5.2	7.0	8.4

— Nil or rounded to zero.

Notes

1. Percentage of unknown is the percentage of 'All children' in state/territory.
2. Refer to Appendix table A1.26 for the populations used in the calculation of rates. Indigenous population estimates for 2009 are based on data from the 2006 Census and this may affect rate comparison over time.
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 non-Indigenous children who were on a care and protection order. The resulting number is a measure of how many Indigenous children were on a care and protection order for every one non-Indigenous child who was on a care and protection order.

Source: AIHW Child Protection Collections 2009.

4 Out-of-home care

4.1 Overview

Scope

Data in this section relate to children admitted to, and discharged from, out-of-home care during 2008–09 and children who were in out-of-home care for the night of 30 June 2009. From 2008–09 data also includes those whose carers were offered financial reimbursement but declined to accept where they are eligible for a financial payment by a state or territory. This includes placements with relatives (other than parents) but does not include placements solely funded by 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 they may be included. The data exclude children in placements with parents where the jurisdiction makes a financial payment.

Definitions

Out-of-home care (OOHC) is one of a range of services provided to children and young people under 18 years of age who are in need of care and protection. This service provides alternative overnight accommodation for children and young people who are unable to live with their parents. These arrangements include foster care, placements with relatives or kin, and residential care. In most cases, children in out-of-home care are also on a care and protection order of some kind.

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

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. If it is necessary to remove a child from his or her family, then placement within the wider family or community is preferred. This is particularly the case with Aboriginal and Torres Strait Islander children in order to be consistent with the Aboriginal Child Placement Principle – see Section 4.2 ‘Aboriginal and Torres Strait Islander Children’.

Types of placements

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

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

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.

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

4.2 Data and analysis

This section includes data on admissions to and discharges from out-of-home care, and the number of children in out-of-home care during 2008–09. The characteristics of children who were in out-of-home care at 30 June 2009 are also described.

The differences between states and territories in legislation, policies and practices in relation to out-of-home care should be taken into account when interpreting the data. For example, 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 as being placed with a ‘relative/kin’. More details of jurisdictional differences are listed in Appendix 5.

Numbers and rates of out-of-home care

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

At 30 June 2009, there were 34,069 children in out-of-home care in Australia (Table 4.1). This compares with 31,166 children in out-of-home care at 30 June 2008 (an increase of 9.3%). The number of children in out-of-home care at 30 June 2009 was higher than at 30 June 2008 in all jurisdictions (Table 4.1).

Nationally, the number of children in out-of-home care in Australia at 30 June has increased each year since 2005 when there were 23,695 children in out-of-home care (Table 4.1). This increase reflects the fact that more children are being admitted to care each year than being discharged.

Table 4.1: Number of children aged 0–17 years in out-of-home care, states and territories, 30 June 2005 to 30 June 2009

Year	NSW	Vic	Qld	WA	SA ^(a)	Tas	ACT	NT	Total
2005	9,230	4,408	5,657	1,829	1,329	576	342	324	23,695
2006	9,896	4,794	5,876	1,968	1,497	683	388	352	25,454
2007	11,843	5,052 ^(b)	5,972	2,371	1,678	667 ^(c)	399	397	28,379
2008	13,566	5,056	6,670	2,546 ^(d)	1,841	664 ^(e)	425	398	31,166
2009	15,211	5,283	7,093	2,682	2,016	808	494	482	34,069

- (a) In 2007–08 South Australia could only provide the number of children in out-of-home care where the Department is making a financial contribution to the care of a child.
- (b) Due to new service and data reporting arrangements, the Victorian child protection data for 2006–07 onwards may not be fully comparable with previous years' data.
- (c) The numbers of children in out-of-home care from 30 June 2007 onwards are not comparable to the numbers reported for previous years for Tasmania due to the exclusion of a cohort of children on orders who did not meet the definition of out-of-home care.
- (d) Data for 2008 onwards is not strictly comparable to earlier figures for Western Australia as they previously included children whose whereabouts were unknown or who were living with relatives who were not reimbursed.
- (e) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.

Source: AIHW Child Protection Collections 2009.

Rates of children in out-of-home care

There were 6.7 per 1,000 children aged 0–17 years in out-of-home care in Australia at 30 June 2009 compared with 6.2 in 2008 (Table 4.2). 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 9.4 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.

The rate of children in out-of-home care in Australia has shown a consistent pattern of increase from 30 June 2005 to 30 June 2009, from 4.9 to 6.7 (Table 4.2). Over this period, the rates of children in out-of-home care increased across all jurisdictions. The overall increase in the number of children in out-of-home care could be related to a number of factors. For example, 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.

Table 4.2: Rates of children in out-of-home care, states and territories, 30 June 2005 to 30 June 2009 (per 1,000 children)

Year	NSW	Vic	Qld	WA	SA ^(a)	Tas	ACT	NT	Total
2005	5.8	3.8	5.8	3.8	3.9	4.9	4.5	5.5	4.9
2006	6.2	4.1	6.0	4.0	4.3	5.8	5.1	5.9	5.3
2007	7.3	4.3 ^(b)	5.8	4.7	4.8	5.7 ^(c)	5.2	6.4	5.8
2008	8.4	4.2	6.4	4.9	5.2	5.6 ^(d)	5.4	6.4	6.2
2009	9.4	4.3	6.7	5.1	5.7	6.8	6.3	7.7	6.7

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

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

(c) The numbers of children in out-of-home care from 30 June 2007 onwards are not comparable to the numbers reported for previous years for Tasmania due to the exclusion of a cohort of children on orders who did not meet the definition of out-of-home care

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

Note: Refer to Appendix table A1.26 for the population used in the calculation of rates for 2008–09. Indigenous population estimates for 2009 are based on data from the 2006 Census and this may affect rate comparison over time.

Source: AIHW Child Protection Collections 2009.

Admissions and discharges

Overall there was a slight decrease in the number of children admitted to out-of-home care from the previous year, from 12,891 to 12,833 (AIHW 2009). Almost 45% of all children admitted to out-of-home care were aged under 5 years, with 16% being under 1 year old and 27% between 1 and 4 years old. Almost 25% of children admitted to orders were aged between 5 and 9 years and a further 25% were aged between 10 and 14 years. Children aged 15–17 years represented 9% of all admissions in 2008–09 (Table 4.3).

Table 4.3: Children admitted to out-of-home care, by age group, states and territories, 2008–09

Age (years)	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT	Total
Number									
<1	726	396	530	171	127	50	23	41	2,064
1–4	1,293	724	769	237	170	85	46	82	3,406
5–9	1,134	649	726	198	133	96	39	64	3,039
10–14	1,085	801	719	170	136	90	60	111	3,172
15–17	325	366	271	21	94	28	26	20	1,151
Unknown	1	—	—	—	—	—	—	—	1
Total	4,564	2,936	3,015	797	660	349	194	318	12,883
Per cent									
<1	15.9	13.5	17.6	21.5	19.2	14.3	11.9	12.9	16.1
1–4	28.3	24.7	25.5	29.7	25.8	24.4	23.7	25.8	26.5
5–9	24.9	22.1	24.1	24.8	20.2	27.5	20.1	20.1	23.7
10–14	23.8	27.3	23.8	21.3	20.6	25.8	30.9	34.9	24.7
15–17	7.1	12.5	9.0	2.6	14.2	8.0	13.4	6.3	9.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

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

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.

Source: AIHW Child Protection Collections 2009.

In 2008–09, there were fewer children discharged from care than those admitted in almost all jurisdictions (tables 4.3 and 4.4). Northern Territory figures were unavailable. The age distribution of children discharged from care was considerably older than that of children admitted to out-of-home care. Nationally, 28% of those discharged from out-of-home-care were aged 15–17 years, compared to 9% admitted to out-of-home care.

Table 4.4: Number of children discharged from out-of-home care, by age group, states and territories, 2008–09

Age (years)	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT	Total ^(b)
Number									
<1	138	198	107	29	23	12	10	n.a.	517
1–4	577	595	362	165	64	46	13	n.a.	1,822
5–9	561	593	376	146	55	40	23	n.a.	1,794
10–14	747	650	414	133	83	56	30	n.a.	2,113
15–17	967	568	491	141	149	56	34	n.a.	2,406
Unknown	1	—	—	—	—	—	—	n.a.	1
Total	2,991	2,604	1,750	614	374	210	110	n.a.	8,653
Per cent									
<1	4.6	7.6	6.1	4.7	6.1	5.7	9.1	..	6.0
1–4	19.3	22.8	20.7	26.9	17.1	21.9	11.8	..	21.1
5–9	18.8	22.8	21.5	23.8	14.7	19.0	20.9	..	20.7
10–14	25.0	25.0	23.7	21.7	22.2	26.7	27.3	..	24.4
15–17	32.3	21.8	28.1	23.0	39.8	26.7	30.9	..	27.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..	100.0

n.a. Not available.

.. Not applicable.

— Nil or rounded to zero.

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

(b) This total excludes Northern Territory whose data was unavailable

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.

Source: AIHW Child Protection Collections 2009.

Characteristics of children

Type of placement

The vast majority of children (94%) in out-of-home care at 30 June 2009 were in home-based care—47% in foster care, 45% in relative/kinship care and 1.4% in some other type of home-based care (Table 4.5). 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, Queensland and Tasmania had a relatively high proportion of children in foster care (64%, 60% and 54% respectively), and

New South Wales had a relatively high proportion of children placed with relatives or kin (57%) (Figure 4.1 and Table 4.5).

Overall, one in 20 children in out-of-home care was living in residential care Australia-wide. This ranged from 1.9% in 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 4.5: Children in out-of-home care, by type of placement, states and territories, 30 June 2009

Type of placement	NSW	Vic	Qld	WA	SA ^(a)	Tas ^(b)	ACT	NT	Total
Number									
Foster care ^(c)	6,161	2,390	4,270	1,285	977	438	213	309	16,043
Relatives/kin ^(c)	8,620	1,963	2,379	1,187	767	229	227	107	15,479
Other home-based care	—	415	..	—	3	71	—	—	489
<i>Total home-based care</i>	<i>14,781</i>	<i>4,768</i>	<i>6,649</i>	<i>2,472</i>	<i>1,747</i>	<i>738</i>	<i>440</i>	<i>416</i>	<i>32,011</i>
Family group homes	..	—	..	91	—	29	—	12	132
Residential care	342	478	444	98	173	31	53	9	1,628
Independent living	87	37	..	17	20	1	—	3	165
Other ^(d)	1	—	..	4	76	9	1	42	133
Total	15,211	5,283	7,093	2,682	2,016	808	494	482	34,069
Per cent									
Foster care	40.5	45.2	60.2	47.9	48.5	54.2	43.1	64.1	47.1
Relatives/kin	56.7	37.2	33.5	44.3	38.0	28.3	46.0	22.2	45.4
Other home-based care	—	7.9	..	—	0.1	8.8	—	—	1.4
<i>Total home-based care</i>	<i>97.2</i>	<i>90.3</i>	<i>93.7</i>	<i>92.2</i>	<i>86.7</i>	<i>91.3</i>	<i>89.1</i>	<i>86.3</i>	<i>94.0</i>
Family group homes	..	—	..	3.4	—	3.6	—	2.5	0.4
Residential care	2.2	9.0	6.3	3.7	8.6	3.8	10.7	1.9	4.8
Independent living	0.6	0.7	..	0.6	1.0	0.1	—	0.6	0.5
Other	—	—	..	0.1	3.8	1.1	0.2	8.7	0.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

.. Not applicable.

— Nil or rounded to zero.

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

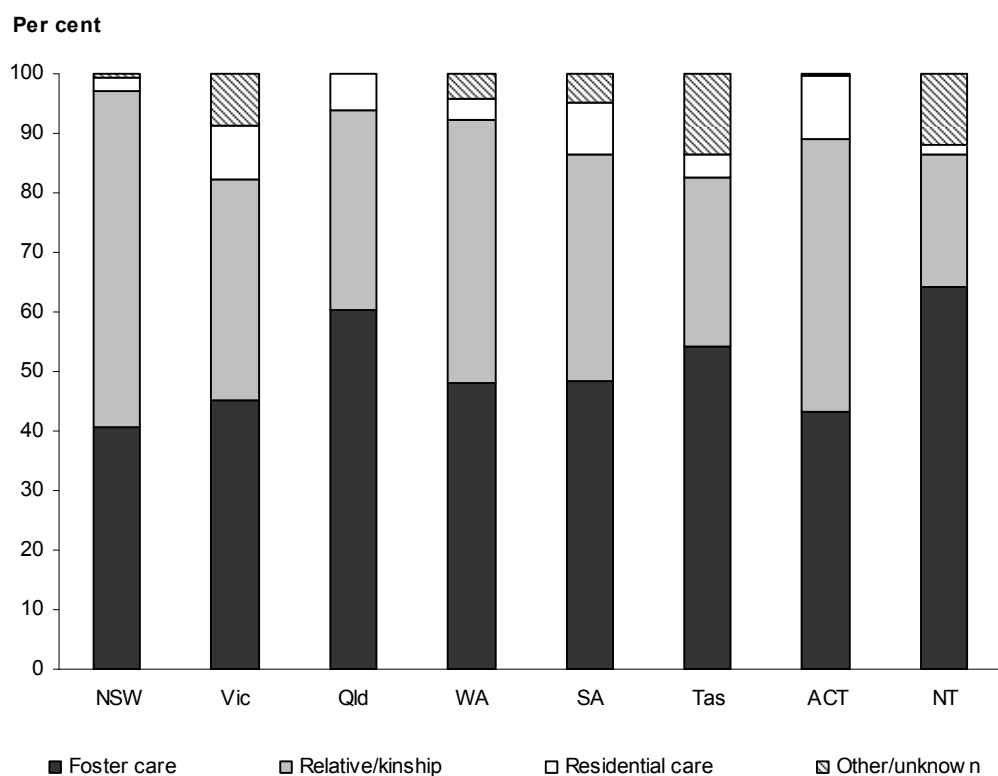
(b) Tasmania is not able to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.

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

(d) 'Other' includes unknown living arrangements.

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

Source: AIHW Child Protection Collections 2009.



Source: Table 4.5.

Note: 'Other/unknown' includes 'other home-based care', 'family group homes', 'independent living' and 'other/unknown'.

Figure 4.1: Children in out-of-home care, by living arrangements, states and territories, 30 June 2009

Age and sex

Almost a third (30%) of children in out-of-home care were aged 10–14 years and almost a further third (30%) were aged 5–9 years. One quarter (25%) were aged less than 5 years and 15% were aged 15–17 years (Table A1.13). Just over half (52%) of all children in out-of-home care were males (Table A1.14).

Children in residential care were considerably older than children in home-based care – 41% of children in residential care were aged 10–14 years and a further 44% were aged 15–17 years. The corresponding proportions in home-based care were 30% for children aged 10–14 years and 13% for children aged 15–17 years (Table A1.15). Only 5.4% of children in residential care in Australia were aged less than 5 years compared with 26% of those in home-based care.

Children on a care and protection order

In the Northern Territory, all children in out-of-home care are required to be on care and protection orders or authorities. In other jurisdictions, the proportion of children in out-of-home care who were on care and protection orders ranged from 79% in Victoria to 99.6% in Tasmania (Table 4.6).

Table 4.6: Children in out-of-home care, order status, states and territories, 30 June 2009

Order status	NSW	Vic	Qld	WA	SA ^(a)	Tas ^(b)	ACT	NT
Number								
On care and protection order	12,345	4,188	6,648	2,644	1,903	805	483	482
On another type of order	—	—	—	—	45	1	5	—
<i>Total children on orders</i>	<i>12,345</i>	<i>4,188</i>	<i>6,648</i>	<i>2,644</i>	<i>1,948</i>	<i>806</i>	<i>488</i>	<i>482</i>
Not on an order	2,866	1,095	445	38	68	2	6	—
Total	15,211	5,283	7,093	2,682	2,016	808	494	482
Per cent								
On care and protection order	81.2	79.3	93.7	98.6	94.4	99.6	97.8	100.0
On another type of order	—	—	—	—	2.2	0.1	1.0	—
<i>Total children on orders</i>	<i>81.2</i>	<i>79.3</i>	<i>93.7</i>	<i>98.6</i>	<i>96.6</i>	<i>99.8</i>	<i>98.8</i>	<i>100.0</i>
Not on an order	18.8	20.7	6.3	1.4	3.4	0.2	1.2	—
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

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

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

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

Source: AIHW Child Protection Collections 2009.

Length of time in placement

In all jurisdictions except New South Wales, Victoria and South Australia, the majority of the children as at 30 June 2009 had been in their current out-of-home care placement for less than five years (Table 4.7). In New South Wales, Victoria and South Australia the majority of children had been in their current placement for more than 5 years (32%, 32% and 61% respectively).

Not all jurisdictions could identify whether children were in respite care. 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. Where it was known that children were in respite care, they were included in the category 'less than 1 month'.

Table 4.7: Children in out-of-home care, by length of time in continuous placement, states and territories, 30 June 2009

Time in continuous placement	NSW	Vic	Qld	WA	SA ^(a)	Tas ^(b)	ACT	NT
	Number							
<1 month ^{(c) (d)}	346	159	212	59	10	15	9	26
1 month to <6 months	1,409	543	703	239	156	104	57	70
6 months to <1 year	1,689	630	792	231	166	114	67	70
1 year to <2 years	2,547	817	1,273	444	241	115	85	80
2 years to <5 years	4,307	1,445	2,141	872	213	266	141	132
5 years or more	4,913	1,689	1,972	837	1,230	194	135	104
Not stated/unknown	—	—	—	—	—	—	—	—
Total	15,211	5,283	7,093	2,682	2,016	808	494	482
	Per cent							
<1 month	2.3	3.0	3.0	2.2	0.5	1.9	1.8	5.4
1 month to <6 months	9.3	10.3	9.9	8.9	7.7	12.9	11.5	14.5
6 months to <1 year	11.1	11.9	11.2	8.6	8.2	14.1	13.6	14.5
1 year to <2 years	16.7	15.5	17.9	16.6	12.0	14.2	17.2	16.6
2 years to <5 years	28.3	27.4	30.2	32.5	10.6	32.9	28.5	27.4
5 years or more	32.3	32.0	27.8	31.2	61.0	24.0	27.3	21.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

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

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

(c) <1 month excludes respite care for Queensland as the data are not available.

(d) Western Australia and Tasmania are not able to distinguish between respite and non-respite care.

Notes

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

Source: AIHW Child Protection Collections 2009.

Aboriginal and Torres Strait Islander children

At 30 June 2009, there were 10,512 Aboriginal and Torres Strait Islander children in out-of-home care, an increase of 1,442 since 30 June 2008. The rate of Aboriginal and Torres Strait Islander children in out-of-home care at 30 June 2009 was 44.8 per 1,000 Indigenous children aged 0–17 years. The rates across jurisdictions ranged from 13.2 per 1,000 in the Northern Territory to 71.3 per 1,000 in New South Wales.

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, 30 June 2009

State/ territory	Number of children					Rate per 1,000 children			
	Indigenous	Non-Indigenous	Unknown no.	Unknown %	All children	Indigenous	Non-Indigenous	All children	Rate ratio Indigenous/non-Indigenous
NSW	4,991	10,207	13	0.1	15,211	71.3	6.6	9.4	10.9
Vic	734	4,452	97	1.8	5,283	48.7	3.7	4.3	13.2
Qld	2,481	4,547	65	0.9	7,093	36.0	4.6	6.7	7.9
WA	1,197	1,485	—	—	2,682	38.8	3.0	5.1	13.0
SA ^(a)	521	1,495	—	—	2,016	41.7	4.4	5.7	9.5
Tas ^(b)	130	676	2	0.2	808	15.8	6.1	6.8	2.6
ACT	100	391	3	0.6	494	52.4	5.1	6.3	10.3
NT	358	121	3	0.6	482	13.2	3.4	7.7	3.9
Australia	10,512	23,374	183	0.5	34,069	44.8	4.9	6.7	9.2

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

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

Notes

- For details on the calculation of rates, see Appendix 2.
- Refer to Appendix table A1.26 for the populations used in the calculation of rates. Indigenous population estimates for 2009 are based on data from the 2006 Census and this may affect rate comparison over time.
- Rate ratios are calculated by dividing the un-rounded rate of Indigenous children who were in out-of-home care by the un-rounded rate of non-Indigenous children who were in out-of-home care. The resulting number is a measure of how many Indigenous children were in out-of-home care for every one non-Indigenous child who was in out-of-home care.

Source: AIHW Child Protection Collections 2009.

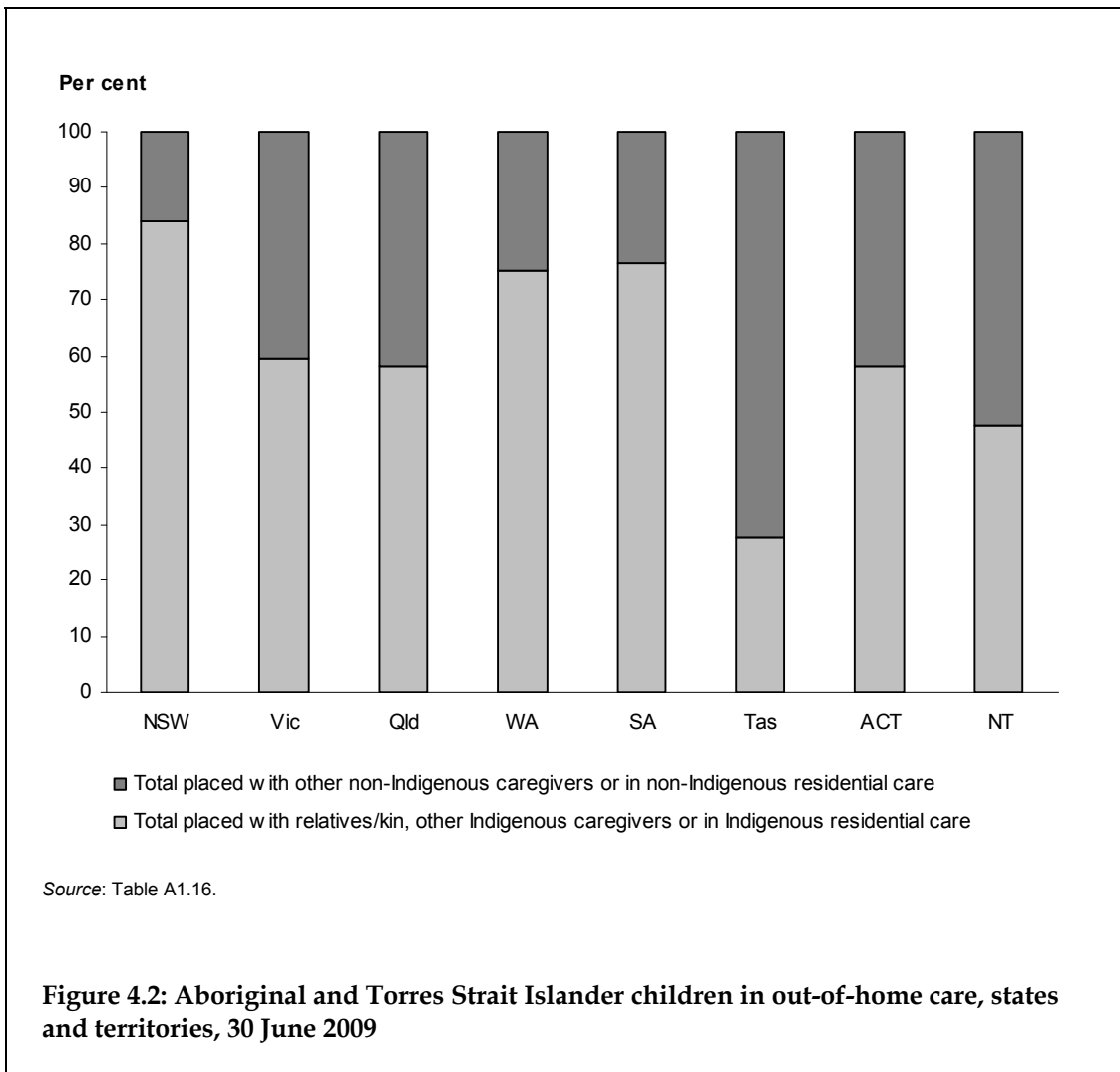
In all jurisdictions, there were higher rates of Aboriginal and Torres Strait Islander children in out-of-home care than non-Indigenous children (Table 4.8). The national rate of Indigenous children in out-of-home care was just over 9 times the rate for non-Indigenous children.

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

5 Intensive family support services

5.1 Overview

Scope

This chapter includes data for 2008–09 on children commencing intensive family support services that are funded by the state and territory departments responsible for child protection. Some limited information about the services is also provided. Family support services are services that seek to benefit families by improving their ability to care for children and to strengthen family relationships (AIHW 2001). Where notifications do not involve child maltreatment, children and their families are increasingly being referred to family support services rather than being investigated. In some states and territories, these cases are streamed into family support services instead of being recorded as a notification.

Definitions

This section specifically relates to family support services defined as being intensive in nature. Intensive family support services are defined as 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.

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

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

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

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

- Family Care – including:
 - child/ren living with parent(s)
 - child/ren living with other relatives/kin who are not reimbursed by the state for their care.
- Out-of-home care – out-of-home overnight care where the state makes a financial payment or where a financial payment has been offered but has been declined by the

carer. This includes placements with relatives or kin (other than parents) who are reimbursed (or who have been offered but declined reimbursement) by the state/territory for the care of the child, foster care and residential care.

- Child/ren in formal shared care – where a case plan exists for children to live in family care and to have regular planned periods in out-of-home care.
- Other – includes living situations that do not fit into the above categories and unknown living arrangements.

5.2 Data and analysis

In 2008–09, there were 254 intensive family support services reported to the AIHW; almost three-quarters of these services were aimed to either prevent the separation of the child from their family or assist with the reunification of the child into the family, depending on individual circumstances. The 254 intensive family support services were delivered across Australia in 267 locations, most of which were in capital cities or other urban centres.

The age of the children who commenced an intensive family support service were relatively similar across the jurisdictions. Just over three-quarters (75.9%) of the children were aged less than 10 years, with just under 50% 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, 2008–09

Age (years)	NSW	Vic	Qld	WA ^(a)	SA	Tas	ACT	NT	Total ^(b)
Number									
0–4	3,953	1,602	826	219	n.a.	286	207	22	7,115
5–9	1,545	1,240	719	139	n.a.	223	113	18	3,997
10–14	592	1,284	461	87	n.a.	195	104	22	2,745
15–17	140	424	116	29	n.a.	47	32	3	791
Unknown	81	517	77	15	n.a.	17	23	8	738
Total	6,311	5,067	2,199	489	159	768	478	73	15,544
Per cent									
0–4	63.5	35.2	38.9	46.2	..	38.1	45.5	33.8	48.6
5–9	24.8	27.3	33.9	29.3	..	29.7	24.7	27.7	27.3
10–14	9.5	28.2	21.7	18.4	..	26.0	22.7	33.8	18.7
15–17	2.2	9.3	5.5	6.1	..	6.3	7.1	4.6	5.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

n.a. Not available.

.. Not applicable.

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

(b) The total includes South Australia and as such will not equal the sum of the age groups.

Notes

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

Source: AIHW Child Protection Collections 2009.

In all states except Victoria and South Australia, the majority of children who commenced an intensive family support service were living with their parents. In South Australia, the majority of children were living out of home. In Victoria, it is understood that most children live with their parents but data were not available to confirm this (Figure 5.1 and Table 5.2).

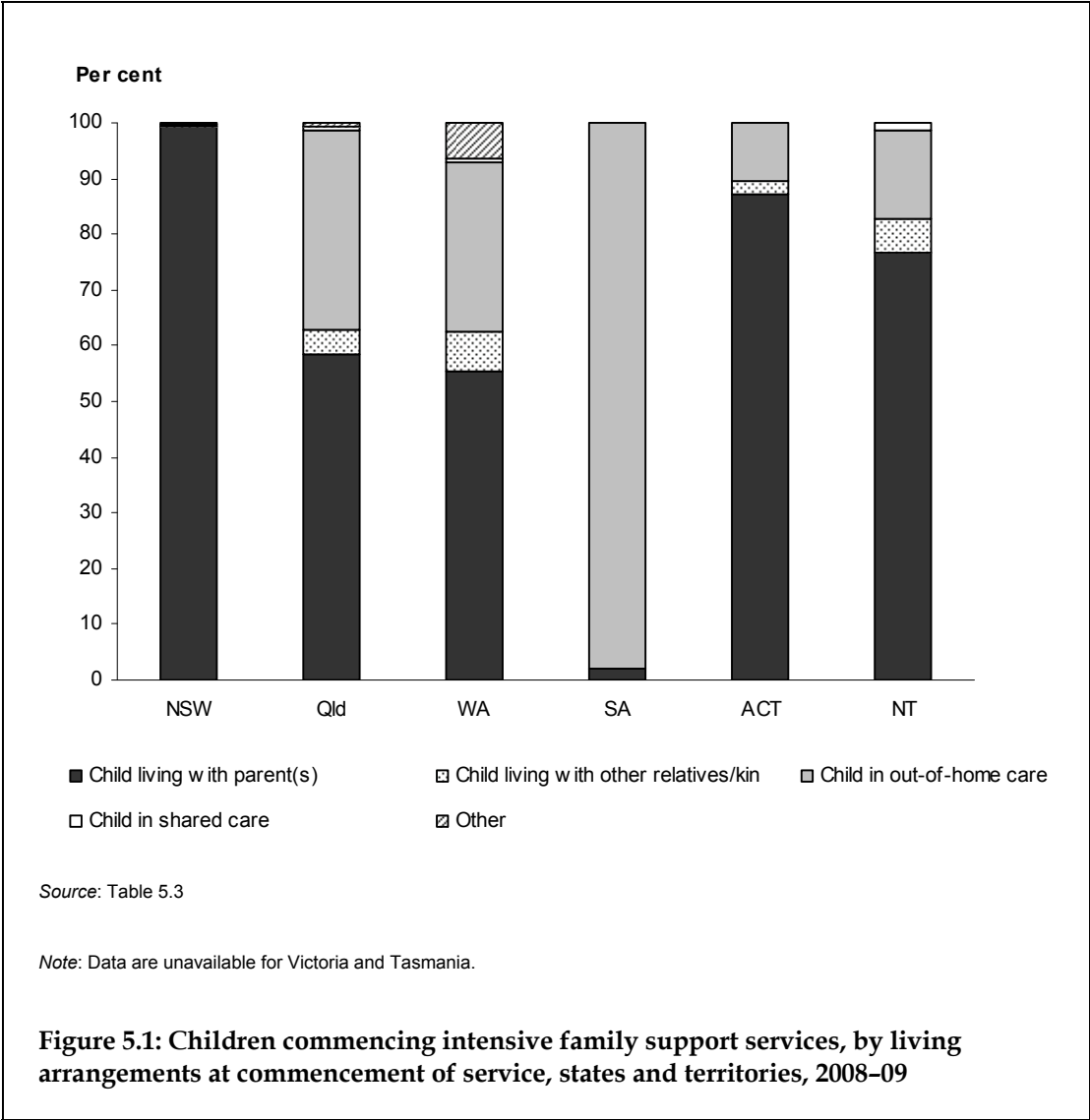


Table 5.2: Children commencing intensive family support services, by living arrangements at commencement of service, states and territories, 2008–09

Living situation	NSW	Vic ^(a)	Qld	WA	SA	Tas	ACT	NT
Number								
Family care								
Child living with parent(s)	6,264	294	1,186	261	3	n.a.	416	53
Child living with other relatives/kin	25	—	89	34	—	n.a.	11	4
Child in out-of-home care	8	395	721	144	156	n.a.	51	11
Child in shared care	6	—	15	3	—	n.a.	—	1
Other	3	9	14	30	—	n.a.	—	—
Not available	5	4,369	174	17	—	768	—	4
Total	6,311	5,067	2,199	489	159	768	478	73
Per cent								
Family care								
Child living with parent(s)	99.3	n.a.	58.6	55.3	1.9	n.a.	87.0	76.8
Child living with other relatives/kin	0.4	—	4.4	7.2	—	n.a.	2.4	5.8
Child in out-of-home care	0.1	n.a.	35.6	30.5	98.1	n.a.	10.6	15.9
Child in shared care	0.1	—	0.7	0.6	—	n.a.	—	1.4
Other	—	n.a.	0.7	6.4	—	n.a.	—	—
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

n.a. Not available.

— Nil or rounded to zero.

(a) Proportions for Victoria were not calculated due to the high number of children whose living arrangements were not available.

Notes

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

Source: AIHW Child Protection Collections 2009.

Appendix 1: Detailed tables

Notifications, investigations and substantiations

Table A1.1: Substantiations of notifications received during 2008–09, by type of abuse or neglect, states and territories

Type of abuse or neglect	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Number								
Physical abuse	6,412	2,438	1,860	311	249	167	134	218
Sexual abuse	4,019	453	525	309	101	68	33	83
Emotional abuse	13,266	2,935	2,756	272	1,267	565	388	213
Neglect	10,381	518	2,174	631	802	388	341	344
Total	34,078	6,344	7,315	1,523	2,419	1,188	896	858
Per cent								
Physical abuse	18.8	38.4	25.4	20.4	10.3	14.1	15.0	25.4
Sexual abuse	11.8	7.1	7.2	20.3	4.2	5.7	3.7	9.7
Emotional abuse	38.9	46.3	37.7	17.9	52.4	47.6	43.3	24.8
Neglect	30.5	8.2	29.7	41.4	33.2	32.7	38.1	40.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

1. Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2009.
2. If a child was the subject of more than one type of abuse or neglect as part of the same notification, the type of abuse or neglect reported is the one considered by the child protection workers to cause the most harm to the child. Where a child is the subject of more than one substantiation during the year, the type of abuse or neglect reported is the one associated with the first substantiation decision during the year.
3. Percentages in tables may not add to 100 due to rounding.
4. Includes children aged 0–17 years and children of unknown age.

Source: AIHW Child Protection Collections 2009.

Table A1.2: Children in substantiations of notifications received during 2008–09, by type of abuse or neglect and sex, states and territories

Type of abuse or neglect	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Number								
Males								
Physical	1,446	1,240	900	158	114	73	57	91
Sexual	564	172	134	67	21	16	11	17
Emotional	2,432	1,410	1,215	130	473	259	126	98
Neglect	2,140	243	984	318	337	185	142	156
Total	6,582	3,065	3,233	673	945	533	336	362
Females								
Physical	1,297	1,146	770	143	98	70	47	107
Sexual	1,693	274	334	231	75	46	15	60
Emotional	2,404	1,376	1,285	131	512	253	120	95
Neglect	1,971	252	942	281	273	170	94	141
Total	7,365	3,048	3,331	786	958	539	276	403
Unknown								
Physical	14	4	25	—	1	—	—	—
Sexual	2	—	3	—	—	—	—	—
Emotional	50	11	10	—	6	1	—	—
Neglect	39	1	26	4	6	2	1	—
Total	105	16	64	4	13	3	1	—
All children								
Physical	2,757	2,390	1,695	301	213	143	104	198
Sexual	2,259	446	471	298	96	62	26	77
Emotional	4,886	2,797	2,510	261	991	513	246	193
Neglect	4,150	496	1,952	603	616	357	237	297
Total	14,052	6,129	6,628	1,463	1,916	1,075	613	765
Per cent								
Males								
Physical	22.0	40.5	27.8	23.5	12.1	13.7	17.0	25.1
Sexual	8.6	5.6	4.1	10.0	2.2	3.0	3.3	4.7
Emotional	36.9	46.0	37.6	19.3	50.1	48.6	37.5	27.1
Neglect	32.5	7.9	30.4	47.3	35.7	34.7	42.3	43.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Females								
Physical	17.6	37.6	23.1	18.2	10.2	13.0	17.0	26.6
Sexual	23.0	9.0	10.0	29.4	7.8	8.5	5.4	14.9
Emotional	32.6	45.1	38.6	16.7	53.4	46.9	43.5	23.6
Neglect	26.8	8.3	28.3	35.8	28.5	31.5	34.1	35.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(continued)

Table A1.2 (continued): Children in substantiations of notifications received during 2008-09, by type of abuse or neglect and sex, states and territories

Type of abuse or neglect	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Unknown								
Physical	13.3	25.0	39.1	—	7.7	—	—	—
Sexual	1.9	—	4.7	—	—	—	—	—
Emotional	47.6	68.8	15.6	—	46.2	33.3	—	—
Neglect	37.1	6.3	40.6	100.0	46.2	66.7	100.0	—
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	—
All children								
Physical	19.6	39.0	25.6	20.6	11.1	13.3	17.0	25.9
Sexual	16.1	7.3	7.1	20.4	5.0	5.8	4.2	10.1
Emotional	34.8	45.6	37.9	17.8	51.7	47.7	40.1	25.2
Neglect	29.5	8.1	29.5	41.2	32.2	33.2	38.7	38.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

Notes

1. Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2009.
2. If a child was the subject of more than one type of abuse or neglect as part of the same notification, the type of abuse or neglect reported is the one considered by the child protection workers to cause the most harm to the child. Where a child is the subject of more than one substantiation during the year, the type of abuse or neglect reported is the one associated with the first substantiation decision during the year.
3. Includes children aged 0–17 years and children of unknown age.
4. Percentages include children whose gender is unknown.

Source: AIHW Child Protection Collections 2009.

Table A1.3: Children in substantiations of notifications received during 2008–09, by age and Indigenous status, states and territories

Age group (years)	NSW	Vic	Qld ^(a)	WA	SA	Tas ^(b)	ACT	NT
Number								
Indigenous children								
Unborn	147	—	n.a.	18	—	1	1	—
<1	416	154	366	80	106	11	13	108
1–4	1,064	199	469	159	184	31	34	213
5–9	988	178	489	151	154	27	22	149
10–14	923	118	351	121	124	20	23	126
15–17	233	35	78	19	30	8	5	22
15–16	211	35	72	16	26	8	4	21
Unknown	—	—	—	—	4	—	—	—
Total	3,771	684	1,753	548	602	98	98	618
Other children								
Unborn	370	—	n.a.	16	—	6	—	—
<1	978	772	619	77	204	115	53	14
1–4	2,568	1,307	1,181	218	412	254	123	23
5–9	2,632	1,418	1,420	268	341	290	146	40
10–14	2,864	1,529	1,325	275	283	265	147	57
15–17	857	416	321	61	69	45	46	13
15–16	784	416	295	56	58	44	39	11
Unknown	12	3	9	—	5	2	—	—
Total	10,281	5,445	4,875	915	1,314	977	515	147
All children								
Unborn	517	—	n.a.	34	—	7	1	—
<1	1,394	926	985	157	310	126	66	122
1–4	3,632	1,506	1,650	377	596	285	157	236
5–9	3,620	1,596	1,909	419	495	317	168	189
10–14	3,787	1,647	1,676	396	407	285	170	183
15–17	1,090	451	399	80	99	53	51	35
15–16	995	451	367	72	84	52	43	32
Unknown	12	3	9	—	9	2	—	—
Total	14,052	6,129	6,628	1,463	1,916	1,075	613	765

(continued)

Table A1.3 (continued): Children in substantiations of notifications received during 2008–09, by age and Indigenous status, states and territories

Age group (years)	NSW	Vic	Qld ^(a)	WA	SA	Tas ^(b)	ACT	NT
Per cent								
Indigenous children								
Unborn	3.9	—	n.a.	3.3	—	1.0	1.0	—
<1	11.0	22.5	20.9	14.6	17.6	11.2	13.3	17.5
1–4	28.2	29.1	26.8	29.0	30.6	31.6	34.7	34.5
5–9	26.2	26.0	27.9	27.6	25.6	27.6	22.4	24.1
10–14	24.5	17.3	20.0	22.1	20.6	20.4	23.5	20.4
15–17	6.2	5.1	4.4	3.5	5.0	8.2	5.1	3.6
15–16	5.6	5.1	4.1	2.9	4.3	8.2	4.1	3.4
Unknown	—	—	—	—	0.7	—	—	—
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Other children								
Unborn	3.6	—	n.a.	1.7	—	0.6	—	—
<1	9.5	14.2	12.7	8.4	15.5	11.8	10.3	9.5
1–4	25.0	24.0	24.2	23.8	31.4	26.0	23.9	15.6
5–9	25.6	26.0	29.1	29.3	26.0	29.7	28.3	27.2
10–14	27.9	28.1	27.2	30.1	21.5	27.1	28.5	38.8
15–17	8.3	7.6	6.6	6.7	5.3	4.6	8.9	8.8
15–16	7.6	7.6	6.1	6.1	4.4	4.5	7.6	7.5
Unknown	0.1	0.1	0.2	—	0.4	0.2	—	—
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All children								
Unborn	3.7	—	n.a.	2.3	—	0.7	0.2	—
<1	9.9	15.1	14.9	10.7	16.2	11.7	10.8	15.9
1–4	25.8	24.6	24.9	25.8	31.1	26.5	25.6	30.8
5–9	25.8	26.0	28.8	28.6	25.8	29.5	27.4	24.7
10–14	26.9	26.9	25.3	27.1	21.2	26.5	27.7	23.9
15–17	7.8	7.4	6.0	5.5	5.2	4.9	8.3	4.6
15–16	7.1	7.4	5.5	4.9	4.4	4.8	7.0	4.2
Unknown	0.1	—	0.1	—	0.5	0.2	—	—
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

n.a. Not available.

— Nil or rounded to zero.

(a) The high number of children in substantiations with unknown Indigenous status in Tasmania makes the count for Indigenous 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 2009.
2. 'Other children' includes those children whose Indigenous status is unknown.

Source: AIHW Child Protection Collections 2009.

Table A1.4: Children aged 0–17 years who were the subject of a substantiation of a notification received during 2008–09, by type of abuse or neglect and Indigenous status, states and territories

Type of abuse or neglect	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Indigenous children								
Physical	712	263	510	98	40	6	10	144
Sexual	386	19	86	78	10	3	7	60
Emotional	1,305	328	494	102	337	63	45	146
Neglect	1,368	74	663	270	215	26	36	268
Total	3,771	684	1,753	548	602	98	98	618
Other children								
Physical	2,045	2,127	1,185	203	173	137	94	54
Sexual	1,873	427	385	220	86	59	19	17
Emotional	3,581	2,469	2,016	159	654	450	201	47
Neglect	2,782	422	1,289	333	401	331	201	29
Total	10,281	5,445	4,875	915	1,314	977	515	147
All children								
Physical	2,757	2,390	1,695	301	213	143	104	198
Sexual	2,259	446	471	298	96	62	26	77
Emotional	4,886	2,797	2,510	261	991	513	246	193
Neglect	4,150	496	1,952	603	616	357	237	297
Total	14,052	6,129	6,628	1,463	1,916	1,075	613	765

Notes

1. Finalised investigations, and thus substantiations, refer only to cases which were notified during the year, not the total number of investigations finalised by 31 August 2009.
2. '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.

Source: AIHW Child Protection Collections 2009.

Table A1.5: Number of investigations, by source of notification, states and territories, 2008–09

Source of notification	NSW	Vic	Qld ^(a)	WA	SA	Tas ^(b)	ACT	NT
Subject child	360	—	164	33	83	1	8	7
Parent/guardian	10,756	639	1,803	324	315	66	80	105
Sibling	192	47	164	7	12	5	3	2
Other relative	7,785	679	1,548	390	461	98	100	219
Friend/neighbour	5,062	555	1,544	177	277	85	116	100
Medical practitioner	713	346	3,617	92	842	39	11	65
Other health personnel	3,995	691	..	29	177	111	33	57
Hospital/health centre	23,083	695	..	535	15	79	195	427
Social worker	1,336	44	..	—	1,139	304	20	75
School personnel	17,579	1,391	2,988	575	640	327	333	367
Child care personnel	2,369	—	225	35	123	19	26	13
Police	44,119	2,480	6,037	1,037	1,333	759	437	787
Departmental officer	2,841	31	2,445	423	42	233	255	209
Non-government organisation	12,821	939	864	85	62	12	230	175
Anonymous	7,935	—	779	69	179	22	41	54
Other [©]	10,313	1,465	1,168	350	214	53	93	155
Not stated	—	1,215	62	1	6	242	4	2
Total	151,259	11,217	23,408	4,162	5,920	2,455	1,985	2,819

.. Not applicable.

— Nil or rounded to zero.

(a) In Queensland, with the introduction of the Integrated Client Management System in March 2007, the primary source category of Social Worker, Hospital/Health Centre and Other Health were discontinued. From March 2007 social workers are primarily recorded in the Departmental Officer or Non-Government Organisation categories, and health sources are primarily recorded in the Medical Practitioner category.

(b) Data reported for Tasmania aligns with the AIHW counting rules except in the case of notifications received from Departmental officers which could also be classified in another category (for example, social worker). Notifications from Departmental officers were assigned to the category of Departmental officer regardless of whether the source of notification could be classified in other categories.

© '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.

Source: AIHW Child Protection Collections 2009.

Table A1.6: Substantiations of notifications received during 2008–09, by type of family in which the child was residing, states and territories

Family type	NSW ^(a)	Vic	Qld ^(b)	WA	SA	Tas ^(c)	ACT	NT
Number								
Two parent—intact	n.a.	1,356	2,491	477	929	206	222	265
Two parent—step or blended	n.a.	395	1,335	266	430	89	117	115
Single parent—female	n.a.	1,790	2,771	546	809	211	453	236
Single parent—male	n.a.	440	284	52	114	16	32	22
Other relatives/kin	n.a.	147	128	108	55	11	25	78
Foster	n.a.	—	..	22	3	13	19	1
Other	n.a.	116	305	30	33	29	12	23
Not stated	n.a.	2,100	1	22	46	613	16	118
Total	n.a.	6,344	7,315	1,523	2,419	1,188	896	858
Per cent								
Two parent—intact	..	32.0	34.1	31.8	39.1	35.8	25.2	35.8
Two parent—step or blended	..	9.3	18.3	17.7	18.1	15.5	13.3	15.5
Single parent—female	..	42.2	37.9	36.4	34.1	36.7	51.5	31.9
Single parent—male	..	10.4	3.9	3.5	4.8	2.8	3.6	3.0
Other relatives/kin	..	3.5	1.8	7.2	2.3	1.9	2.8	10.5
Foster	..	—	..	1.5	0.1	2.3	2.2	0.1
Other	..	2.7	4.2	2.0	1.4	5.0	1.4	3.1
Total	..	100.0	100.0	100.0	100.0	100.0	100.0	100.0

n.a. Not available.

.. Not applicable.

— Nil or rounded to zero.

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

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

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

Notes

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

Source: AIHW Child Protection Collections 2009.

Care and protection orders

Table A1.7: Children admitted to care and protection orders, by age, states and territories, 2008–09 (number and per cent)

Age (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Number								
<1	720	400	580	225	159	61	28	45
1–4	1,122	929	1,386	407	366	208	106	90
5–9	897	821	1,366	401	272	179	95	65
10–14	835	797	1,057	284	211	151	101	121
15–17	252	294	258	38	79	28	51	23
Unknown	1	—	—	—	—	—	—	—
Total	3,827	3,241	4,647	1,355	1,087	627	381	344
Per cent								
<1	18.8	12.3	12.5	16.6	14.6	9.7	7.3	13.1
1–4	29.3	28.7	29.8	30.0	33.7	33.2	27.8	26.2
5–9	23.4	25.3	29.4	29.6	25.0	28.5	24.9	18.9
10–14	21.8	24.6	22.7	21.0	19.4	24.1	26.5	35.2
15–17	6.6	9.1	5.6	2.8	7.3	4.5	13.4	6.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

Notes

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

Source: AIHW Child Protection Collections 2009.

Table A1.8: Children substantiated in 2007–08 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 2007–08
New South Wales	n.a.	..
Victoria	2,564	37.7
Queensland	2,108	20.2
Western Australia	740	40.9
South Australia	499	27.3
Tasmania	252	18.0
Australian Capital Territory	123	22.5
Northern Territory	86	12.2

n.a. Not available.

.. Not applicable.

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

Source: AIHW Child Protection Collections 2009.

Table A1.9: Children on care and protection orders, by sex, states and territories, 30 June 2009

Sex of child	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Number								
Male	7,024	3,124	4,063	1,695	1,269	526	330	282
Female	6,467	2,975	3,879	1,641	1,087	465	280	295
Unknown	—	1	—	1	5	—	—	—
Persons	13,491	6,100	7,942	3,337	2,361	991	610	577
Per cent								
Male	52.1	51.2	51.2	50.8	53.9	53.1	54.1	48.9
Female	47.9	48.8	48.8	49.2	46.1	46.9	45.9	51.1
Persons	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

Notes

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

Source: AIHW Child Protection Collections 2009.

Table A1.10: Children on care and protection orders, by age, states and territories, 30 June 2009

Age (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Number								
<1	459	180	262	125	77	32	17	17
1–4	3,018	1,352	1,812	845	507	224	131	140
5–9	4,049	1,674	2,341	1,081	674	297	176	166
10–14	4,126	1,736	2,274	918	669	307	159	182
15–17	1,838	1,158	1,253	368	434	131	127	72
Unknown	1	—	—	—	—	—	—	—
Total	13,491	6,100	7,942	3,337	2,361	991	610	577
Per cent								
<1	3.4	3.0	3.3	3.7	3.3	3.2	2.8	2.9
1–4	22.4	22.2	22.8	25.3	21.5	22.6	21.5	24.3
5–9	30.0	27.4	29.5	32.4	28.5	30.0	28.9	28.8
10–14	30.6	28.5	28.6	27.5	28.3	31.0	26.1	31.5
15–17	13.6	19.0	15.8	11.0	18.4	13.2	20.8	12.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

Notes

1. New South Wales data are not available for 'Supervisory orders'.
2. Northern Territory data on 'Third-party parental responsibility' arrangements are not available.
3. Percentages exclude children of unknown age.
4. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2009.

Table A1.11: Children on care and protection orders, by age and living arrangements, 30 June 2009

Age (years)	Family care ^(a)	Home-based out-of-home care ^(b)	Residential care	Family group homes ^(c)	Independent living ^(d)	Other	Total
Number							
<1	119	861	11	3	3	172	1,169
1–4	866	6,163	46	27	5	922	8,029
5–9	997	8,476	108	43	6	828	10,458
10–14	1,076	7,719	559	50	31	936	10,371
15–17	534	2,878	696	13	387	873	5,381
Unknown	—	1	—	—	—	—	1
Total	3,592	26,098	1,420	136	432	3,731	35,409
Per cent							
<1	3.3	3.3	0.8	2.2	0.7	4.6	3.3
1–4	24.1	23.6	3.2	19.9	1.2	24.7	22.7
5–9	27.8	32.5	7.6	31.6	1.4	22.2	29.5
10–14	30.0	29.6	39.4	36.8	7.2	25.1	29.3
15–17	14.9	11.0	49.0	9.6	89.6	23.4	15.2
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0
<i>Total living arrangements</i>	<i>10.1</i>	<i>73.7</i>	<i>4.0</i>	<i>0.4</i>	<i>1.2</i>	<i>10.5</i>	<i>100.0</i>

— Nil or rounded to zero.

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

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

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

(d) This category includes private board.

Notes

1. Percentages exclude children of unknown age.

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

Source: AIHW Child Protection Collections 2009.

Table A1.12: Children on care and protection orders, by type of order and Indigenous status, states and territories, 30 June 2009

Type of order	NSW ^(a)	Vic	Qld	WA	SA	Tas ^(b)	ACT	NT ^(c)	Total
Number									
Indigenous children									
Guardianship or custody orders/arrangements	2,555	593	2,021	1,154	512	125	85	376	7,421
Third-party parental responsibility	814	—	177	46	9	n.a.	4	n.a.	1,050
Supervisory orders	n.a.	208	114	52	—	1	6	—	381
Interim and temporary orders	582	24	408	213	29	25	30	24	1,335
Administrative arrangements	28	—	n.a.	—	23	—	5	28	84
<i>Total</i>	<i>3,979</i>	<i>825</i>	<i>2,720</i>	<i>1,465</i>	<i>573</i>	<i>151</i>	<i>130</i>	<i>428</i>	<i>10,271</i>
Other children									
Guardianship or custody orders/arrangements	6,521	3,781	3,801	1,461	1,602	659	350	130	18,305
Third-party parental responsibility	1,661	—	486	58	29	n.a.	13	n.a.	2,247
Supervisory orders	n.a.	1,341	355	92	7	25	36	—	1,856
Interim and temporary orders	1,221	153	580	261	90	150	63	11	2,529
Administrative arrangements	109	—	n.a.	—	60	6	18	8	201
<i>Total</i>	<i>9,512</i>	<i>5,275</i>	<i>5,222</i>	<i>1,872</i>	<i>1,788</i>	<i>840</i>	<i>480</i>	<i>149</i>	<i>25,138</i>
All children									
Guardianship or custody orders/arrangements	9,076	4,374	5,822	2,615	2,114	784	435	506	25,726
Third-party parental responsibility	2,475	—	663	104	38	n.a.	17	n.a.	3,297
Supervisory orders	n.a.	1,549	469	144	7	26	42	—	2,237
Interim and temporary orders	1,803	177	988	474	119	175	93	35	3,864
Administrative arrangements	137	—	n.a.	—	83	6	23	36	285
Total	13,491	6,100	7,942	3,337	2,361	991	610	577	35,409

(continued)

Table A1.12 (continued): Children on care and protection orders, by type of order and Indigenous status, states and territories, 30 June 2009

Type of order	NSW ^(a)	Vic	Qld	WA	SA	Tas ^(b)	ACT	NT ^(c)	Total
Per cent									
Indigenous children									
Guardianship or custody orders/arrangements	64.2	71.9	74.3	78.8	89.4	82.8	65.4	87.9	72.3
Third-party parental responsibility	20.5	—	6.5	3.1	1.6	n.a.	3.1	..	10.2
Supervisory orders	..	25.2	4.2	3.5	—	0.7	4.6	—	3.7
Interim and temporary orders	14.6	2.9	15.0	14.5	5.1	16.6	23.1	5.6	13.0
Administrative arrangements	0.7	—	..	—	4.0	—	3.8	6.5	0.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Other children									
Guardianship or custody orders/arrangements	68.6	71.7	72.8	78.0	89.6	78.5	72.9	87.2	72.8
Third-party parental responsibility	17.5	—	9.3	3.1	1.6	n.a.	2.7	..	8.9
Supervisory orders	..	25.4	6.8	4.9	0.4	3.0	7.5	—	7.4
Interim and temporary orders	12.8	2.9	11.1	13.9	5.0	17.9	13.1	7.4	10.1
Administrative arrangements	1.1	—	..	—	3.4	0.7	3.8	5.4	0.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All children									
Guardianship or custody orders/arrangements	67.3	71.7	73.3	78.4	89.5	79.1	71.3	87.7	72.7
Third-party parental responsibility	18.3	—	8.3	3.1	1.6	n.a.	2.8	..	9.3
Supervisory orders	..	25.4	5.9	4.3	0.3	2.6	6.9	—	6.3
Interim and temporary orders	13.4	2.9	12.4	14.2	5.0	17.7	15.2	6.1	10.9
Administrative arrangements	1.0	—	..	—	3.5	0.6	3.8	6.2	0.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

n.a. Not available.

.. Not applicable.

— Nil or rounded to zero.

(a) New South Wales disaggregated data are not available for 2008–09 for 'Supervisory orders'.

(b) Tasmania is not able to separately identify children under 'Third-party parental responsibility' arrangements. These children are included under the 'Guardianship or custody orders/arrangements' category.

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

Notes

1. Other children includes those children whose Indigenous status is unknown.
2. Percentages in tables may not add to 100 due to rounding.

Source: AIHW Child Protection Collections 2009.

Out-of-home care

Table A1.13: Children in out-of-home care, by age, states and territories, 30 June 2009

Age (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Number									
<1	446	170	257	102	69	27	11	14	1,096
1–4	3,157	1,016	1,695	698	446	184	103	113	7,412
5–9	4,583	1,357	2,231	880	619	265	143	147	10,225
10–14	4,896	1,603	2,013	740	576	248	136	149	10,361
15–17	2,128	1,136	897	262	306	84	101	59	4,973
Unknown	1	1	—	—	—	—	—	—	2
Total	15,211	5,283	7,093	2,682	2,016	808	494	482	34,069
Per cent									
<1	2.9	3.2	3.6	3.8	3.4	3.3	2.2	2.9	3.2
1–4	20.8	19.2	23.9	26.0	22.1	22.8	20.9	23.4	21.8
5–9	30.1	25.7	31.5	32.8	30.7	32.8	28.9	30.5	30.0
10–14	32.2	30.3	28.4	27.6	28.6	30.7	27.5	30.9	30.4
15–17	14.0	21.5	12.6	9.8	15.2	10.4	20.4	12.2	14.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

Notes

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

Source: AIHW Child Protection Collections 2009.

Table A1.14: Children in out-of-home care, by sex, states and territories, 30 June 2009

Sex of child	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Number									
Male	7,891	2,702	3,610	1,359	1,078	432	268	233	17,573
Female	7,320	2,574	3,483	1,322	934	376	226	249	16,484
Unknown	—	7	—	1	4	—	—	—	12
Persons	15,211	5,283	7,093	2,682	2,016	808	494	482	34,069
Per cent									
Male	51.9	51.2	50.9	50.7	53.6	53.5	54.3	48.3	51.6
Female	48.1	48.8	49.1	49.3	46.4	46.5	45.7	51.7	48.4
Persons	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

Notes

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

Source: AIHW Child Protection Collections 2009.

Table A1.15: Children in out-of-home care, by age and type of placement, states and territories, 30 June 2009

Type of placement/ age (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
Number									
Home-based									
<1	446	164	255	96	68	26	11	13	1,079
1–4	3,154	1,000	1,686	662	420	181	103	107	7,313
5–9	4,574	1,329	2,196	829	558	255	142	138	10,021
10–14	4,740	1,425	1,830	676	475	216	119	123	9,604
15–17	1,866	849	682	209	226	60	65	35	3,992
Unknown	1	1	—	—	—	—	—	—	2
Total	14,781	4,768	6,649	2,472	1,747	738	440	416	32,011
Residential (including family group homes)									
<1	—	6	2	6	1	1	—	—	16
1–4	3	16	9	35	13	3	—	—	79
5–9	8	28	35	49	39	9	1	3	172
10–14	154	178	183	63	77	31	17	10	713
15–17	177	250	215	36	43	16	35	8	780
Unknown	—	—	—	—	—	—	—	—	—
Total	342	478	444	189	173	60	53	21	1,760
Per cent									
Home-based									
<1	3.0	3.4	3.8	3.9	3.9	3.5	2.5	3.1	3.4
1–4	21.3	21.0	25.4	26.8	24.0	24.5	23.4	25.7	22.8
5–9	30.9	27.9	33.0	33.5	31.9	34.6	32.3	33.2	31.3
10–14	32.1	29.9	27.5	27.3	27.2	29.3	27.0	29.6	30.0
15–17	12.6	17.8	10.3	8.5	12.9	8.1	14.8	8.4	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	—	1.3	0.5	3.2	0.6	1.7	—	—	0.9
1–4	0.9	3.3	2.0	18.5	7.5	5.0	—	—	4.5
5–9	2.3	5.9	7.9	25.9	22.5	15.0	1.9	14.3	9.8
10–14	45.0	37.2	41.2	33.3	44.5	51.7	32.1	47.6	40.5
15–17	51.8	52.3	48.4	19.0	24.9	26.7	66.0	38.1	44.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

Notes

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

Source: AIHW Child Protection Collections 2009.

Table A1.16: Aboriginal and Torres Strait Islander children in out-of-home care, by Indigenous status and relationship of carer, states and territories, 30 June 2009

Relationship	NSW	Vic ^(a)	Qld	WA ^(a)	SA ^(b)	Tas ^(c)	ACT	NT ^(d)
	Number							
Indigenous relative/kin	2,759	181	590	607	204	13	40	116
Other Indigenous caregiver	843	75	566	169	112	3	9	52
Other relative/kin ^(a)	544	162	265	96	61	20	6	—
Indigenous residential care	23	13	24	26	18	—	3	—
<i>Total placed with relatives/kin, other Indigenous caregivers or Indigenous residential care</i>	<i>4,169</i>	<i>431</i>	<i>1,445</i>	<i>898</i>	<i>395</i>	<i>36</i>	<i>58</i>	<i>168</i>
Other caregiver	741	233	925	221	87	89	29	186
Other residential care	53	60	111	73	35	5	13	—
<i>Total not placed with relatives/kin, other Indigenous caregivers or Indigenous residential care</i>	<i>794</i>	<i>293</i>	<i>1,036</i>	<i>294</i>	<i>122</i>	<i>94</i>	<i>42</i>	<i>186</i>
Total	4,963	724	2,481	1,192	517	130	100	354
	Per cent							
Indigenous relative/kin	55.6	25.0	23.8	50.9	39.5	10.0	40.0	32.8
Other Indigenous caregiver	17.0	10.4	22.8	14.2	21.7	2.3	9.0	14.7
Other relative/kin	11.0	22.4	10.7	8.1	11.8	15.4	6.0	—
Indigenous residential care	0.5	1.8	1.0	2.2	3.5	—	3.0	—
<i>Total placed with relatives/kin, other Indigenous caregivers or Indigenous residential care</i>	<i>84.0</i>	<i>59.5</i>	<i>58.2</i>	<i>75.3</i>	<i>76.4</i>	<i>27.7</i>	<i>58.0</i>	<i>47.5</i>
Other caregiver	14.9	32.2	37.3	18.5	16.8	68.5	29.0	52.5
Other residential care	1.1	8.3	4.5	6.1	6.8	3.8	13.0	—
<i>Total not placed with relatives/kin, other Indigenous caregivers or Indigenous residential care</i>	<i>16.0</i>	<i>40.5</i>	<i>41.8</i>	<i>24.7</i>	<i>23.6</i>	<i>72.3</i>	<i>42.0</i>	<i>52.5</i>
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— Nil or rounded to zero.

- (a) A small number of children are placed with externally arranged foster carers who are also their relatives and have been recorded in the foster care category.
- (b) South Australia can only provide the number of children in out-of-home care where the Department is making a financial contribution to the care of a child.
- (c) Tasmania is not able to adhere to the AIHW definition of OOHC for 2008–09 to include children in care where a financial payment has been offered but has been declined by the carer. However, the number of carers declining a financial payment is likely to be very low.
- (d) In the Northern Territory, children placed with family members have all been included in the 'Indigenous relative/kin' category.

Notes

1. This table does not include Indigenous children who were living independently or whose living arrangements were unknown.
2. For details on coding of Indigenous status, see Appendix 2.
3. Percentages in tables may not add to 100 due to rounding.
4. Children in family group homes are reported as in residential care.

Source: AIHW Child Protection Collections 2009.

Trend data (prior to 2004–05)

Notifications, investigations and substantiations

Table A1.17 Number of notifications, states and territories, 1999-00 to 2003-04

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

- (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 Western Australia, in 2002–03, is associated with organisational and practice changes.
- (d) From 2002–03, the number of notifications increased in the ACT, 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.

Source: AIHW Child Protection Collections 2009.

Table A1.18: Number of substantiations of notifications received during the relevant year, states and territories, 1999-00 to 2003-04

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

- (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 Australian Capital Territory.

Source: AIHW Child Protection Collections 2009.

Table A1.19: Rates of children 0-16 years who were the subject of substantiation of a notification received during the relevant year, states and territories, 1999-00 to 2003-04 (per 1,000 children)

Year	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT
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 ^(b)	6.3	10.1	1.9 ^(c)	5.8	1.8	3.6	5.7
2003-04	n.a. ^(d)	6.4	14.0	2.0	5.9	3.0	6.7	8.7

- (a) The increase in the rate of children who were the subject of a substantiation in Tasmania is considered to be due in part to increased application of the Tasmanian Risk Framework as well as greater adherence to the definition of 'substantiation' published by the AIHW.
- (b) 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.
- (c) The decline in the number of notifications in Western Australia for 2002-03 is associated with organisational and practice changes.
- (d) New South Wales was able to provide limited data for 2003-04 due to the introduction of a new client information system.

Note: Children aged 17 years are not included in this table due to different legislation and practice across jurisdictions. There are a small number of children aged 17 years involved in this collection. Where the age of the child is unknown these children are included.

Source: AIHW Child Protection Collections 2009.

Table A1.20: 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, 1999-00 to 2003-04 (per 1,000 children)

Year	NSW	Vic	Qld	WA	SA	Tas ^{(a)(b)}	ACT ^(a)	NT
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 ^(c)	55.3	15.6	9.6 ^(d)	32.0	2.5	19.4	8.6
2003-04	n.a. ^(e)	57.7	20.8	11.2	39.9	1.6	25.3	16.2

- (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) Due to the high number of children with Indigenous status unknown in Tasmania, Indigenous children may be considerably under-reported.
- (c) 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.
- (d) The decline in the number of substantiations is due to the decreased number of notifications in Western Australia.
- (e) New South Wales data for 2003-04 were not available due to the introduction of a new client information system.

Source: AIHW Child Protection Collection 2009.

Care and protection orders

Table A1.21: Trends in the number of children on care and protection orders, states and territories, 30 June 1999 to 30 June 2004

Year	NSW ^(a)	Vic	Qld	WA	SA	Tas	ACT	NT	Total
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.

(a) New South Wales data from 1999 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.

Source: AIHW Child Protection Collections 2009.

Table A1.22: Rates of children aged 0–17 years on care and protection orders, per 1,000 children, states and territories, 30 June 1999 to 30 June 2004

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
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.

(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.

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

Source: AIHW Child Protection Collections 2009.

Out-of-home care

Table A1.23: Number of children aged 0–17 years in out-of-home care, states and territories, 30 June 1999 to 30 June 2004

Year	NSW	Vic	Qld ^(a)	WA	SA	Tas ^(b)	ACT	NT	Total
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

(a) The data for the years 1999 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.

Source: AIHW Child Protection Collections 2009.

Table A1.24: Rates of children aged 0–17 years in out-of-home care, states and territories, 30 June 1999 to 30 June 2004 (per 1,000 children)

Year	NSW	Vic	Qld ^(a)	WA	SA	Tas ^(b)	ACT	NT	Total
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

(a) The Queensland data for the years 1999 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.

Source: AIHW Child Protection Collections 2009.

Population data

Table A1.25: Population of children aged 0–16 years, by age and Indigenous status, December 2008

Age of child (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Indigenous children^(a)									
0–4	20,060	4,215	19,887	8,559	3,409	2,323	557	7,672	66,682
5–9	18,820	4,165	18,974	8,783	3,486	2,117	510	7,954	64,809
10–14	19,643	4,141	18,863	8,605	3,493	2,321	522	7,115	64,703
15–16 ^(b)	7,429	1,652	7,051	3,242	1,361	959	202	2,821	24,717
0–16	65,952	14,173	64,774	29,189	11,749	7,719	1,791	25,561	220,908
Non-Indigenous children									
0–4	429,321	338,674	277,134	138,026	92,069	30,348	22,216	10,606	1,338,394
5–9	421,153	320,204	265,023	131,140	90,980	28,964	19,990	9,594	1,287,048
10–14	431,995	332,335	276,783	138,575	97,400	31,354	20,751	9,560	1,338,753
15–16	179,273	137,860	114,849	57,087	40,534	12,883	8,669	3,799	554,954
0–16	1,461,742	1,129,073	933,790	464,828	320,983	103,550	71,626	33,560	4,519,152
All children									
0–4	449,381	342,889	297,021	146,585	95,478	32,671	22,773	18,278	1,405,076
5–9	439,973	324,369	283,997	139,923	94,466	31,081	20,500	17,548	1,351,857
10–14	451,638	336,476	295,646	147,180	100,893	33,675	21,273	16,675	1,403,456
15–16	186,702	139,512	121,900	60,329	41,895	13,842	8,871	6,620	579,671
0–16	1,527,694	1,143,246	998,564	494,017	332,732	111,269	73,417	59,121	4,740,060

(a) The December 2008 population for Indigenous children is the average of 30 June 2008 and 30 June 2009 Indigenous population projections. This methodology may result in the sum of age groups not equalling the total due to rounding.

(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 2009a, 2009c.

Table A1.26: Population of children aged 0–17 years, by age and Indigenous status, March 2009

Age of child (years)	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Indigenous children^(a)									
0–4	20,296	4,274	20,155	8,651	3,450	2,371	567	7,708	67,472
5–9	18,759	4,119	19,038	8,648	3,452	2,102	508	7,975	64,601
10–14	19,579	4,167	18,845	8,638	3,526	2,294	519	7,126	64,694
15–17 ^(b)	11,330	2,525	10,790	4,942	2,070	1,456	313	4,276	37,702
0–17	69,964	15,085	68,828	30,879	12,498	8,223	1,907	27,085	234,469
Non-Indigenous children									
0–4	431,037	340,919	280,283	139,657	92,529	30,539	22,351	10,550	1,347,865
5–9	421,567	321,148	265,996	131,823	90,899	28,869	20,096	9,626	1,290,024
10–14	431,968	332,634	277,574	139,203	97,405	31,360	20,805	9,597	1,340,546
15–17	271,298	209,522	173,424	86,491	61,355	19,412	13,293	5,634	840,429
0–17	1,555,870	1,204,223	997,277	497,174	342,188	110,180	76,545	35,407	4,818,864
All children									
0–4	451,333	345,193	300,438	148,308	95,979	32,910	22,918	18,258	1,415,337
5–9	440,326	325,267	285,034	140,471	94,351	30,971	20,604	17,601	1,354,625
10–14	451,547	336,801	296,419	147,841	100,931	33,654	21,324	16,723	1,405,240
15–17	282,628	212,047	184,214	91,433	63,425	20,868	13,606	9,910	878,131
0–17	1,625,834	1,219,308	1,066,105	528,053	354,686	118,403	78,452	62,492	5,053,333

(a) The Indigenous population for March 2009 is the 30 June 2009 Indigenous population projection.

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

Source: ABS 2009b, 2009c.

Table A1.27: Population of all children aged 0–17 years, by age, March 2009

Age of child (years)	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Australia
All children									
<1	97,583	71,412	65,612	30,904	19,917	6,757	4,794	3,769	300,748
1–4	353,750	273,781	234,826	117,404	76,062	26,153	18,124	14,489	1,114,589
5–9	440,326	325,267	285,034	140,471	94,351	30,971	20,604	17,601	1,354,625
10–14	451,547	336,801	296,419	147,841	100,931	33,654	21,324	16,723	1,405,240
15–17	282,628	212,047	184,214	91,433	63,425	20,868	13,606	9,910	878,131
0–17	1,625,834	1,219,308	1,066,105	528,053	354,686	118,403	78,452	62,492	5,053,333

Source: ABS 2009b.

Table A1.28: Population of all children aged 0–16 years, by age, December 2008

Age of child (years)	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Australia
All children									
<1	96,204	72,383	64,660	31,062	20,115	6,739	4,824	3,865	299,852
1–4	353,177	270,506	232,361	115,523	75,363	25,932	17,949	14,413	1,105,224
5–9	439,973	324,369	283,997	139,923	94,466	31,081	20,500	17,548	1,351,857
10–14	451,638	336,476	295,646	147,180	100,893	33,675	21,273	16,675	1,403,456
15–16	186,702	139,512	121,900	60,329	41,895	13,842	8,871	6,620	579,671
0–16	1,527,694	1,143,246	998,564	494,017	332,732	111,269	73,417	59,121	4,740,060

Source: ABS 2009a.

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 2009 (ABS 2009b). The rates of children subject to child protection substantiations during 2007–08 were calculated using the ABS population estimates for 31 December 2008 (ABS 2009a).

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

$$\frac{\text{Number of children aged 0–17 years on care and protection orders at 30 June 2009}}{\text{ABS estimated population of children aged 0–17 years at 31 March 2009}} \times 1,000$$

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

$$\frac{\text{Number of children aged 0–17 years in out-of-home care at 30 June 2009}}{\text{ABS estimated population of children aged 0–17 years at 31 March 2009}} \times 1,000$$

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

$$\frac{\text{Number of children aged 0–16 years who were the subjects of substantiations in 2008–09}}{\text{ABS estimated population aged 0–16 years at 31 December 2008}} \times 1,000$$

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

The same basic method outlined above was used to calculate rates for Aboriginal and Torres Strait Islander children. Population projections based on the ABS 2006 census were used for the denominator (ABS 2009c).

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

Identification of Indigenous status

Children

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

In this collection, children are counted as Indigenous if they are identified as such in the state and territory data collections. Children whose Indigenous status is recorded as 'unknown' are excluded, where possible, from calculations of rates and proportions. The counts for Aboriginal and Torres Strait Islander children are therefore likely to be an underestimate of the actual number of Aboriginal and Torres Strait Islander children in the child protection system.

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

Caregivers

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

Appendix 3: Mandatory reporting requirements

New South Wales

Since 1977, medical practitioners have been required by law to report physical and sexual abuse. This was expanded under the *Children (Care and Protection) Act 1987* to encompass 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 New South Wales Ombudsman.

These statutory obligations are supplemented and supported by interagency guidelines detailing each agency's role, responsibilities and actions required in all aspects of child 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 Communities who is involved in administering the *Child Protection Act 1999*, or a person employed in a departmental care service or licensed care service who becomes aware of, or reasonably suspects harm to, a child in the care of a departmental care service or a licensee (s. 148, *Child Protection Act 1999*).

- Staff of the Commission for Children and Young People and Child Guardian (*Commission for Children and Young People and Child Guardian Act 2000*).
- A doctor or registered nurse who becomes aware, or reasonably suspects during the practice of his or her profession that a child has been, is being or is likely to be harmed (*Public Health Act 2005, Part 3, Division 5*).
- Family court personnel and counsellors who suspect child abuse (*Family Law Act 1975*).

Western Australia

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

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

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

South Australia

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

Tasmania

In Tasmania, the *Children, Young Persons and Their Families Act 1997* (CYPF Act) emphasises that everyone in the community has a responsibility to ensure children are safe and protected. Registered medical practitioners, nurses, dentists, police officers, psychologists, departmental employees within the *Police Regulation Act 1898*, probation officers, school principals and teachers, persons who manage child care services or provide child care for a

fee or reward, and employees and volunteers in government agencies or government-funded agencies that provide health, welfare, education, or care wholly or partly for children are 'prescribed persons' under the CYPF Act and must report cases of child abuse or neglect to Child Protection Services.

During 2004–05, an amendment was made to the CYPF Act to extend the definition of abuse and neglect to include a child affected by family violence. During 2008–09 further amendments to the Act were drafted. These amendments permit prescribed persons to report concerns about the abuse or neglect of a child to community-based intake services as well as to Child Protection Services. The amendments also allow community-based intake services and Child Protection Services to receive notifications in relation to pregnant women if the notifier believes there is a likelihood of abuse or neglect once the child is born. The amendments were passed on 1 August 2009.

Australian Capital Territory

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

- (a) a doctor
- (b) a dentist
- (c) a nurse
- (d) an enrolled nurse
- (e) a midwife
- (f) a teacher at a school, this includes a teachers assistant or aide if the assistant or aide is in paid employment at the school
- (g) a person providing education to a child or young person who is registered or provisionally registered, for home education under the *Education Act 2004*
- (h) a police officer
- (i) a person employed to counsel children or young people at a school
- (j) a person caring for a child at a childcare centre
- (k) a person coordinating or monitoring home-based care for a family day care scheme proprietor
- (l) a public servant who, in the course of employment as a public servant, works with, or provides services personally to, children and young people or families
- (m) the public advocate
- (n) the official visitor
- (o) a person who, in the course of the person's employment, has contact with or provides services to children, young people and their families as is prescribed by regulation.

Northern Territory

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

Appendix 4: Legislation

Child protection legislation

Commonwealth

Family Law Act 1975

New South Wales

Children and Young Persons (Care and Protection) Act 1998

Victoria

Children, Youth and Families Act 2005

Child Wellbeing and Safety Act 2005

Queensland

Child Protection Act 1999

Western Australia

Children and Community Services Act 2004

South Australia

Family and Community Services Act 1972

Children's Protection Act 1993

Tasmania

Children, Young Persons and Their Families Act 1997

Australian Capital Territory

Children and Young People Act 2008

Northern Territory

Care and Protection Of Children Act 2007

Legislative definition of ‘in need of care and protection’

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

New South Wales

In New South Wales, a child or young person 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:

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

Victoria

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

Section 162 (1)

- (a) the child has been abandoned and after reasonable inquiries the parent(s) cannot be found, and no other suitable person can be found who is willing and able to care for the child

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

Queensland

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

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

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

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

Western Australia

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

- (a) the child has been abandoned by his or her parents and, after reasonable inquiries
 - (i) the parents cannot be found and
 - (ii) no suitable adult relative or other suitable adult can be found who is willing and able to care for the child
- (b) the child's parents are dead or incapacitated and, after reasonable inquiries, no suitable adult relative or other suitable adult can be found who is willing and able to care for the child;

- (c) the child has suffered, or is likely to suffer, harm as a result of any one or more of the following
 - (i) physical abuse
 - (ii) sexual abuse
 - (iii) emotional abuse
 - (iv) psychological abuse
 - (v) neglect, and the child's parents have not protected, or are unlikely or unable to protect, the child from harm, or further harm, of that kind or
- (d) the child has suffered, or is likely to suffer, harm as a result of
 - (i) the child's parents being unable to provide, or arrange the provision of, adequate care for the child or
 - (ii) the child's parents being unable to provide, or arrange the provision of, effective medical, therapeutic or other remedial treatment for the child.

South Australia

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

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

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

- (a) there is a significant risk that the child will suffer serious harm to his or her physical, psychological or emotional wellbeing against which he or she should have, but does not have, proper protection; or the child has been, or is being, abused or neglected
- (b) a person with whom the child resides (whether a guardian of the child or not)
 - (i) has threatened to kill or injure the child and there is a reasonable likelihood of the threat being carried out
 - (ii) has killed, abused or neglected some other child or children and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person
- (c) the guardians of the child
 - (i) are unable to care for and protect the child, or are unable to exercise adequate supervision and control over the child
 - (ii) are unwilling to care for and protect the child, or are unwilling to exercise adequate supervision and control over the child
 - (iii) are dead, have abandoned the child, or cannot, after reasonable inquiry, be found
- (d) the child is of compulsory school age but has been persistently absent from school without satisfactory explanation of the absence

- (e) the child is under 15 years of age and of no fixed address.

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

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

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

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

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

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

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

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

Tasmania

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

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

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

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

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

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

Australian Capital Territory

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

1. that a child is in need of care and protection if:

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

Abuse in relation to a child or young person means:

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

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

Examples – Necessities of life:

- 1 food
- 2 shelter
- 3 clothing
- 4 health care treatment.

Northern Territory

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

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

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

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

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

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

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

Appendix 5: Policy and practice differences in states and territories

Notifications, investigations and substantiations

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

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

- In New South Wales, all reports classified as ‘child protection’ reports are categorised and receive a ‘risk of harm’ assessment to determine the appropriate action. Only reports of harm or risk of harm are included in this report.
- In Victoria, the definition of a ‘notification’ is very broad and includes some reports that may not be classified as a notification in other jurisdictions. With the enactment of the *Children, Youth and Families Act 2005* in Victoria in April 2007, this process changed to receipt of a ‘report’ which will then be classified into a child wellbeing report or a protective intervention report.
- Queensland and South Australia screen reports and can refer cases to other agencies or provide family support services if it is assessed that a child protection 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.
- The above is also true for Western Australia, except for mandatory reports of suspected child sexual abuse which are classified as child protection notifications without prior screening.
- In 2002, the Australian Capital Territory screened reports in a similar manner to South Australia and Queensland, but in 2003 the definition was changed to incorporate all contacts regarding concerns for children as child protection reports.

Care and protection orders

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

Guardianship and custody orders

- In Western Australia, the *Children and Community Services Act 2004* enables the Children’s Court to make four types of protection orders according to the needs and circumstances

of the child or young person: Protection Order (supervision), Protection Order (time limited), Protection Order (until 18 years) and Protection Order (enduring parental responsibility). This system has been in place since 1 March 2006.

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

Third-party parental responsibility orders

- Orders that grant permanent guardianship and custody of a child to a third party are issued only in some jurisdictions and, depending on the level of involvement of the department, may or may not be recorded in the data. In Victoria, the Permanent Care Order was introduced in 1996-97 and is included in this data collection in the category 'guardianship and custody orders'. Western Australian, Queensland and Tasmania are the other jurisdictions that are able to report children on orders where guardianship and custody (or parental responsibility) is permanently transferred to a third party.
- In Western Australia, in the case of a protection order (enduring parental responsibility) a person other than the CEO of the Department for Child Protection (and other than the child's parents) is named as the person who has parental responsibility for the child until they reach 18 years.
- The information system used in Tasmania does not allow children to be recorded under a third party parental responsibility arrangement. Children under the guardianship or

custody of a person or persons approved by a court who is not the Secretary or the child's parents are included under 'guardianship or custody orders'. A provision does not exist in Tasmania for an 'officer of the state' to enter into a third party carer role.

- In the Northern Territory, third party parental responsibility orders are not counted as they are not recorded as such.

Supervisory and other finalised orders

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

Interim and temporary orders

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

Administrative arrangements

- In Tasmania, this category includes children under a voluntary care agreement between the guardian of the child and the Secretary for a period of up to 3 months and longer by extension.

Out-of-home care

Out-of-home care and court orders

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

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

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

Other state and territory differences

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

Appendix 6: Recent state and territory policy changes

This section outlines the major child protection policy changes that have occurred in recent years. The various child protection authorities in the states and territories have provided this information. Legislation relating to specific jurisdictions is listed in Appendix 3.

New South Wales

In March 2009, the Premier of NSW and the Minister for Community Services announced a detailed package of reforms to the NSW child protection system. *Keep Them Safe: A shared approach to child wellbeing* sets out a 5-year plan to improve the safety and wellbeing of children and young people. It was developed in response to the Report of Special Commission of Inquiry into Child Protection Services in NSW and outlines the Government's response to each of the 111 recommendations. The plan sets out a new direction to dramatically change the way children and families are supported and protected in NSW.

The NSW Government has committed an additional \$750 million over the next five years to implement the actions in the Plan. A key element of the Plan is the recognition that child protection is a collective responsibility across the government and non-government sector, and that the role of the NSW Department of Community Services is to focus on the most serious statutory child protection cases.

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

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

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

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

Brighter Futures program teams links Aboriginal children and families more effectively with appropriate prevention and early intervention services.

Further decisions about the *Brighter Futures* program will be made following the completion of an evaluation of the program in 2010.

The Special Commission of Inquiry into Child Protection Services in NSW recommended that the threshold for both mandatory and voluntary reporting to the Department of Community Services should be raised to 'risk of significant harm' so that only those children who are likely to need the protection powers of the state under the *Children and Young persons (Care and Protection) Act 1998* are subject to it being exercised. This means that concerns about children will be addressed earlier and the right services put in place to meet their needs. Legislative changes will not come into effect until 2010.

The NSW Department of Community Services developed the Responding to Prenatal Reports Policy to help caseworkers to respond during pregnancy and reduce the need for protective intervention after birth. Further statutory and policy changes in this area will be evaluated in the context of *Keep Them Safe*.

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

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.

The second new piece of legislation is the *Children, Youth and Families Act 2005*, which commenced operation in April 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 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.

The Act 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 has gained the capacity to accept reports on unborn children and Therapeutic Treatment Reports, which relate to the reporting of children between the ages of 10 and 14 years exhibiting sexually abusive behaviour and in need of therapeutic treatment.

The Department of Human Services is working closely with community service organisations and Aboriginal services to strengthen support services for vulnerable families. The government provided additional ongoing funding to implement the *Children, Youth and Families Act 2005*, including funding to finalise the establishment of *Child FIRST* across Victoria. *Child FIRST* enables the referral, confidentially if necessary, of vulnerable children and families to services that provide earlier, more intensive support so as to address problems before they escalate and require child protection involvement.

Further ongoing government funding has been provided in 2009–10 to enhance the therapeutic aspect of out-of-home care services, to increase early intervention service capacity and to improve the capacity and responsiveness of child protection.

Victoria is a signatory to the recent COAG-endorsed *National Framework for Protecting Australia's Children*. A range of work is underway to support the actions described in this framework.

Queensland

In 2008–09, the Queensland Government underwent significant structural and strategic policy reforms which will enhance services to vulnerable children and families. The Queensland Government launched *Toward Q2: Tomorrow's Queensland (Q2)*, a strategic document outlining future policy direction, ambitions and 2020 targets for Queensland's economy, environment, education and training, health and community.

Machinery of Government changes announced on 26 March 2009 resulted in the creation of the new Department of Communities, bringing together the former departments of Communities, Child Safety, Housing and Disability Services Queensland plus Sport and Recreation, the Office for Women and the Indigenous Government Coordination Office. The new department combines the strategic areas of government that have a community focus and will make it easier for Queenslanders to access streamlined and integrated services. The department has committed to a 'no wrong door' strategic policy when it comes to clients accessing services, to help ensure that an individual or family that comes to the department for assistance will receive a response that meets their needs. This will enable a strengthened focus on the protection of vulnerable children, young people and their families across all stages of the child protection continuum.

Through the highly successful Foster and Kinship Carer recruitment campaign that commenced in May 2008, an additional 524 new carers were recruited to improve the diversity and quality of placement options for children in care and help meet rising demand. More than \$15 million over five years has been committed to recruit, train and increase support for foster and kinship carers. This campaign contributes to the *Q2 2020* target to increase by 50% the proportion of Queenslanders involved in their communities as volunteers.

To better meet the needs of Indigenous children and young people in the child protection system, the establishment of six Safe Houses was also progressed in the state's remote

Indigenous communities by procuring land, obtaining capital works and grant funding and developing policy and service models. The Safe Houses will provide emergency and short-term placements in a fully supervised residential care setting in the community, enabling children requiring an out-of-home care placement to remain connected to their community during the assessment and consultation process. In addition, each of these service outlets is funded for a Family Intervention Services worker who works with the family to facilitate safe reunification where this is in the best interests of the child or young person. To improve the diversity of placements, new therapeutic residential services were established in Cairns and Townsville in Queensland's north. Staff commenced working with young people to help them deal with and overcome the trauma and behaviours resulting from abuse.

The Queensland Government has participated in the Cape York Welfare Reform trial which seeks to transition people from welfare dependence to engagement with the real economy. The Family Responsibilities Commission, which commenced in July 2008, is a central reform initiative of this trial, aiming to improve the care of Indigenous children and connect families with a wide range of services. This trial contributes to the Q2 2020 target to halve the proportion of Queensland children living in households without a working parent.

A new, streamlined Child Safety Practice Manual was progressively released and finalised in July 2009. The manual documents child protection procedures and practice resources to assist Child Safety Officers to provide high-quality and consistent child protection services. The revisions to the manual include updated information in relation to matters of concern for children in out-of-home care, transition from care planning, case planning, information gathering and recording, reporting to the Queensland Police Service, and responding to the needs of unborn children.

Western Australia

The Department for Child Protection (DCP) continued comprehensive child protection reforms in 2008–09, which began in 2007 following the Review of the Department for Community Development (Ford Review). Over 80% of the total reform project work, and over 60% of all reform projects, were completed at the end of June 2009.

2008–09 was the first year of a 5-year plan to embed *Signs of Safety* across the department's work units. The *Signs of Safety* child protection practice framework is the basis of a consistent, evidence-based practice framework to address both the dangers for the child and strengths in the family, through an inclusive approach with the family, children and relevant agencies. From 1 January 2009, doctors, nurses, midwives, teachers and police were required by law to report to the central mandatory reporting unit of DCP when they form a belief, on reasonable grounds, that a child has been sexually abused or is the subject of ongoing sexual abuse.

In response to a 2006 review, the *childFIRST* Assessment and Interview Team replaced the Child Interview Unit in January 2009. Co-located with the WA Police, *childFIRST* provides child assessment and forensic interviewing services for children who have suffered sexual abuse or who have suffered other abuse likely to result in criminal charges being laid. Income management for child protection is being implemented as a trial measure to address child neglect in six Departmental districts. On notification from the DCP, Centrelink manages up to 70% of a person's welfare payment to ensure that children's basic needs are met. The Department for Child Protection, in partnership with the King Edward Memorial Hospital for Women and other agencies, implemented an Interagency Pre-birth Protocol in

July 2008, which focuses on early interagency intervention. An evaluation in March 2009 indicated that mothers and families felt clearer about departmental concerns for their babies and more included in decision making.

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

- The Department for Child Protection is working collaboratively with the Departments of Health and Education and Training to implement health and education assessments and plans for children in the CEO's care.
- The number of out-of-home care placements to be provided by the non-government sector has been increased by an additional 54 placements across a variety of service model types.
- The Department's residential care services are being restructured into three tiers of service delivery to respond to the different levels of need in children.
- During 2008–09, the Department launched a foster carer recruitment campaign with the aim of recruiting 250 general foster carers. The campaign ran for three months to 30 June 2009, and prompted 1,150 enquiries. The recruitment campaign and the registration of a greater number of foster carers, along with the expansion and reform of residential care services, are expected to ease the pressure for quality care placements.
- The Foster Carer Partnership Framework and Policy has been released following extensive foster carer involvement and consultation. The framework and policy highlight the critical role of the foster carer team.

Finally, in response to the many children experiencing multiple placements while in the care of the CEO of the Department, a new policy on permanency is being developed. Legislative amendments to guide the policy and enable the introduction of special guardianship orders are currently being drafted.

South Australia

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

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

During 2008–09, other examples highlighting the importance of cross-agency partnerships included:

- Collaboration with the Department of Education and Children's Services in the establishment of Children's Centres, with the centres including services for vulnerable children, young people and their families. This has been supported by the appointment of Family Services Coordinators whose role is to focus on vulnerable

children, young people and their families to help them access the centres and receive support services.

- Implementation of a whole of government and whole of community *Interagency Child Protection Commitments and Responsibilities* package.
- In June 2008, the South Australian Government approved \$28.2 million over 4 years for non-government organisations to support families in contact with the child protection and care system. The *Stronger Families, Safer Children Program* aims to strengthen families who are at risk of having their children placed into out-of-home care.

The *Keeping Them Safe – In Our Care* strategy is re-shaping the out-of-home care system in South Australia. During 2008–09 the South Australian Government provided an additional \$22.7 million in recurrent funding to strengthen the out-of-home care system through providing additional support to foster carers, increased support for relative and kinship carers, improving foster carer recruitment and retention, and expanding capacity in the non-family-based care sector.

Tasmania

During 2007–08, Children and Family Services, Disability Services, and Youth Justice Services were amalgamated to form Disability, Child, Youth and Family Services (DCYFS). Following this amalgamation the Reform Implementation Unit (RIU) was established in September 2008 to build strong partnerships between government and the community. The RIU is responsible for the management and implementation of key reforms in family support, out-of-home care and disability services through collaboration with the community sector.

In March 2009, the RIU negotiated with community service providers to establish a community-based single point-of-entry for support services across four areas within the state. A significant feature of the newly created Gateways and Integrated Family Support Services (IFSS) is that they will enable children and families to ask for support and be referred to allied services without necessarily becoming involved with the statutory child protection system. Successful tenders for both the Gateways and IFSS were announced in June 2009.

To support and monitor the implementation of the service delivery framework for DCYFS and oversee planning the RIU has created a state-wide advisory group and four area advisory groups. The groups consist of representatives from government agencies, community sector organisations and other sector stakeholders. Area Advisory Groups are tasked with planning services at the area level, and identifying service gaps and unmet demand.

The RIU has also established Community Partnership Teams within each of the four regions across the state to build and strengthen relationships between government and community sector organisations. The teams are designed to focus on liaison, service and program quality, contract management, complaints and risk management.

To support the integration of services the RIU has developed a common assessment framework and established a reference group, consisting of representatives from government and non-government agencies to guide its implementation. In addition, the RIU has developed a resource allocation and unit pricing framework to promote equity between services and regions.

To further strengthen partnerships between government and communities, the Tasmanian Government re-affirmed its commitment to establish up to 30 Child and Family Centres, with work on the initial eight centres commencing in late 2009 in communities with identified high needs. The centres are a community-based early intervention and support initiative for families with very young children.

Another key aspect of reform to the child protection system in 2008–09 involves the out-of-home care service system, with planning underway to outsource rostered care in early 2010. This marks a significant shift in the service delivery model for out-of-home care services, repositioning the Department as a strategic planner and purchaser of placement programs.

In 2008–09, DCYFS also moved to appoint a residential practice consultant to work with government and non-government carers and organisations to improve standards of care, supervise the accreditation of foster carers, and follow up any incidents involving out-of-home care services. In early 2009, a training and development program commenced to provide all out-of-home care staff with intensive professional development, including the provision of training to rostered carers about the role of child protection services and the obligations of the Department regarding abuse and neglect.

In June 2009, the Minister for Human Services launched the Tasmanian *Charter of Rights for Children and Young People in Out-of-Home Care*. The charter consists of nine statements of rights, each supported by examples of what the right means for children and young people in care. The Minister also launched the Real Carers Really Needed Campaign in June 2009. The campaign aims to increase the recruitment of foster carers from all areas into Tasmania's Out-of-Home Care system.

Australian Capital Territory

The ACT's policy focus in Care and Protection Services has been driven by legislative changes following proclamation of the *Children and Young People Act 2008*. The Act encourages the community and the whole of government to take responsibility for ensuring that children and young people grow up in safe, stable and nurturing environments.

The *Children and Young People Act 2008* provides significant revisions by way of:

- enhanced powers to assess and respond to children and young people suspected to be at risk of abuse and neglect
- greater ability to respond more broadly to concerns that indicate a child may be at risk of abuse or neglect
- a proactive framework for seeking the views and wishes of children and young people
- greater stability and certainty for children and young people subject to care and protection orders, through stability proposals in care plans and long-term orders
- provisions to make prenatal reports
- greater capacity to exchange information in the best interests of children and young people.

Related initiatives being facilitated under the auspice of the new Act designed to promote the best interests of children include:

- the introduction of a permanency planning framework including a permanency panel
- the introduction of standards for the provision of out-of-home care services in the ACT

- the introduction of Declared Care Teams, which promote coordinated and planned services for children, young people and their families and facilitate the sharing of information among its members
- a quality assurance framework – underpinned by a comprehensive reporting framework
- reforms to the redevelopment of the Family Support and Youth Services Program
- continued development of early intervention and prevention services through the Child and Family Centre Network.

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

- development of the National Framework for Protecting Australia’s Children.
- the Indigenous Early Childhood Development National Partnership
- consultation with Aboriginal or Torres Strait Islander children, parents and agencies to ensure that the services and programs offered by centres meet identified local needs
- National Early Childhood Development Strategy and quality reforms.

Extensive review and update of the Care and Protection Services Manual has been progressing to ensure the manual reflects all the changes to statutory obligations.

A Charter of Rights for Children and Young People in Care has been completed in consultation with children and young people. The Charter of Rights will be launched in November 2009.

The ACT continues to focus on the provision of early intervention and prevention programs and building integrated systems of service delivery. Differential response at intake was introduced in 2007 and was reviewed in 2008. A range of early intervention and support services support the differential response model, including: Child and Family Centres, the Integrated Family Support Program, the Indigenous Integrated Family Support Program, the introduction of a Common Assessment Framework, and the Integrated Multi-Agencies for Parents and Children Together (IMPACT) program which supports parents who are receiving opioid replacement therapy or have mental health issues.

Work is currently underway on a number of priorities to improve outcomes for young people involved in the youth justice system. During 2009–10, the department will focus on: the development of a policy and procedures manual for youth justice which promotes continuity in case management and practice between community and custody; the implementation of an empirically validated risk assessment tool for use with young offenders in custody and the community; and the development of data systems to support current and future national data reporting requirements.

Northern Territory

A new Division, NT Families and Children, was established on 1 July 2008 and includes the following branches: Youth Services; Family and Individual Support Services; Child Protection; Out of Home Care; and Policy and System Support. These branches are providing a range of services and developing new initiatives with funding from the NT and Australian governments. The Northern Territory Government continued to progress its child protection reform agenda in 2008 and 2009. 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.

The majority of provisions of the new *Care and Protection of Children Act 2007* commenced operation on 8 December 2008, replacing the former *Community Welfare Act 1983*. Some features of the new Act include:

- new principles and overriding objects for protecting children
- new definitions of what constitutes abuse and neglect
- day-to-day responsibility for administration of the Act passing to the Chief Executive of the Department (although the Minister retains overall responsibility)
- new provisions to enable families to better care for their children (for example, mediation conferencing)
- a screening system for child-related employment
- establishment of a Children's Commissioner to investigate complaints and oversight administration of the Act
- enhanced regulation of children's services
- establishment of a Child Deaths Review and Prevention Committee
- additional support for young people leaving care.

In addition, NT Families and Children has continued to develop its *Differential Response Framework*. An initial Targeted Family Support Service, specifically for Indigenous children and their families, commenced in Alice Springs in February 2009. The purpose of Targeted Family Support Services is to prevent children and their families from entering or re-entering the child protection system. An Interdepartmental Child Protection Policy and Planning Group has been established to support the protection of children in the Northern Territory from harm and exploitation.

Appendix 7: Jurisdictions' data systems

Key differences between jurisdictions' data systems

Notifications, investigations and substantiations:

Abuse in care

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

No suitable caregiver

In some cases where the department responsible for child protection conducts an investigation, they may record an outcome of 'no suitable caregiver' (that is, no suitable parent or other legal guardian). This can include situations where a child's parent(s) have died, been incapacitated due to illness/injury or are otherwise unavailable (for example, due to being imprisoned). All jurisdictions, except the Northern Territory, include cases of 'no suitable caregiver' in the data for notifications. However, the subsequent reporting of these cases differs. For example, Victoria, South Australia, and Tasmania report these cases as substantiated neglect. In Western Australia, all cases of 'no suitable caregiver' are recorded in the 'dealt with by other means' category, as are deceased parents in the Australian Capital Territory. In the Northern Territory, cases of 'no suitable caregiver' are not part of the child protection intake system – they are streamed directly into substitute care. In Queensland cases of 'no suitable caregiver' are reported as substantiated neglect if no other harm type was identified in the intake system.

Relevant changes in data systems

New South Wales

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

Victoria

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

Queensland

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

Further changes in recording practice were introduced in Queensland in March 2007 with the introduction of the Integrated Client Management System (ICMS). Any new child protection concerns received by the department that relate to an open notification or investigation and assessment are recorded as an additional concern and linked to the open notification/investigation and assessment. Prior to the introduction of the ICMS, any new child protection concerns received by the department were recorded as an additional notification. This change in recording practice has had the effect of decreasing the number of notifications recorded in Queensland.

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

Western Australia

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

Tasmania

During 2007–08, Tasmania successfully implemented the first stage of a project to replace its existing information system. The new Child Protection Information System (CPIS) consists of a single, centrally administered database to store, manage, and provide state-wide access to child protection information. The completion of stage one has delivered improved support for intake and assessment functions.

At approximately the same time, Tasmania decentralised its intake service and introduced changes to the process for recording notifications. Before 1 July 2003, child protection workers determined whether a contact was counted as a notification but, following the introduction of the centralised intake service on 1 July 2003, every contact was recorded as a

notification. Now only the initial contact is counted as a notification and contacts received in relation to an open case of abuse or neglect are recorded as case notes.

Tasmania is currently testing stage two of its replacement information system before delivery in mid-2010. Stage two will further improve the functionality of the new CPIS and incorporate the capability to manage the out-of-home care program.

Australian Capital Territory

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

Appendix 8: Inquiries into child protection services

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

- *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 of children in care in the ACT and of ACT child protection management* (Commissioner for Public Administration 2004a) and *The Territory's children: ensuring safety and quality care for children and young people. Report on the audit and case review* (Commissioner for Public Administration 2004b) – Australian Capital Territory
- *Report on child protection services in Tasmania* (Jacob & Fanning 2006) – Tasmania.

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 making an impact on the reported data, as departments often respond to these inquiries by introducing new, or modifying existing, policies and practices.

Glossary

General definitions

Child protection and support services

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

Indigenous status

Indigenous

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

Non-Indigenous

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

Other

Includes non-Indigenous children and children of unknown Indigenous status.

Definitions for child protection notifications, investigations and substantiations

Age of child

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

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 2008 and 30 June 2009, 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 item refers to the family type in which a child is residing at the time of notification of child abuse or neglect. If the type of family of the child is collected at the time of investigation, or at some time other than at notification, then this should be clearly footnoted by data providers. The family type of a child is classified into 8 main categories:

Two parent – natural or intact

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

Two parent – step or blended

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

Single parent – female

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

Single parent – male

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

Other relatives/kin

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

Foster care

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

Other

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

Not stated

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

Investigation outcome

The following categories are used:

Finalised investigation

A finalised investigation is a notification received between 1 July 2008 and 30 June 2009 which was investigated and the investigation was completed and an outcome of substantiated or not substantiated recorded by 31 August 2009.

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 2008 and 30 June 2009 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 has relocated. These investigations would be completed between 1 July 2008 and 30 June 2009.

Investigation in process

An investigation that is in process is a notification received between 1 July 2008 and 30 June 2009 which was investigated, but where the investigation was not completed and an investigation outcome was not recorded by 31 August 2009.

Source of notification

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

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/psychologist/other trained 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 an employee of 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 2009, which were investigated and the investigation was finalised by 31 August 2009, 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

Substantiations are classified into four categories: physical abuse, sexual abuse, emotional abuse and neglect. Where more than one type of abuse or neglect or harm has occurred, the substantiation should be classified to the type most likely to be the most severe in the short term or most likely to place the child at risk in the short term, or if such an assessment is not possible, to the most obvious form of abuse or neglect.

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

Investigations to be included in this data collection relate to notifications of a child aged less than 18 years of age made to an authorised department between 1 July 2008 and 30 June 2009, which were subsequently investigated.

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

Age is the age of a person in completed years. The tables containing information on type of living arrangements show age at 30 June 2009; tables containing information on admissions or discharges show age at the time of first admission or discharge.

Child subject to orders

Any child on an order or other formal arrangement as defined in the 'scope and coverage' of this collection. 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

The type of care in which a child spent the night of 30 June 2009 (except those on authorised absence or outing who should be counted according to their usual type of living arrangement).

The categories are:

- (a) **Residential care** – where the placement is in a residential building whose purpose is to provide placements for children and where there are paid staff.
- (b) **Family group homes** – provide short-term care in departmentally owned homes for children under Care and Protection Orders and other children whose parents are

unable to provide for their immediate welfare. Family group homes do not have salaried staff but are available rent free to approved carers, who receive board payments to reimburse them for the cost of looking after the children in their care.

- (c) **Home-based out-of-home care** – where placement is in the home of a carer who is reimbursed (or who has been offered but declined reimbursement) for the cost of care of the child including:
 - (i) *relatives or kin who are reimbursed* (other than parents) by the state/territory for the care of the child
 - (ii) *foster care* – where the caregiver is authorised and reimbursed (or was offered but declined reimbursement) by the state/territory for the care of the child (excludes relatives/kin who are reimbursed)
 - (iii) *other home-based care out-of-home care*.
- (d) **Family care** – including:
 - (i) *parents* – (natural or adoptive)
 - (ii) *relatives or kin who are NOT reimbursed* (other than parents).
- (e) **Independent living** – including private board and lead tenant households.
- (f) **Other living arrangements** – including living arrangements that do not fit into the above categories and unknown living arrangements. The other category also includes any placements made in disability services, psychiatric services, juvenile justice facilities, Supported Accommodations Assistance Program (SAAP) and overnight child care services. These living arrangements may have rostered and/or paid staff, and are generally not a home-like environment.

Definitions for out-of-home care

Age of child

The age of a child in completed years. For children in 'out-of-home care' at 30 June 2009, age is given at that date. For children admitted to care during the year, age is counted at the time of the first admission for the year.

Respite care

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

Type of placement

Placement type is divided into the following categories:

- (a) **Residential care** – where placement is in a residential building whose purpose is to provide placements for children and where there are paid staff.

- (b) **Family group homes** – provide short-term care in departmentally-owned homes for children under care and protection orders and other children whose parents are unable to provide for their immediate welfare. Family group homes do not have salaried staff but are available rent free to approved carers, who receive board payments to reimburse them for the cost of looking after the children in their care.
- (c) **Home-based care** – where placement is in the home of a carer who is reimbursed (or who has been offered but declined reimbursement) for expenses for the care of the child. This is broken down into the three subcategories:
 - (i) *relative/kinship care* – includes family members (other than parents) or a person well known to the child and/or family (based on a pre-existing relationship) who is reimbursed (or who has been offered but declined reimbursement) by the state/ territory for the care of the child.
 - (ii) *foster care* – where the care is authorised and carers are reimbursed (or were offered but declined reimbursement) by the state/territory and supported by an approved agency.
 - (iii) *other – home-based care* which does not fall into either of the above two categories.
- (d) **Independent living** – including private board and lead tenant households.
- (e) **Other placement types** – includes placements that do not fit into the above categories and unknown living arrangements.

Definitions for intensive family support services

Age

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

Agency

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

Indigenous

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

Living situation

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

- (a) Family Care – including:

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

Location

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

Geographic area

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

Type of service

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

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List of tables

Table 2.1:	Notifications, by type of action, states and territories, 2008–09.....	11
Table 2.2:	Outcomes of finalised investigations, states and territories, 2008–09.....	12
Table 2.3:	Number of notifications, states and territories, 2004–05 to 2008–09	13
Table 2.4:	Number of substantiations of notifications received during the relevant year, states and territories, 2004–05 to 2008–09	13
Table 2.5:	Investigations, by source of notification, states and territories, 2008–09 (per cent).....	14
Table 2.6:	Rates of children 0–16 years who were the subject of substantiation of a notification received during the relevant year, states and territories, 2004–05 to 2008–09 (per 1,000 children)	16
Table 2.7:	Number of notifications, substantiations of notifications and number of children who were the subject of a notification and/or substantiation of a notification, 2008–09, states and territories.....	18
Table 2.8:	Children aged 0–17 years in substantiations of notifications received 2008–09, by age, states and territories (per 1,000 children)	19
Table 2.9:	Children who were the subject of a substantiation of a notification received during 2008–09, by type of abuse or neglect and Indigenous status, states and territories (per cent)	20
Table 2.10:	Children aged 0–16 years who were the subjects of substantiations of notifications received during 2008–09, by Indigenous status, states and territories (number and rates per 1,000 children)	21
Table 2.11:	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, 2004–05 to 2008–09 (per 1,000 children)	22
Table 3.1:	Trends in the number of children on care and protection orders, states and territories, 30 June 2005 to 30 June 2009	26
Table 3.2:	Rates of children aged 0–17 years on care and protection orders, per 1,000 children, states and territories, 30 June 2005 to 30 June 2009	26
Table 3.3:	Children admitted to and discharged from care and protection orders, states and territories, 2008–09.....	27
Table 3.4:	Children discharged from care and protection orders, by length of time on an order, states and territories, 2008–09 (number and per cent).....	29
Table 3.5:	Care and protection orders issued, by type of order and ratio of children admitted to orders issued, states and territories, 2008–09.....	30
Table 3.6:	Children on care and protection orders, by type of order, states and territories, 30 June 2009.....	31
Table 3.7:	Children on care and protection orders, by living arrangements, states and territories, 30 June 2009	34
Table 3.8:	Children on care and protection orders, by number and rate per 1,000 children aged 0–17 years and Indigenous status, states and territories, 30 June 2009	35
Table 4.1:	Number of children aged 0–17 years in out-of-home care, states and territories, 30 June 2005 to 30 June 2009	38

Table 4.2:	Rates of children in out-of-home care, states and territories, 30 June 2005 to 30 June 2009 (per 1,000 children).....	39
Table 4.3:	Children admitted to out-of-home care, by age group, states and territories, 2008-09	40
Table 4.4:	Number of children discharged from out-of-home care, by age group, states and territories, 2008-09	41
Table 4.5:	Children in out-of-home care, by type of placement, states and territories, 30 June 2009.....	42
Table 4.6:	Children in out-of-home care, order status, states and territories, 30 June 2009.....	44
Table 4.7:	Children in out-of-home care, by length of time in continuous placement, states and territories, 30 June 2009.....	45
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, 30 June 2009.....	46
Table 5.1:	Number of children aged 0-17 years commencing intensive family support services, by age at commencement of service, states and territories, 2008-09.....	49
Table 5.2:	Children commencing intensive family support services, by living arrangements at commencement of service, states and territories, 2008-09	51
Table A1.1:	Substantiations of notifications received during 2008-09, by type of abuse or neglect, states and territories	52
Table A1.2:	Children in substantiations of notifications received during 2008-09, by type of abuse or neglect and sex, states and territories.....	53
Table A1.3:	Children in substantiations of notifications received during 2008-09, by age and Indigenous status, states and territories	55
Table A1.4:	Children aged 0-17 years who were the subject of a substantiation of a notification received during 2008-09, by type of abuse or neglect and Indigenous status, states and territories	57
Table A1.5:	Number of investigations, by source of notification, states and territories, 2008-09	58
Table A1.6:	Substantiations of notifications received during 2008-09, by type of family in which the child was residing, states and territories	59
Table A1.7:	Children admitted to care and protection orders, by age, states and territories, 2008-09 (number and per cent)	60
Table A1.8:	Children substantiated in 2007-08 and subsequently placed on care and protection orders within 12 months, for selected states and territories	60
Table A1.9:	Children on care and protection orders, by sex, states and territories, 30 June 2009.....	61
Table A1.10:	Children on care and protection orders, by age, states and territories, 30 June 2009.....	61
Table A1.11:	Children on care and protection orders, by age and living arrangements, 30 June 2009.....	62
Table A1.12:	Children on care and protection orders, by type of order and Indigenous status, states and territories, 30 June 2009.....	63
Table A1.13:	Children in out-of-home care, by age, states and territories, 30 June 2009	65
Table A1.14:	Children in out-of-home care, by sex, states and territories, 30 June 2009.....	65

Table A1.15:	Children in out-of-home care, by age and type of placement, states and territories, 30 June 2009	66
Table A1.16:	Aboriginal and Torres Strait Islander children in out-of-home care, by Indigenous status and relationship of carer, states and territories, 30 June 2009.....	67
Table A1.17	Number of notifications, states and territories, 1999-00 to 2003-04.....	68
Table A1.18:	Number of substantiations of notifications received during the relevant year, states and territories, 1999-00 to 2003-04.....	68
Table A1.19:	Rates of children 0-16 years who were the subject of substantiation of a notification received during the relevant year, states and territories, 1999-00 to 2003-04 (per 1,000 children)	69
Table A1.20:	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, 1999-00 to 2003-04 (per 1,000 children)	69
Table A1.21:	Trends in the number of children on care and protection orders, states and territories, 30 June 1999 to 30 June 2004	70
Table A1.22:	Rates of children aged 0-17 years on care and protection orders, per 1,000 children, states and territories, 30 June 1999 to 30 June 2004.....	70
Table A1.23:	Number of children aged 0-17 years in out-of-home care, states and territories, 30 June 1999 to 30 June 2004	71
Table A1.24:	Rates of children aged 0-17 years in out-of-home care, states and territories, 30 June 1999 to 30 June 2004 (per 1,000 children)	71
Table A1.25:	Population of children aged 0-16 years, by age and Indigenous status, December 2008	72
Table A1.26:	Population of children aged 0-17 years, by age and Indigenous status, March 2009	73
Table A1.27:	Population of all children aged 0-17 years, by age, March 2009	74
Table A1.28:	Population of all children aged 0-16 years, by age, December 2008.....	74

List of figures

- Figure 1.1: The child protection process in Australia 2
- Figure 2.1: Substantiations of notifications received during 2008–09, by type of abuse or neglect, states and territories 15
- Figure 2.2: Substantiations of notifications received during 2008–09, by type of family in which the child was residing, states and territories 17
- Figure 3.1: Children admitted to care and protection orders, by age, states and territories, 2008–09 28
- Figure 3.2: Children on care and protection orders, by age, states and territories, 30 June 2009..... 32
- Figure 3.3: Children on care and protection orders, by living arrangements, states and territories, 30 June 2009 33
- Figure 4.1: Children in out-of-home care, by living arrangements, states and territories, 30 June 2009..... 43
- Figure 4.2: Aboriginal and Torres Strait Islander children in out-of-home care, states and territories, 30 June 2009 47
- Figure 5.1: Children commencing intensive family support services, by living arrangements at commencement of service, states and territories, 2008–09 50