

Child Protection

AUSTRALIAN DEMOCRATS ACTION PLAN CHILD PROTECTION CHILDREN AND YOUTH

Our society is failing in its fundamental duty to protect the welfare of Australia's children.

Media and other reports of current and past child assault and abuse reveal a problem of epidemic proportions that the states can no longer be expected to handle on their own. The Australian Democrats recommend that the Commonwealth, states and territories abandon their jurisdictional and ideological differences over a divided policy area and become allies rather than contestants in child protection. We have repeatedly used our Senate role to raise these issues and pressure the federal Government to show national leadership to address this major crisis.

"The national epidemic of child abuse undermines our nation's future and requires leadership and action at national level"

**Senator Andrew Bartlett
Democrat Spokesperson
on Children & Youth**

1. Currently, there are eight different child protection systems and over 200 pieces of legislation dealing with children's interests across the states and territories, many of which are narrowly framed and outdated. For instance, there are different child abuse reporting requirements, different interpretations of what constitutes abuse and the ad-hoc screening of workers and volunteers;
2. A multitude of state-based reports into child protection in Australia clearly indicate crisis-ridden systems. Under-funding and under-staffing as well as the high turnover of over-worked and often inexperienced workers mean that children in out-of-home care are often abused and neglected;
3. There continues to be a disturbing escalation in child abuse notifications in many areas. The latest figures from the Australian Institute of Health and Welfare reveal that over the last 5 years, the number of child protection notifications in Australia has almost doubled from 137,938 in 2001–02 to 266,745 in 2005–06. From 2004–05 to 2005–06 the number of notifications increased in most jurisdictions. Some of this increase reflects changes in child protection policies and practices in the jurisdictions and could also reflect increased public awareness of child abuse.
4. Rates of children aged 0–16 years who were the subject of a child protection substantiation in 2005–06 varied considerably across jurisdictions, consistent with variations in policy and practice. In most jurisdictions, substantiation rates were between 5 and 11 per 1,000 children;
5. There continues to be poor availability of leaving-care services. Arguably, those leaving care comprise one of the most vulnerable and underprivileged groups in society. However, most governments appear to regard leaving care in narrow economic and budgetary terms, rather than as a broader social and human rights concern;



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Last updated 24/08/2007

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6. The Senate's Community Affairs References Committee Inquiry Report, A hand up not a hand out: Renewing the fight against poverty reinforced that children living in poverty have a higher incidence of child abuse and neglect and their parents poorer parenting skills. As noted by the Child And Family Welfare Association of Australia, "... research collectively identifies poverty as the single most significant condition connected to child abuse and neglect".
7. Child abuse and neglect incurs massive costs to the public purse. According to a study commissioned by the Kids First Foundation and the Abused Child Trust, child abuse and neglect costs Australian taxpayers \$5 billion each year – that is \$250 for each man woman and child in this country. This Report found that:
 - child protection programs cost the community \$797million a year;
 - taxpayers foot \$794 million each year to prosecute and punish child abusers;
 - about \$1 billion a year is associated with the human costs of those abused and neglected, including outlays associated with suicide, medical treatments and psychological trauma; and
 - a further \$2 billion is associated with the long-term social and economic costs, which included the costs of crime committed by juveniles and adults whose childhood abuse was considered a significant factor in their anti-social behaviour.

Quite apart from the huge drain on taxpayers' dollars, the associated life-time suffering endured by victims warrants a national approach. A trilogy of federal/national inquiries¹ found that the legacy of child abuse is profound. Many are too traumatised to lead functional adult lives descending instead into homelessness, welfare dependency, substance abuse, relationship and mental health problems and sadly, some choose suicide. Studies show that prisons are full of child abuse victims and that victims have in turn created a raft of new victims.

It is time to learn from history and research and ensure that the best interests of the child are a primary consideration in all decisions that affect them, a fundamental principle of the United Nations Convention on the Rights of the Child to which Australia became a signatory in 1990. If the Commonwealth were to give legislative effect to this UN Convention using the external affairs power under S51 of the Constitution, it would be able to take a far stronger role in children's matters than it presently does.

Australia's children deserve nothing less than to live in a protective environment free from violence, abuse and exploitation.

¹ 1997: The Human Rights and Equal Opportunity Commission: Bringing them home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families

2001: Senate Community References Committee Report into Child Migration - Lost Innocents: Righting the Record

2004 Senate Community References Committee Report – Forgotten Australians: a report on Australians who experienced institutional or out-of-home care as children



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Printed by Senator Lyn Allison, Parliament House, Canberra ACT 2600