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## **Consultation Paper: Institutional Responses to Child Sexual Abuse in Out-of-Home Care**

Submission to Royal Commission into Institutional  
Responses to Child Sexual Abuse

**April 2016**

*[www.anglicare.asn.au](http://www.anglicare.asn.au)*

## Anglicare Australia

Anglicare Australia is a network of over 40 independent local, state, national and international organisations that are linked to the Anglican Church and are joined by values of service, innovation, leadership and the Christian faith that every individual has intrinsic value. Our services are delivered to one in 40 Australians, in partnership with them, the communities in which they live, and other like-minded organisations in those areas. In all, over 12,000 staff and almost 7,800 volunteers work with over 930,000 vulnerable Australians every year delivering diverse services, in every region of Australia.

Anglicare Australia has as its Mission “to engage with all Australians to create communities of resilience, hope and justice”. Our first strategic goal charges us with reaching this by “influencing social and economic policy across Australia...informed by research and the practical experience of the Anglicare Australia network”.

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## Introduction

Anglicare members are independent organisations that provide social services in their respective communities. They choose to come together as part of the Anglicare Network to strengthen their effort in responding to the multiple and complex needs of people and families across Australia, to match local presence to national strength and ultimately to bring positive change to Australia.

Anglicare Australia agencies work in close co-operation with government and other community organisations, and some receive funding from federal, state and local governments to provide a wide range of services. These include:

- Foster care, out-of-home care, residential care, adoption and childcare
- Support programs for vulnerable families and children
- Support for people with disabilities
- Financial counselling and low/no interest loans
- Family and relationship counselling
- Alcohol and other drug treatment and support programs
- Family violence programs
- Youth programs
- Residential and community aged care
- Emergency relief
- Employment services
- Community housing and emergency accommodation services
- Community development through building communities of hope
- Working with Aboriginal and Islander Australians
- Programs for refugee and migrant communities
- Social research and advocacy.

The Anglicare Network has 12 member agencies around the country that support over 5000 children and young people in out-of-home care each year. Our member agencies provide and support foster care, kinship care, lead tenant arrangements, residential care, adoption, and family group home accommodation.

Like many other agencies that are involved in out-of-home care, Anglicare Australia and our members are particularly concerned that the outcomes for children and young people in out-of-home care are often poor. Anglicare Australia is committed to improving the outcomes for children and young people, and ensuring that our services are places of safety and respect. As a national network, we seek to harness our unique opportunity to shift our focus beyond the goals of safety and permanency to encompass child wellbeing.

In this broader context of focusing on wellbeing and positive outcomes, the prevention, reporting and response to child sexual abuse is paramount. It is vital that our services are trauma-informed and our workers are able to walk alongside children and young people who have experienced sexual abuse before their out-of-home care placement. This requires out-of-home care providers to be aware of the circumstances of a child or young person's care placement, and be able to adequately adapt the matching process, the therapeutic care available, and leaving care processes to meet their individual needs. Also at the core of our duty of care, and our moral responsibility, is our duty to ensure that children and young people are not harmed or abused while in the care of an Anglicare agency.

This submission builds on our previous submissions to the Royal Commission and the joint work between the member agencies of the Anglicare Network. We have provided examples of promising practice from our network where we believe there may be value to the Royal Commission in understanding how the principles explored in this submission are able to be lived out in a service context.

## Adequate data collection and information sharing

The information we currently have from the increasing large body of research nationally and internationally has some common themes. The number of children entering out-of-home care is increasing and the children who are entering care are coming at a younger age, remaining in care longer, and are presenting with more complex needs. The outcomes for children in out-of-home care are poor and remain poor despite concerted efforts by services to make improvements. Trauma, as a result of abuse and or neglect, impacts upon a child's social, psychological, motor, health and academic ability.

Good data collection and information sharing processes are necessary to ensure that the collective out-of-home care system and individual agencies are responsive to allegations of sexual abuse. Anglicare Australia supports the introduction of a nationally consistent approach to the collection of data. Consistent data collection practices across all states and territories would allow for improved and more systematic understanding of the extent and nature of child sexual abuse in out-of-home care, and a more consistent approach to serve the best interests of all Australian children and young people.

Anglicare Australia is undertaking a project to define and collect nationally consistent data across its member agencies. Differences in funding regimes and accountability measures between state and territory governments mean this is difficult, but it is hard to see how outcomes can truly be measured, and therefore improved, without such consistency. This will then allow Anglicare Australia members to 'benchmark' nationally, exploring which practices lead to the best outcomes, and adapting and altering practice accordingly.

Anglicare Australia is encouraged by the Royal Commission's proposed data model in relation to child sexual abuse in out-of-home care. We would add that data should be used to *identify, monitor and measure* treatment and support provided, and life outcomes, rather than just monitor treatment, support and outcomes.

Data collection and information sharing is also vital to effective case management, and measuring what difference out-of-home care services are making to the developmental wellbeing and achievements of the child or young person who has access to those services. We are of the view that as a sector out-of-home care providers need to get better at answering the following simple questions: what are we aiming to achieve; how are we going to achieve it; and, how will we know if and when it has been achieved?

In the area of out-of-home care, the Anglicare network is actively fostering internal connections, sharing ideas about practice and service delivery, and identifying common work agendas. We believe that collaborative work in this area will increase the consolidated knowledge through the sector and improve the quality of service provided for children and young people. Anglicare Australia is considering a common data collection and outcomes measure for our members that deliver out-of-home care. We see the primary benefit of adapting a common data collection framework that focuses upon outcomes would be the improved outcomes for children and young people in our out-of-home care services. It will also improve accountability to the children in our care. By developing our national network's capacity to learn from each and identify outcomes, we seek to ensure that our learning and continuous quality improvement continues at a local, regional and national level once the work of the Royal Commission ceases.

**Practice Example – Anglicare Victoria: Children in Care Report Card**

Since 2013, Anglicare Victoria has produced an annual Children in Care Report card. It seeks to make better use of the comprehensive data being collected by case workers. The Report Card provides a snapshot of the disadvantage experienced by children and young people in out-of-home care, and serves as a call to action, highlighting gaps across a number of life domains. The report allows for a face-value comparison of how children and young people in care are faring relative to others more broadly in Victoria and Australia. Data for the Report Card is sourced from the Looking After Children (LAC) assessments completed for children and young people living in out-of-home care through Anglicare Victoria, as well as from a range of publicly available research reports which have measured physical, psychological and social health and wellbeing in the broader population.

It is clear that information sharing needs to be improved across the board, whether information is being shared with children, carers, or other service providers. It is important that staff of out-of-home care providers are familiar with the Australian Privacy Principles and the sensitivity of personal information, and that staff are confident in following proper procedures to ensure that information that needs to be shared is appropriately shared.

When it comes to information sharing across jurisdictions, or between providers, Anglicare Australia is encouraged by the approach taken by the Victoria Royal Commission into Family Violence whereby privacy considerations do not trump victims’ safety. It would be beneficial for all jurisdictions to have consistent arrangements that govern the sharing of information between agencies and across jurisdictions.

## Elements of a child safe organisation

Anglicare Australia strongly supports the view that the right of all children to live their lives free from abuse is paramount. We refer the Royal Commission to our previous submission in response to Issues Paper 3 about child safe organisations. In that submission, we outlined our network’s belief that there should be a universal set of principles and clear framework which is then operationalised and specifically tailored to organisations and the services they deliver.

Anglicare Australia is of the view that the following practices are necessary for an organisation to be child safe, although they are not in themselves sufficient to ensure the safety of children and young people in care:

- Child protection training for staff and volunteers working with children
- Training on the theoretical underpinnings of offending behaviour and identifying problem behaviours
- Establishment of open and transparent conversations about worker behaviours and attitudes
- Processes for reporting child protection concerns and disclosures
- Guidelines for contact between children and adults
- Provision of support and guidance for employees, volunteers, children and their families where concerns are expressed about harm to a child
- Specific policies and procedures in relation to working with children, duty of care, allegations and disclosures of abuse and neglect and other child protection matters
- A code of conduct which promotes positive work practices and establishes boundaries concerning acceptable and unacceptable behaviours in relation to children with whom organisations have contact.

Perhaps the greatest indication of whether an organisation is child safe is that young people take up the opportunity to raise their concerns, and are active participants in their care. Anglicare Australia sees great value in Western Australia’s Commission for Children and Young People’s 2012

publication *Are You Listening* to develop strategies to increase children and young people's reporting of complaints and concerns.

**Practice Example – Anglicare Victoria: Youth Movement Initiative**

An initiative developed in Bendigo is the Youth Movement Initiative (YMI). YMI comprises a group of young people who have been in care and who are employed by Anglicare Victoria as youth advisors and advocates. Their main role is the improvement of the lives of children both in and upon leaving the care system. The YMI team acts as mentors for young people in care and provides ongoing support and advice.

A further component of child safe organisations is the dedication to being a learning organisation. One of the key ways that the Anglicare network facilitates individual and collective learning is through our internal special interest networks. In August 2015, Anglicare Australia organised an out-of-home care forum to bring together service providers across the Anglicare network in the spirit of collegiality to share practice and experience, and to imagine the future of our out-of-home care services. The timing of the forum coincided with the reporting of the Senate Inquiry into out-of-home care so that the recommendations and implications could be collectively reviewed by the participants. Participants identified sector risks and a common work agenda to consolidate knowledge and improve the quality of services across the network.

The forum also brought about the formation of an ongoing out-of-home care special interest network to continue the conversation and work program that was started at the forum. Driven by a desire to see an improvement in the outcomes for children and young people, the Anglicare Australia out-of-home care network seeks to draw together the collective knowledge and insight of the hundreds of staff members supporting children and young people in Anglicare agencies around the country. The out-of-home care special interest network also provides agencies to share what they have learned from engaging with experts (such as criminologists and other experts with knowledge about offending) with other members of the network.

Similarly, Anglicare Australia's children, families and communities network, and the human resources network form spaces where staff at all levels are building their capacity, sharing their knowledge, and seeking to improve practice with regards to child safety. The annual Anglicare Australia conference provides a further opportunity for best practice to be shared with the network.

## Regulation and independent external oversight of the Out-of-Home Care system

Anglicare Australia continues to call for a nationally cohesive system with legislation, regulations and processes that are mirrored across state and territory boundaries. While system harmonisation seems to be a difficult conversation for the states and territories, there exists a high degree of national consensus as to the gaps or improvements that can be made to further protect children across jurisdictions. It is imperative that the out-of-home care system is as robust and integrated as possible to ensure that being in care does not traumatise children and young people further.

There is consensus among Anglicare network agencies for a separation of powers within child protection regulation, the additional administrative costs to support such a structure notwithstanding. Whether a matter of resourcing/funding, case investigation, follow-up support or monitoring, it is apparent that the differentiation between regulator and care manager – and the subsequent separation of those roles and associated powers – must be made clear. A lack of separation of powers has other implications for transparency, accountability, adaptability and responsiveness. Along the continuum of care and protection there are a number of components, each of which fall under one or other of these common standards of practice. Should the broad scope of these responsibilities rest in any one entity, conflicts of interest; complaints and appeals processes;

transparency and accountability; and workforce requirements issues must be considered.

Independent oversight mechanisms such as official visitors have a clear role to play in providing children and young people with another avenue for raising concerns and complaints. If these positions are adequately resourced and supported (for example, through having a direct line of communication to the relevant state or territory Minister), they provide a useful advocate for people in care, both at a system-wide level and in response to specific complaints.

Anglicare Australia recommends rigorous training and assessment of carers before a placement occurs, although we appreciate that the demand for placements can outstrip the rate of carer recruitment. Many of our member agencies use the *Step by Step Carer Assessment* package, which includes both an assessment process and training.

## Strengthening sexual abuse prevention education

Education for children and young people, as well as for carers and staff, is a vital component to preventing and addressing sexual abuse.

Any national education strategy would need to incorporate strategies that address disrupted schooling. Education programs that target children and teach protective behaviours are often delivered as school-based programs. However, the lived reality of disrupted schooling means that education programs need to address the possibility that the audience has mixed prior knowledge, and not assume that school is the location for the delivery of sexual abuse prevention education for children and young people. This is especially important as in many cases of child sexual abuse in care the ‘perpetrator’ is another child.

### **Practice Example – Anglicare Southern Queensland: camp for young people in care**

In 2013, staff at Anglicare Southern Queensland facilitated a camp for young people aged 13-17 years in care. The camp curriculum included educational content on healthy relationships, domestic violence, sexual safety, and body image.

It is important that carers have access to therapeutically informed support and training. The appearance of sexualised behaviour in children can be confronting. The theoretical tools provided to carers through training ought to be augmented by support in the home by qualified agency support staff. This ongoing support allows for smooth transitions for both the carer and the young person in identifying and addressing inappropriate sexualised behaviour. At the same time as supporting carers agency staff can be educating and supporting the young person in behaviour that is positive and age appropriate.

All carers should have access to one-on-one support, such as an assigned support worker who supports carers through home visits and care meetings, as well as access to training that will support carers to respond to the unique developmental, healing and growth needs of children and young people in their care.

### **Practice example – cascara: Side-By-Side program**

In 2013, ac.care implemented Side-By-Side which is a therapeutically informed and professional caregiver support program designed by a clinical psychologist. The program aims to build the confidence and capacity and caregivers to respond to the needs of children in the care system, and to increase caregivers’ access to consistent, professional and high quality support. The program is based on the life activation model of wellbeing and resilience.

**Practice example – Anglicare Victoria: Professional Development Program Training Calendar**

Once approved by Anglicare Victoria’s foster care panel, carers have access to an extensive training package available for all foster carers and staff contained within Anglicare Victoria’s Professional Development Training Calendar. Approved foster carers receive continued support from the recruitment and intake team, who also complete annual reviews with each approached carer and ensure all compliance information is current. The child’s case worker provides supervision to the foster carers at least monthly.

## Therapeutic care and support for children and carers, including those who are leaving care and those who sexually harm other children

In order for young people to achieve positive outcomes while in out-of-home care, we need trauma-informed practices that honour the person’s story and experience. In order to be responsive to an individual’s needs and circumstances, services need well-trained and empathetic professionals who understand and can respond to the impact of trauma. Our network understands that recovery is relational, and that building healthy, safe relationships with trauma survivors creates a space that allows people to experience being heard, being seen and being understood.

**Practice Example – Parkerville Children and Youth Care**

Parkerville has adopted a multidisciplinary team approach within its therapeutic care services. Each child within the out-of-home care program undergoes a number of assessments on intake, within the first two weeks of placement. Psychological, occupational therapy and education assessments are undertaken to understand the child’s baseline functioning, and from there a care team is formed with a dedicated team leader. Care plans are based on the Australian Childhood Foundation’s model of therapeutic care. All staff are required to undertake mandatory training focusing on areas such as the impact of abuse and trauma, managing disclosures, therapeutic crisis intervention, self-care, self-regulation, attachment, and grief and loss.

It is well documented that young people leaving state care continue to have poor outcomes, despite increased efforts and investments from both government and non-government services. The present system in Australia dictates that statutory services cease when a child reaches the age of 18. Leaving care planning is therefore based on a young person being deemed an adult at age 18, rather than an individually needs based structure. Anglicare Australia is supportive of Anglicare Victoria’s advocacy campaign that the age a young person leave care should be extended from 18 to 21 years old.

## Access to care leaver records

Anglicare Australia acknowledges the difficulty that is often faced by care leavers who wish to access their care leaver records. Changes in the ownership of care organisations can make it particularly difficult to retrieve and view records as it is hard to know where to look or who to ask for information.

**Practice Example – Anglicare Australia: Provenance Project**

In order to help people who wish to find their historical care records, Anglicare Australia released the *Provenance Project* in September 2014. This online product explores and details the organisational ‘family tree’ of those organisations in the Anglicare network offering or that had offered institutional care to children and young people. The *Provenance Project* is available from the Anglicare Australia website at <http://www.anglicare.asn.au/publications/other-publications/provenance-project>



## Conclusion

We thank the Royal Commission for the opportunity to provide input into your consideration of institutional responses to child sexual abuse in out-of-home care. It is vitally important that out-of-home care providers are able to assist children and young people in their care to work through the traumas that have led to their out-of-home care placement, and that young people are not placed at further risk of sexual abuse while in their care. Where a child is the victim of abuse while in care, (whether at the hands of their carer, another child, or another adult) it is vitally important that there are trusted adults in their life who have the skills, knowledge, and sense of responsibility to identify and address this abuse. The out-of-home care system can, and must, be made more responsive and accountable.