

# **‘Cultural Competence in Child Protection’ & the needs of Culturally and Linguistically Diverse (CALD) children and families who come to the attention of the Queensland Child Protection System.**

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*Prepared by*

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## Background

In recent times there have been a number of child protection inquiries across Australia, in NSW Justice Woods report on the Special Commission of Inquiry into child protection (2008) and in Victoria the Protecting Victoria's Vulnerable Children Inquiry (PVVCI) in 2011. In Queensland there have been two previous inquiries: the Commission of Inquiry into Abuse of children in Queensland Institutions (the Forde Inquiry) in 1999 and the Protecting Children: An Inquiry into the abuse of children in foster care by the Crime and Misconduct Commission (CMC) Inquiry in 2004. On the 1 July 2012, the newly elected Liberal National Party (LNP) Government announced yet another Child Protection Inquiry: 'Commission of Inquiry into the Queensland child protection system' with a mandate to (as outlined in the Terms of Reference):

a) reviewing the progress of implementation of the recommendations of the [Commission of Inquiry into Abuse of Children in Queensland Institutions](#) (the Forde Inquiry) and [Protecting Children: An Inquiry into the Abuse of Children in Foster Care](#) (Crime and Misconduct Commission Inquiry);

b) reviewing Queensland legislation about the protection of children, including the [Child Protection Act 1999](#) and relevant parts of the [Commission for Children and Young People and Child Guardian Act 2000](#)

(c) reviewing the effectiveness of Queensland's current child protection system in the following areas:

**i)** whether the current use of available resources across the child protection system is adequate and whether resources could be used more efficiently;

**ii)** the current Queensland government response to children and families in the child protection system including the appropriateness of the level of, and support for, front line staffing;

**iii)** tertiary child protection interventions, case management, service standards, decision making frameworks and child protection court and tribunal processes; and

**iv)** the transition of children through, and exiting the child protection system;

d) reviewing the effectiveness of the monitoring, investigation, oversight and complaint mechanisms for the child protection system and identification of ways to improve oversight of and public confidence in the child protection system; and

e) reviewing the adequacy and appropriateness of any response of, and action taken by, government to allegations, including any allegations of criminal conduct associated with government responses, into historic child sexual abuse in youth detention centres.

This submission has been prepared by Ms Jatinder Kaur (author), director of JK Diversity Consultants and is based on her personal experience as frontline child safety officer, researcher and policy officer whilst being employed with the Department of Child Safety (2006-2009). All of the views in this submission reflect those of the author only and not of any Queensland government employees or funded non-government organisations. Every attempt has been made to ensure that this submission is based on factual evidence and referenced (where possibly).

**This Submission will focus on the issues facing culturally and linguistically diverse (CALD) and refugee families and Cultural Competence in child protection practice.**

In 2010-11, across Australia there were more than 37,500 children living in Out-of-Home Care (OOHC) and in Queensland there were approximately 8,000 children subject in OOHC, of which 3000 were from Aboriginal or Torres Strait Islander backgrounds. However from the remainder 5,000 children in OOHC, the **number of children and young people from CALD backgrounds coming to the attention of child protection authorities is currently unknown**. In Australia, there has been limited research and information regarding the interface between child protection system and CALD families. Also there has been no or limited research examining practices and policies that address the needs of other ethnic minority (CALD) groups in OOHC<sup>1</sup>. In 2011, the National Research Audit identified that *“there is limited research regarding cultural issues within statutory child protection services in Australia”* and proposed that a future research priority should focus on families from CALD backgrounds (McDonald, Higgins, Valentine & Lamont, 2011). Essentially, it is unknown, whether there is an under-reporting or over-reporting of CALD/refugee families to child protection authorities.

The Forde Inquiry did not make any mention of the needs of children and young people from CALD backgrounds in institutional care settings. The CMC Inquiry into the abuse of children in foster care in Queensland commenced in May 2003, and received 228 submissions and held public hearings over a two week period<sup>2</sup>. However, despite the extensive scope of the CMC report and the subsequent blueprint there **was no reference made to the needs in relation to children and families from CALD backgrounds**, despite numerous attempts by multicultural agencies to address this issue with the policy makers within the former Department of Families<sup>3</sup>. I am also aware that in NSW, Justice Wood’s report on the Special Commission of Inquiry into child protection (2008) highlighted the omission of any submission to the inquiry that directly attended to the needs of CALD families<sup>4</sup>.

## **Cultural Competence in Child Protection**

In January 2006 I commenced my employment with the former Department of Child Safety and was employed with the Department from 2006 to 2009 and held a number of positions during that time:

- *Senior Child Safety Officer*, (PO3) Inala Child Safety Service Centre, (January 2006 to July 2007);
- *Senior Policy Officer* (AO6) (July 2007 to March 2008) Strategic Policy & Research Branch;
- *Senior Practitioner* (PO5) (November 2007 to August 2008) at Labrador & Mermaid Beach;
- *Practice Support Officer* (AO6) (September to December 2008) (Central office).

(I will be making a separate submission regarding workforce issues in frontline child protection practice)

When I commenced my employment in 2006, I was also enrolled in the Master’s program at University of Queensland, completing the Graduate Certificate in Child Protection and specialisation in Social research and Community Development. As part of the social research subject I was required to undertake a research project. I was granted approval by the Director-General to conduct a

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<sup>1</sup> Bromfield and Osborn (2007)

<sup>2</sup> Tilbury & Mazerolle, (2008)

<sup>3</sup> Changing the Wheels: Child Safety Concerns in Multicultural Qld, 2005, p14

<sup>4</sup> Personal communication with Prof Dorothy Scott, (2009)

research project which explored the assessment issues for child protection investigation officer who work with families from CALD backgrounds (See letter of Approval). At that time I was employed as a frontline Child Safety Officer and was able to observe that there were a high number of CALD children coming to the attention of Child Protection System (CPS) and frontline staffs were struggling to deal with the complex cross cultural issues. When I explored the Australian literature and research evidence available, on the interface between CALD communities and child protection, **there was no published research in Australia that explored these issues.**

As part of my research study, I designed and developed the Cross Cultural Child Protection Survey instrument (CCCPS) as the research literature review highlighted that there was no survey tool or assessment tool which explored the concept of cross cultural competence within the child protection setting. My research explored:

- Assessment issues faced by child protection officers when working with CALD families;
- The level of knowledge, training and experience of child protection officers;
- The level of cultural competence of child protection officers;
- Use of interpreters in child protection;
- Structural barriers faced by child protection officer in ensuring culturally sensitive practice with CALD families.

The examiner of the research report was Dr Yvonne Darlington (University of Queensland) and I was given a grade of 6 on scale of 1-7. She stated that *“I commend you on the work that you have done. I hope you will have the opportunity to present your findings to the Department of Child Safety”* (See Examiner’s report). The research has been published in two Australian peer reviewed academic journals (both of these articles were provided to QCPCI on 18 July 2012):

- Kaur, J (2007) ‘Working with families from culturally and linguistically diverse communities in Queensland, An Australian exploratory study’, in *Children Australia* 32:4, p17-24
- Kaur, J (2009) ‘Developing culturally sensitive practice when working with CALD communities’ in *Developing Practice*, Autumn/Winter, No:23, pp22-35.

The Cross Cultural Child Protection Survey (CCCPS) was administered to purposive sample of (N=66) Child Safety Officers and Team Leader’s who were employed in the investigation and assessment teams, across 10 service centers in south east Queensland. These centers were predominantly based in urban metropolitan areas with high density of culturally diverse communities residing in those locations. The investigation and assessments role was chosen as it is the first point of contact families have with child protection authorities. The 10 Child Safety Service Centres included:

Name of CSSC	Number of Respondents (n)
Inala	13
Loganlea	5
Logan Central	5
Woodridge	5
Brisbane Logan West Zonal IA backlog team	6
Browns Plains & Beaudesert	13
Goodna	6
Ipswich North & South	11
Stones Corner	3

All tables are replicated from Kaur (2007) article on pages 20-21:

**Table 1: Participant demographics (n=66)**

Gender	Number
Female	54
Male	12
Age	Number
21-25yrs	26
26-30	14
31-40	15
40-49	5
No response	6

**Participants Qualifications:**

- Bachelor degree = 85%,  
(n=10) who identified as Social workers.
- Master/Post Graduate qualifications = 15%

**Table 2: Experience working in child protection**

	No	%
Less than 12 months	23	35
12 months or more	43	65

**Cultural Demographics:**

- Anglo-Australian = 82%
- European 8%
- CALD/NESB 6%
- Other 3%
- Aboriginal 1 %

N=11 (17%) could speak a second language

**Table 3: Comparison of different training completed**

	Yes	No
Child Safety Officer (Department provided)	31	34
ATSI Awareness Training (Department provided)	37	29
Other CALD Awareness	13	53

**Table 4: Frequency of working with CALD families**

Never	12
Few Times	18
Once a month	10
Once a fortnight	11
Once a week or more	11

**Table 5: Frequency of use of Interpreter Services**

	No	%
All of the time	20	30.3
Most of the time	18	27.3
A good bit of the time	4	6.1
A little of the time	9	13.6
None of the time	3	4.5

The research study identified:

- Need for child protection workers to have the opportunity to attend CALD specific training and also a need for the development of cross cultural competence training specific to child protection (Kaur 2007, p22).
- Chi-square test revealed two statistically significant findings:

1. There was a stronger probability of child protection officer's receiving 'Child Safety Officer training' once they had been working in the Department for more than 12 months.
  2. Child protection officers who had been working in the Department for more than 12 months appeared to have more of an opportunity to learn about CALD communities within their service area.
  3. Majority of respondents (52%) had contact with families from CALD backgrounds between once a week and once a month.
- The study identified '*key concerns in the provision of child welfare practice, policy and service delivery when working with families from CALD background*' within the Australian context (Kaur 2007, p23).
  - The second paper (Kaur, 2009) reported the findings from the qualitative responses and examined child protection workers perceptions of 'culturally sensitive practice' when working with CALD communities which include:
    - Demonstrating an understanding of diverse child rearing practices and norms;
    - Cross-cultural communication and engagement;
    - Referral for appropriate support services; and
    - Placing the child with kin or extended family network (Author 2009,p30).
  - Practitioners identified the following barriers in achieving cultural sensitive practice:
    - Lack of knowledge of CALD groups
    - Lack of time and training information on CALD community groups
    - Lack of resources and the availability of CALD ethno-specific services
    - Limited availability of kinship and culturally matched placement options for children or young people of CALD/refugee background.

When I completed my Master's research I provided a hard copy to the former Director General Norelle Deeth, who was very interested and keen to learn from the findings. The Department provided support for me to present my research findings at both Australian and International conferences (see DG Approval Memo):

- Australian College Child and Family Protection Practitioners (ACCFPP) Borders and Bridges National Conference in Melbourne in 19-22 May 2007.
- Presented research findings at an International Conference: First International Society for Child Indicators Conference (ISCI) in Chicago, USA 26-28 June 2007 (I received Director-General and Premier's approval for \$2500 funding towards travel costs).
- 11<sup>th</sup> Australasian Conference on Child Abuse & Neglect (ACCAN) Nov 2007.
- Australian Children's Welfare Association (ACWA) conference, Sydney, 2008;

They also promoted the research within the Department's intranet and departmental monthly newsletters and in the 2007-08 Department of Child Safety Annual Report (see news article).

Despite all of this effort I was never able to present the research findings to the key decision makers within the Department (Director General, Executive Directors) and ensure that policy, practice and training could be improved, so that the Department could better meet the needs of families from CALD/refugee backgrounds. I left Child Safety Services on 31 December 2008 and commenced a secondment as a Senior Policy officer with Multicultural Affairs Qld and continued my advocacy in that role.

## Cross Cultural Practice in Social Work

In 2008, I was invited by Griffith University (Professor Clare Tilbury) to be part of member of Multicultural CALD reference group and was filmed in DVD teaching resource developed by Griffith University titled 'Cross Cultural Practice in Social Work and Human Services' (see DVD cover) and was included in the AASW Specific Cross-Cultural Curriculum Content for Social Work Qualifying Courses Education Resource Package in 2009<sup>5</sup>. It was not until 2010 that the AASW updated the AASW Addendum (4): 'Statement of specific cross-cultural curriculum content for Social work qualifying courses in the AASW Australian Social Work Education and Accreditation Standards'<sup>6</sup>, (January 2010, p65). This statement covers the attitude and values, knowledge and skills required of beginning social workers to promote effective cross-cultural social work practice (p66).

In 2009, the AASW Code of Ethics was revised and stipulates three core values of: Respect for persons, Social Justice and Professional Integrity (AASW, 2011), section 5.1.2 of the AASW Code of Ethics includes: '**Culturally competent, safe and sensitive practice**':

- a) Social workers will develop culturally sensitive practice by acknowledging the significance of culture in their practice, recognising the impact their own ethnic and cultural identities, views and biases can have on their practice and on culturally different clients and colleagues.
- b) Social workers will obtain a working knowledge and understanding of clients' racial and cultural affiliations, identities, values, beliefs and customs, including consultation with cultural consultants, where appropriate.
- c) Social workers will recognise and acknowledge the diversity within and among cultures, taking into account individual, family, group and community needs and differences.

Child protection work is one of the most challenging areas within social work and human service practice. In recent times, across most jurisdictions the child protection workforce has experienced significant de-professionalization (including Queensland), which has '*resulted in most child protection workers not having social work or other professional degree that expose them to information about cultural competence*' (Lawrence, Zuckerman, Smith Liu, 2012, p226). Findings from child protection inquiries and research studies have identified the challenges faced by novice practitioners in the frontline, for example: limited training and professional development opportunities, which has led to significant negative outcomes for service users (Lord Laming Inquiry 2003, Healy et al, 2009). This challenge is exacerbated when caseworkers are navigating complex myriads of ethnic, racial and linguistic diversity when working with families from CALD backgrounds. These challenges become apparent when child protection practitioners use contradictory approaches when intervening with families from culturally diverse backgrounds, with some practitioners using either a heavy-handed approach or, conversely, displaying a reluctance to intervene (Maitra, 2005; Fontes, 2005). Others argue that the racial disparity is a result of racial reporter bias (Berger, Mc Daniel, & Paxson, 2005) and discriminatory practice (Humphreys, Atkar & Baldwin, 1999). Communication and language barriers impact on practitioner's ability to conduct assessments, as it is often difficult to engage with migrant and refugee families, due to their past distrust of authorities from their country of origin (Segal & Mayadas, 2005; Chand, 2000). Practitioners need assessments and interventions which take sufficient account of the particular family's culture, rather than being based on preconceptions as to that culture in general (Gilligan & Akhtar, 2005; Williams & Soydan, 2005).

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<sup>5</sup> <http://www.aasw.asn.au/document/item/269>

<sup>6</sup> <http://www.aasw.asn.au/document/item/100>

Hendricks & Fong (2006) argue that *'Cultural competence begins with administrative supports and encouragement, high-quality supervision and oversight, strong peer relationships and manageable caseloads. It also requires well-educated, well-trained and experienced child welfare workers, who can effectively deal with increasingly troubled and diverse families'* (p148). Essentially, child protection practitioners who do not have access to adequate training, resources or knowledge about CALD communities, cannot be realistically expected to have the skills to work effectively with CALD families. The lack of cultural knowledge also impacts on the caseworker's capacity to access culturally responsive solutions (Connolly, Crichton-Hill & Ward, 2006).

In my research study, the Child Safety Officer's who disclosed they had completed Social work degree were also able to articulate that they had completed cross-cultural awareness training during their tertiary education. This finding highlights the significance of cultural competency being embedded into social work profession and the risk child protection authorities' face when employing professionals from non-social work backgrounds.

In 2011, when I established JK Diversity Consultants, one of the first projects was to address the training needs of child protection practitioners. I developed a 1 day training workshop for practitioners on ***'Working with culturally diverse and refugee families in the child and family welfare setting'***, which has been endorsed by the AASW for continuing professional development points for Social workers and is being delivered across Australia (The Department has not funded the opportunity for Child Safety Officer's to be provided this training in Queensland). This workshop covers the following topics on: cultural diversity in CALD and refugee communities; migration and settlement issues; communication and language considerations; diverse child rearing practices; assessment frameworks and cultural sensitive practice consideration and cultural needs of CALD and refugee children in OOHC across the child protection continuum. In 2011-12 this training workshop was incorporated into both the NSW ACWA 2012 Training Calendar<sup>7</sup> and the Victorian Centre for Excellence in Child & Family Welfare 2012 learning and development calendar<sup>8</sup>.

## Multicultural Policy Framework

Australia is a multicultural society, with one in four (5.3 million) Australians born overseas (ABS, 2011). The recent Australian Bureau of Statistics (ABS) 2011 Census<sup>9</sup> data showed that:

- 26% (5.3million) of Australian population (21.5 million) was born overseas and one fifth (20%) had a least 1 parent born overseas (one in four Australians are born overseas).
- 82% of overseas born population live in capital cities with Perth, Sydney and Melbourne with highest proportion.
- Almost 49% of longer standing migrants (predominantly European heritage) and 67% of recent arrivals (Asian countries) spoke a language other than English at home.
- The most common languages (other than English) spoken at home were: Mandarin, Italian, Arabic, Cantonese and Greek.

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<sup>7</sup> [http://www.acwa.asn.au/find\\_presenter\\_information11.php?recid=6979](http://www.acwa.asn.au/find_presenter_information11.php?recid=6979)

<sup>8</sup> [http://www.cfecfw.asn.au/sites/www.cfecfw.asn.au/files/CFE1630\\_TrainingCalendar\\_A4\\_WebAppropriate\\_F\\_A.pdf](http://www.cfecfw.asn.au/sites/www.cfecfw.asn.au/files/CFE1630_TrainingCalendar_A4_WebAppropriate_F_A.pdf)

<sup>9</sup> Cultural Diversity in Australia - Reflecting a Nation: Stories from the 2011 Census  
<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/2071.0main+features902012-2013#>

In Queensland<sup>10</sup>, the 2011 ABS census identified:

- 20.6% of the population (888,636) people were born overseas;
- 9.8% (423,841) people spoke a language other than English at home;
- Over 270 languages are spoken at home, with Mandarin, Cantonese and Vietnamese being the top three languages other than English.
- Almost 46,000 people in Qld who were born overseas spoke a language other than English at home and spoke English 'not well or not at all'.

In 2004, the Queensland Government (under the Beattie Government) introduced the '*Queensland Government Multicultural Policy: Multicultural Queensland – making a world of difference*'<sup>11</sup> which also incorporated the Queensland Government Language Services Policy. This was whole-of-government policy which included four strategies:

- Productive diversity economic strategy
- Supporting Communities
- Strengthening multiculturalism in the Queensland public sector; and
- Community Relations and anti-racism.

Under this policy, each Government Department was required to develop an annual Multicultural Action Plan to '*improve the Government's delivery of service and how it incorporates diversity into its core business*' (p4). Each department was required to publish their annual Multicultural action plan on the department website and report on activities and initiatives that had been implemented in meeting the needs of CALD communities for that year.

The Department of Child Safety had developed and published their Multicultural Action Plan's:

- DCHS Multicultural Action Plan 2005-2006,
- DCHS Multicultural Action Plan 2006-07,
- DCHS Multicultural Action 2007-09,
- DCHS Multicultural Action Plan 2007-09 Update.

All of these documents are no longer available online, and are provided to QCPCI as an Attachment. The key multicultural outcomes to be addressed by Child Safety included:

- The department's policies, programs and services are inclusive of and responsive to the needs of children and young people from CALD backgrounds who are at risk of harm and or are in care.
- The department's quality improvement processes and accountability mechanisms are inclusive of and responsive to people from CALD backgrounds.
- The department directly engages (via consultation and working partnerships) with community groups and organisations representing people from CALD backgrounds to ensure child safety.
- The department actively recruits and supports culturally and linguistically competent and diverse workforce.
- The Department's planning, data collection and research capabilities, recognise and support cultural and linguistic diversity (DCHS Multicultural Action Plan 2005-2006,p6).

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<sup>10</sup> Office of Economic and Statistical Research (2011), Census 2011: Diversity in Queensland, <http://www.oesr.qld.gov.au/products/bulletins/diversity-qlld-c11/diversity-qlld-c11.pdf>

<sup>11</sup> <http://www.datsima.qld.gov.au/resources/multicultural/media/maq-making-world-difference-policy.pdf>

In 2009-10, the Queensland Government undertook a review of the 'Multicultural Policy' to ensure that it remains relevant and responsive to the needs of CALD communities. Majority of the Policy remained unchanged, however the key differences included:

- Minimum Core outcomes for each Queensland Government Department to address:
  - Improved cultural competence of staff
  - Improved access to interpreters for clients when accessing services
  - Improved communication and engagement with CALD communities and organisations
  - Improved recruitment and retention strategies for staff from CALD backgrounds
- There is only 1 'whole-of-government' Queensland Multicultural Action: 2011-14, instead of each department having an individual Multicultural Action Plan.
- There are 6 key themes of the new Multicultural Action Plan:
  - Multicultural Recognition Legislation
  - Language, information and communication
  - Improving service delivery
  - Regional and emerging communities
  - Skills, jobs and enterprise
  - Inclusive communities.

In 2009, due to the machinery of government changes the stand alone Department of Child Safety came under the mega Department of Communities. Which then resulted in a number of policy and program changes to 'Child Safety Services' The Department of Communities Multicultural Action Plan of 2011-14 (published prior to the 2012 Qld election and is included with this submission)<sup>12</sup> **did not include any single action or activity for Child Safety Services to undertake in meeting the needs of CALD communities who come to the attention or are involved with Child Safety Services.**

## Advocacy

In 2009, the Council of Australian Governments (COAG) endorsed the National Framework for Protecting Australia's Children 2009-2020, which represents a high level of collaboration between the Australian Government, State and Territory government, non-governments organisations to protect children. There is a focus on developing a nationally consistent approach to the formal child protection systems and national standards in OOHC. **The first Action Plan (2009-2012) did not include any specific mention on meeting the needs of families and children from CALD or refugee backgrounds.** When this National Framework was launched I wrote to Minister Jenny Macklin highlighting the omission of CALD communities in all of the six supporting outcomes strategies to be addressed by all states and territories. As a consequence of that advocacy (see reply letter from Minister Macklin 9 July 2009), I was successful in getting the Department for Families Housing, Community Services & Indigenous Affairs (FAHCSIA) to undertake a feasibility study by the National Child Protection Clearinghouse on collecting data on CALD children in OOHC and the National Research Agenda to include a project to explore the under-representation/under-reporting of CALD children in the child protection systems. I was also invited to become a member of the National Framework for Protecting Children 'Common Approach to Assessment, Referral and Support' (CAARS) taskforce<sup>13</sup> and provide advice on developing cultural considerations for CALD communities who come to the attention of child protection authorities.

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<sup>12</sup> <http://www.communities.qld.gov.au/resources/corporate/multicultural-action-plan.pdf>

<sup>13</sup> <http://www.aracy.org.au/cmsdocuments/Taskforce%20membership%20April%202012.pdf>

On the 1 September 2011, I requested for one-one meeting with Minister Julie Collins, Parliamentary Secretary for Community Services who was attending the Australian Government's Community Cabinet being held in Yeronga, Qld. In this meeting I was able to present the issues facing CALD communities and the previous letter which was sent to Minister Macklin regarding the fact that the National Framework did not include any strategies to meet the needs of CALD children and families. Minister Collins took on board the recommendations I had made in my policy brief to her and she stated in her reply (see letter 17 October 2011) that *"an important step for COAG includes a multicultural data collection process into the activities of the Framework"*.

In June 2011, I was approached by a Victorian NGO (Care With Me) to present a submission to the Protecting Victoria's Vulnerable Children Inquiry (PVVCI). The Inquiry was conducted by a Panel chaired by The Hon Philip Cummins, together with Emeritus Professor Dorothy Scott OAM and Mr Bill Scales. On the 28 July 2011, I travelled to Melbourne and presented my submission at the Melbourne sitting. In that submission I outlined the relevant research evidence, the current multicultural and child protection policy frameworks and identified the gaps within policy, practice and service provision (You can view this presentation online: <http://www.jkdiversityconsultants.com.au/projects.html> and see letter of acknowledgment by the PVVCI Chair).

Also see published article based on my submission to the PVVCI (this article was also provided to QCPCI on 18 July 2012).

Kaur, J (2012) *'Giving a Voice to the 'hidden' culturally, linguistically and religiously diverse children and young people in the Australian child protection system'*, The Viewpoint magazine, Issue 9<sup>14</sup>

On 28 February 2012, the Final Report for the PVVCI was tabled in the Victorian Parliament by Minister for Community Services Mary Wooldridge MP. This is the first child protection inquiry in Australia to have identified the needs of CALD and refugee families and their involvement with child protection system and the Panel included a dedicated chapter (see chapter 13) on 'Meeting the needs of CALD communities' which was based on the information provided in my submission to the Inquiry and community consultation with CALD community groups. <http://www.childprotectioninquiry.vic.gov.au/report-pvvc-inquiry.html>

The PVVCI Report (2012) outlined three recommendations:

***Recommendation 37 (p317): To improve knowledge and data on vulnerable children of CALD backgrounds so that appropriateness of current service provision can be considered:***

- The Department of Human Services should collect data to record and track children and young people of CALD backgrounds who are involved with the child protection system, and the family services sector;
- The Department of Education and Early Childhood Development should include data on the experiences of vulnerable children and young people of CALD backgrounds (including in Victoria's system for protection children) in *The State of Victoria's Children* report.

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<sup>14</sup> [http://www.viewpointmagazine.com.au/download/archive/viewpoint\\_issue9.pdf](http://www.viewpointmagazine.com.au/download/archive/viewpoint_issue9.pdf)

**Recommendation 38 (p320): The Victorian Government, through the Council of Australian Government, should seek inclusion of the needs of recently arrived children and families of CALD backgrounds in the National Framework for Protecting Australia's Children 2009-2020, in particular:**

- The need to provide advice and information about Australian laws and norms regarding the rights and responsibilities of children and parents; and
- Appropriate resettlement services for refugees to prevent abuse and neglect of refugee children.

**Recommendation 68 (p423, Ch16): The Department of Human Services should improve the cultural competence of integrated family services and statutory child protection services, including through:**

- Applying leadership accountability for culturally competent services and client satisfaction at regional service delivery level through performance agreements;
- Requiring cultural competence to be a component of all training;
- Providing culturally appropriate training, assistance and support to carers of children and young people from culturally and linguistically diverse backgrounds in the out-of-home care system;
- Encouraging local child and family services to draw links with relevant culturally and linguistically diverse communities as part of area-based planning reforms;
- Recruitment strategies to attract suitable candidates from Aboriginal and culturally and linguistically diverse backgrounds into child protection including through the use of scholarship schemes to undertake relevant tertiary-level training; and
- Exploring staff exchange and other joint learning programs on an area basis to build knowledge and respect for Aboriginal culture.

## Policy Development

The role of Government is to confront problems and make authoritative choices based on their mandate and ideology<sup>15</sup>. However, if Governments are not aware and not have identified the social problem, it is unable to develop policy to address the issue. Dye identifies the various phases of policy making process – problem identification, agenda setting, policy formulation, policy legitimisation, policy implementation and policy evaluation<sup>16</sup>. ***The challenge for CALD communities is their ability to navigate the system of government and be able to articulate their needs to policy makers for increased and improvement in service provision.***

On the 25 July 2011, I had the opportunity to meet with the former Minister Reeves (Minister for Child Safety and Sport) as part of the Multicultural Child Protection Working Group meeting with the Minister and the Department. In that meeting I was able to raise the issues facing CALD communities and the emphasised the necessity of the Department 'Child Safety Services' to improve its service provision to CALD communities. Following from that meeting I put forward a policy proposal on 'Multicultural Child Protection Strategy' for the Minister's consideration (see Appendix B). As you will see this policy proposal examined the:

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<sup>15</sup> Colebatch, (2005) Policy Analysis, policy practice and political science, Australian Journal of Public Administration, 64:3, 14-23

<sup>16</sup> Thomas Dye (2005), Understanding Public Policy, 11 edition, NJ: Pearson Education

- Current legislative provisions 'Child Protection Act 1999';
- Policy and Practice guidelines;
- Interpreter and Translated guidelines;
- Training provided to frontline child safety officers;
- Out-of-home care;
- Funding to CALD initiatives;
- Research commissioned.

Minister Reeves and the department's response on the 8 September 2011 (letter attached) was that *'we commend you for your effort for developing this policy proposal... however at this stage due to the department not having definitive data, I would prefer to wait until we have more clarity in relation to CALD clients in the child protection system before engaging in a discussion with you regarding your policy proposal'* (see Appendix C). However I pursued this issue further with former Director-General Linda Apelt and the department provided a more detailed response to this policy proposal (see Attachment). **I will leave it up to QCPCI to explore the department's response as I don't believe that the current Qld child protection system meets the needs of CALD children and families.**

With the 2012 Queensland election resulting in a change of government to the LNP, on the 19 April 2012, I re-sent the same policy proposal 'Multicultural Child Protection Strategy' to the newly appointed Minister Tracy Davies (see letter of reply). On the 24 May 2012, I met with the Minister Rob Molhoek MP, Assistant Minister for Child Safety who suggested I meet with the newly appointed Director General Margaret Allison. However she was unavailable and I met with Deputy Director-General and the Director for Child Protection Development and Adoption Services Qld. Both of these public servants (decision makers) have known about my research since 2007 and were aware that I have been advocating for the Department to improve its service provision for CALD communities. I left that meeting very disillusioned that there would be 'no change' as the decision makers were reluctant to 'change' unless they were directed by the Minister.

Since that meeting in May 2012, I have found out (from colleagues who are still employed in Child Safety) that the Department has been actioning all of the key issues identified in the policy proposal I put forward and have been working vigorously on collecting data on the number of CALD children in OOHC and identifying Service centres that have higher proportion of CALD children and young people coming to the attention of Child Safety Service Centre, particularly in regions where there is higher density of migrant and refugee population. **The QCPCI may wish to request further information from the department on whether this is occurring or not.**

On 12 July 2012, the '**Cultural Diversity and Child Protection**' Research Report was launched. This report is the first publication of its kind to review the available research literature on the CALD and refugee families in the Australian Child Protection System (CPS). The Research reviewed all the available Australian research evidence to establish 'baseline knowledge' for policymakers, practitioners and researchers. This review identifies the emerging research on CALD and refugee communities coming to the attention of Australian Child Protection System and proposes a number of recommendations to practitioners and policy makers to address the current gaps in service

delivery data collection, policy and practice guidelines. The report is available online: [http://www.jkdiversityconsultants.com.au/Cultural\\_Diversity\\_&\\_Child\\_Protection\\_Kaur2012\\_A4.pdf](http://www.jkdiversityconsultants.com.au/Cultural_Diversity_&_Child_Protection_Kaur2012_A4.pdf)

This report outlined the following recommendations to all child protection authorities across Australia (pages7-8):

## RECOMMENDATIONS

### Policy Level:

1. The *National Framework for Protecting Australia's Children 2009-2020* to include strategies and provisions for meeting the needs of CALD and refugee children and families into the second action plan (2012-2015).
2. Through COAG, each state and territory child protection departments to commence collecting data capturing: ethnicity, language spoken and religion of children and families of CALD and refugee backgrounds, who are both coming to the attention (notification) and entering the OOHC system.
3. Departments to incorporate provisions for CALD and refugee communities in their child protection policy, legislation and practice guidelines.
4. Departments to develop communication strategies for CALD and refugee families on:
  - Australian Child Protection System and its statutory role;
  - Early intervention and prevention awareness information on: 'What is child abuse?' and accepted Australian parenting practices;
  - Culturally tailored information on the harms of physical discipline and domestic and family violence.

### Service Level:

5. Departments to develop 'culturally responsive' service models for children and families from CALD and refugee backgrounds, these strategies to include:
  - Recruitment and retention of culturally diverse child protection workforce and bi-cultural staff;
  - Development of Interpreter guidelines and training on the use of interpreters for frontline child protection practitioners;
  - Recruitment strategies of foster and kinship carers from CALD and refugee backgrounds;
  - Development of practice guidelines for 'working with CALD and refugee families';
  - Development of cultural support plans for CALD and refugee children and young people who are placed in OOHC.

### Practitioner Level:

6. Departments to incorporate 'cultural competency' training for frontline child protection practitioners.
7. Departments to include provision of 'culturally sensitive' considerations (e.g. diverse child rearing practices, cultural norms and traditions) into assessment frameworks and standard risk assessment tools (e.g. structured decision making tools).

This report was sent to each child protection Minister across all states and territories and Children Commissioner's (including Minister Tracy Davies and see reply letter). This high level advocacy campaign was undertaken to ensure that each Minister was informed and aware of the issues facing CALD and refugee families in the child protection system and to ensure that National Framework for Protecting Australia's Children 2009-2020 second 3 year Action Plan (2012-2015) included strategies to meet the needs of CALD communities. The Minister's met on 17 August 2012 to finalise the Second Action Plan<sup>17</sup>, which included the following actions in relation to CALD/Refugee communities:

**Improving Support for Carers:** Supporting Outcome 4—Children who have been abused or neglected receive the support and care they need for their safety and wellbeing:

**Action:** Expand training and support for grandparent and kinship carers, including Indigenous and culturally and linguistically diverse kinship carers.

#### **Section 6: Exploring new opportunities:**

**Data collection:** commissioned improvements in the Child Protection National Minimum Data Set (CP-NMDS) that collects data on children and family demographics, children's pathways into the child protection system, the type of abuse or neglect children experience, and demographic information about their carers. This data will include information on Indigenous, disability and culturally and linguistically diverse status, where possible. The results will be published by AIHW in their annual Child Protection Australia reports as well as the National Framework Annual Reports to COAG.

**Community:** Engage community leaders, including leaders from Indigenous and culturally and linguistically diverse communities, to build support for protecting children and young people

**The 'Cultural Diversity & Child Protection' research report was provided to QCPCI on 18 July 2012 for their consideration in examining the Queensland child protection system.** Hence, why this submission has not repeated the same research evidence outlined in that report. The report has been launched in the following cities: Brisbane, Sydney, Melbourne and Adelaide, with Perth and Hobart in the upcoming months.

I have also presented the key findings from that report at the following research conferences:

- 19<sup>th</sup> International Society Prevention of Child Abuse & Neglect (ISPCAN) & International Congress on Child Abuse and Neglect to be held on 9-12, September 2012 in Istanbul, Turkey;
- Australian Institute of Judicial Administration (AIJA) 'Doing Justice for young people', Brisbane 23-25 August 2012;
- Australian Children's Welfare Association (ACWA) conference, Sydney, 20-22 August 2012.

## **Child Protection Policy Framework and Inquiries**

Head (2008) identifies three types of evidence which influence and informs policy development: systematic ('scientific') research, program, management experience ('practice') and political judgment. However, the *'decision making within a government policy setting is governed by multiple priorities and considerations including party platforms, ministerial concerns, budgetary constraints,*

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<sup>17</sup> - <http://www.fahcsia.gov.au/our-responsibilities/families-and-children/publications-articles/protecting-children-is-everyone-s-business-national-framework-for-protecting-australia-s-children-2009-2020-second-action-plan-2012-2015>.

*vested interests, lobbying and opinion polls*<sup>18</sup>. It would appear that across most jurisdictions there has been a 'lack' of political will or interest by governments in recognising and addressing the needs of families from CALD background in the child protection system.

***[The evidence to inform policy] needs to be the right evidence, it needs to occur at the right time and be seen by the right people (Banks, 2009, p8)***<sup>19</sup>.

However, in Australia we still do not have the research evidence to inform governments on the needs of CALD and refugee children and families and whether there is an under-reporting or over-reporting of CALD/refugee families to the child protection system.

## Summary

Child protection inquiries provide an opportunity for governments to examine the current practices, policies and legislative provisions and influence child protection policy-making. Over the past 6 years, one of the key responses that I have received from governments is ***'we don't have the data or evidence' to argue for a specific strategy to meet the needs of CALD communities in child protection***. As highlighted earlier, the number of CALD children coming to the attention of child protection authorities across Australia is unknown at present. This is not because CALD families are not being reported to authorities, it is because departments do not record demographic information of CALD families, yet they are able to record the status of Aboriginal and Torres Strait Islander families. If we utilise Head (2008) three lenses of evidence based policy, the research and practice evidence is growing, whereby in 2008 the NSW Multicultural Services Unit estimated that 15% of children in the child protection system speak a language other than English (LOTE)<sup>20</sup>. Anecdotal evidence from my research<sup>21</sup> indicated that approximately half of the child protection officers interviewed (33 out of 66 participants) came into contact with CALD families between 'once a week' and 'once a month' when conducting investigation and assessments. However, the challenge is in the 'Political' sphere, where Head (2008) argues *'Policy seen through the political lens is about persuasion and support rather than about objective veracity'* (p5).

**It is my aim and objective as part of this submission to present this evidence to the Queensland Child Protection Commission of Inquiry and hopefully persuade the Queensland Government to consider developing a 'Multicultural Child Protection Strategy' to meet the needs of CALD communities who come to the attention of child protection system across Queensland. I have already outlined the recommendations as outlined in the 'Cultural Diversity and Child Protection' research report (pages 7-8). I would welcome the opportunity to present this information to QCPCI and answer any further questions raised in this submission.**

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<sup>18</sup> Humphreys et al, 2009, Informing policy with evidence: success, failures and surprises The Australian KIP Team

<sup>19</sup> Banks (2009) Evidence Based Policy-making: What is it? How do we get it? ANU Lecture <http://www.pc.gov.au/speeches/cs20090204>

<sup>20</sup> Sawrikar & Katz, ACWA conference presentation, 2010

<sup>21</sup> Kaur, (2007), p23

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## Appendix:

- Appendix A: Department of Child Safety Multicultural Action Plans for: 2005-2006; 2006-07; 2007-09 and update;
- Appendix B: Policy Strategy to the Queensland Government to develop a 'Multicultural Child Protection Strategy'
- Appendix C: Minister Reeves and the department's response on the 8 September 2011
- DG Response to Policy proposal – dated 2 November 2011
- Department of Communities Multicultural Action 2009-13

## Attachments:

- DG letter of approval to conduct research – dated 13 September 2006
- UQ Examiner Report by Dr Yvonne Darlington – January 2007
- DG Memo approval to present at an International conference – dated 10 March 2007
- Article in the Departmental 'Brighter Futures magazine' – dated April 2007,
- Cross-Cultural Practice in Social Work & Human Services DVD Cover – 2009
- Reply letter from Minister Macklin office on 9 July 2009
- PVVCI: Chapter 13: Meeting the needs of children and young people from CALD communities
- Reply letter from Chair of PVVCI – 12 August 2011
- Reply letter from Minister Julie Collins – 17 October 2011
- Reply letter from Minister Tracy Davies – 16 May 2012
- Reply letter from Minister Tracy Davies – 9 August 2012