

## Reframing South Australia's Child Protection System A 6 Point Plan for Change

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To effect positive reform requires both an agreed understanding of the problem as well as a common objective that we can aspire to and hold ourselves to account. To bring about change for our Child Protection System in SA therefore requires agreement to what we are seeking to change and action. Although it could be subject to much wordsmithing it is proposed that a good starting point is the following overriding objective for SA's Child protection system:

**“Keeping as many children and young people living safely and growing up healthily and happily in their own families, community and culture”.**

If we assess South Australia's performance over the past 2 decades against this objective, we have on all available indicators failed. Our rate of children being removed from family and community has continued to grow at a level well above the national average. We now sit almost 50% higher than the national rate of children in care.

Where once we were considered a leader in Child Protection, South Australia is now a laggard. Our rate of children being removed and remaining in care has continued to deteriorate for the past decade at a time where across the rest of Australia is has improved.

Whilst we can debate the causes of this state of affairs for children and young people and their families, what is more important is to chart a way forward. It's not yet another public inquiry, Royal Commission or research project, or investigation. Nor will it be achieved through a change in leadership for our Child Protection Department or for that matter, a change of Government.

What is needed is a clear, achievable but nonetheless, ambitious plan that has at its heart the following key components:

1. Consensus that what we are seeking to achieve is to **keep as many children and young people living safely and growing up healthily and happily in their own families, community and culture.** Agreeing that this is our key objective helps to frame the type and degree of responses we then enact. It doesn't mean that intervention won't be needed to protect children from harm by removing them from their families and household for a period of time. It does mean though that our primary efforts (and investment) will be directed to keeping children living safely in their own homes and communities wherever possible. This is a fundamental reframe of our current approach to managing the safety and wellbeing of children in SA. How we frame the problem and objective determines how we fix it.
2. A political response which involves a high-level Compact across all major political parties to collectively work to establish a new approach which includes an agreed narrative on the objective of our child protection system and intervention. To facilitate real reform, we also need agreement to avoid making political gain from catastrophes and major incidents within child protection. This is not to suggest that accountability is not important or required. However, the politicisation of child protection has failed to improve the performance of our current system and has perversely

probably caused more harm by seeking to further reinforce an overly punitive and surveillance response that is fundamentally flawed. Getting multi-lateral political buy-in to the need for a complete reform agenda for child protection in SA is probably the single most important pre-requisite for sustainable and effective change. To shift the dial on child safety and wellbeing in SA requires a consistent, long-term (multi-year) plan that all sides of politics can contribute to and ultimately commit to. Without this it will be impossible to have the community conversations required to reframe our response. Without a multi-partisan commitment maintaining the course for reform will not be possible. This requires true political leadership which has been largely absent for many years. **As a starting point all leaders of our Political Parties in SA should agree to a collaborative multi-partisan Compact to deliver on an agreed reform agenda for Child Protection in South Australia.**

3. Legislative reform – the review of the Children and Young People (Safety) Act provides the ideal platform to achieve an agreed understanding of the legislative levers and responses required to keep children safe, supported and thriving. There are many elements of the Act that need to be addressed but the following changes will be required to underpin a whole system reform.
  - **Change the threshold of risk underpinning the obligation to report** – the current definition is antiquated and has created a funnel for drawing children (and their families) into a statutory vortex that is often unnecessarily and unreasonably broad. In some cases, it has only served to increase the risk of harm for children rather than protect them.
  - **Put an end to mandatory reporting** – it has failed to achieve the objective of making child protection everyone’s responsibility and creates an overwhelming culture of detection, surveillance and reporting rather than responding and helping.
  - **Enshrine the value and obligation to offer and deliver prevention and early intervention services to families at risk** and tie any decision to remove children from families to a right to be provided such assistance. This shifts the onus of responsibility for the State to not only look at and respond to issues of safety for children but their obligation to do whatever is needed to keep children living safely within their family and community. It is a “Family Support First” response to addressing risk of harm. This had been the intent of the Prevention and Early intervention for the Development and Well-being of Children and Young people Bill introduced to Parliament back in late 2017 which unfortunately was never legislated.
4. Shifting the investment and expenditure paradigm - Our expenditure on care services alone has risen by an astonishing 213% in the past decade. It is difficult to identify another area of public expenditure in this State that has got anywhere close to this level of increased cost. We now spend over \$0.56B a year to care for the growing number of children we are removing from families and communities. It's not a financially sustainable trajectory. Conversely our investment in ensuring families can receive the support required to maintain children living safely and well at home has only marginally improved over the corresponding period and is well below what most other jurisdictions across Australia are investing in strengthening and supporting families. Less than 9.8% of total child protection expenditure in SA is spent on early intervention (intensive family support services and family support services). This proportional allocation of resources for prevention has

remained static for the past decade. These services are aimed at supporting families to keep children safely at home.

As a result, most families who require quality and often sustained help to ensure they can keep their children safe are not able to access needed help. It is not surprising that we then resort to (the more costly) alternative of removing children into care environments including residential homes. At a minimum the level of resourcing for family support and interventions including reunification needs to be quadrupled in SA to give us a fighting chance of turning the tide of excessive child removals. **We should be aiming to lift our expenditure on family support and intensive family support services to \$275M p.a. if we are serious about making a sizeable dent in the over representation of children in care in SA.** Even then, on today's values, it would only represent 30% of our total expenditure on Child Protection in SA.

5. Setting targets – setting targets to keep more children and young people living safely at home and out of our care systems signals a very important message. Targets matter as they help shift where and how we spend money and ensure a focus on meeting the overarching goal of keeping more children in their homes, safe and thriving. **Our initial target should aim to reduce the number of children in care in SA to the national average in the next 3 years.**

South Australia's rate of children and young people in our care system is currently just under 50% higher than the national average. If we were to perform at the national average of children in care, there would be 1,450 less children and young people in care in South Australia today. This would in turn save South Australians more than \$174M p.a. in out of home care expenditure – money better directed to helping families and keeping children out of our care system. Beyond this target we should aim to become a leader in keeping children safely within their families and communities by achieving care rates at 10% below the national average. These are ambitious but by no means unattainable targets if we implement the reforms as outlined.

6. Structural Change - To achieve this level of reform requires strong political commitment and a changed community narrative about what child safety and protection means and what is needed to give us our best chance of achieving it. However, it also requires all systems and services which interact with children and families to work in a greater sense of harmony and common purpose. This might require some different structural and governance measures to ensure all those with a responsibility for protecting and supporting children and families (whatever their role) are directing their efforts, their resources and their accountability and reporting to better align with the agreed goal of **keeping children safe in family and community.**

The primary responsibility for child safety and wellbeing is not our Child Protection Department although they have a very important role to play. It is in our schools, health settings, community agencies and housing authorities amongst others. Creating a 'super' Department responsible for the wellbeing of all Children and Families may not be viewed as a positive or desirable reform. However other structural reforms should be considered to facilitate all of agency and Government (and ultimately society) accountability for promoting the welfare of our children, young people and their families. Our current fractured responses are not working and haven't been working for many years. Creating an alternative line of responsibility and reporting either through agency

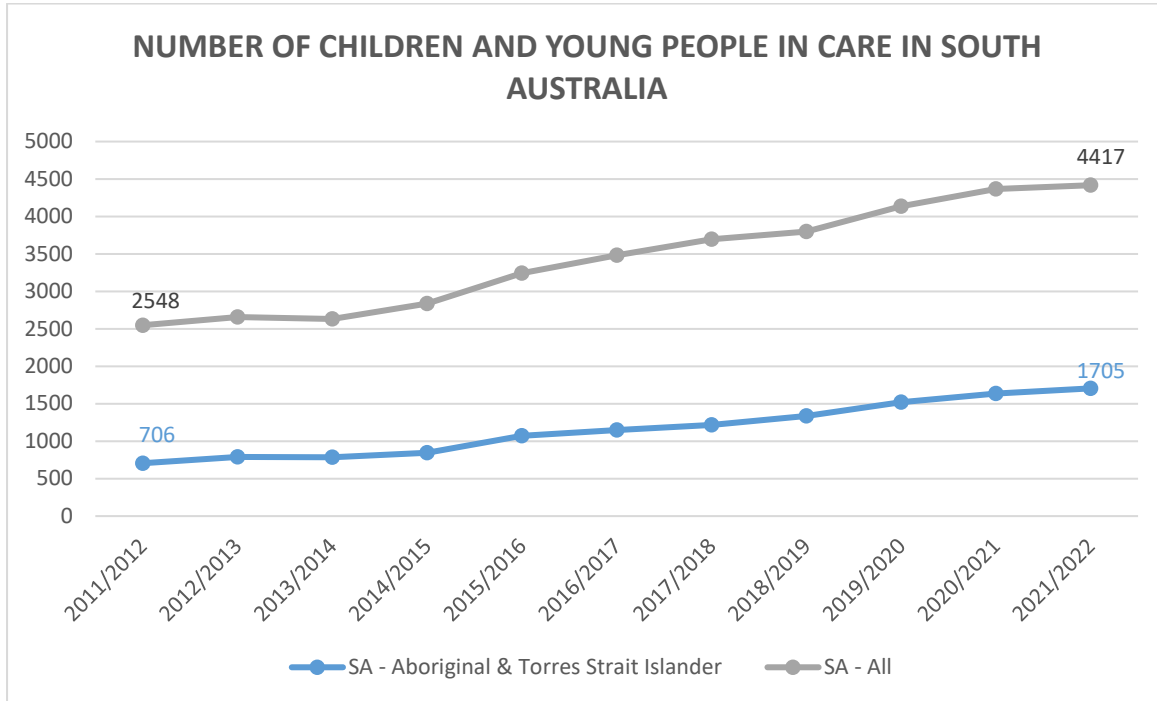
amalgamation or through other means (such as a high-level Cabinet or Parliamentary Committee) for managing a more cohesive response should certainly be part of the broader reform agenda.

Creating a State where we have a declining number of children needing to be removed or remaining in care is possible. But it won't be achieved under our current legislative and policy settings. However, with political will and a consensus around how we define the problem and frame the objective - it can be done. A world in which more of our children and young people grow up safely and can thrive with their families and in their communities is good for all South Australians.

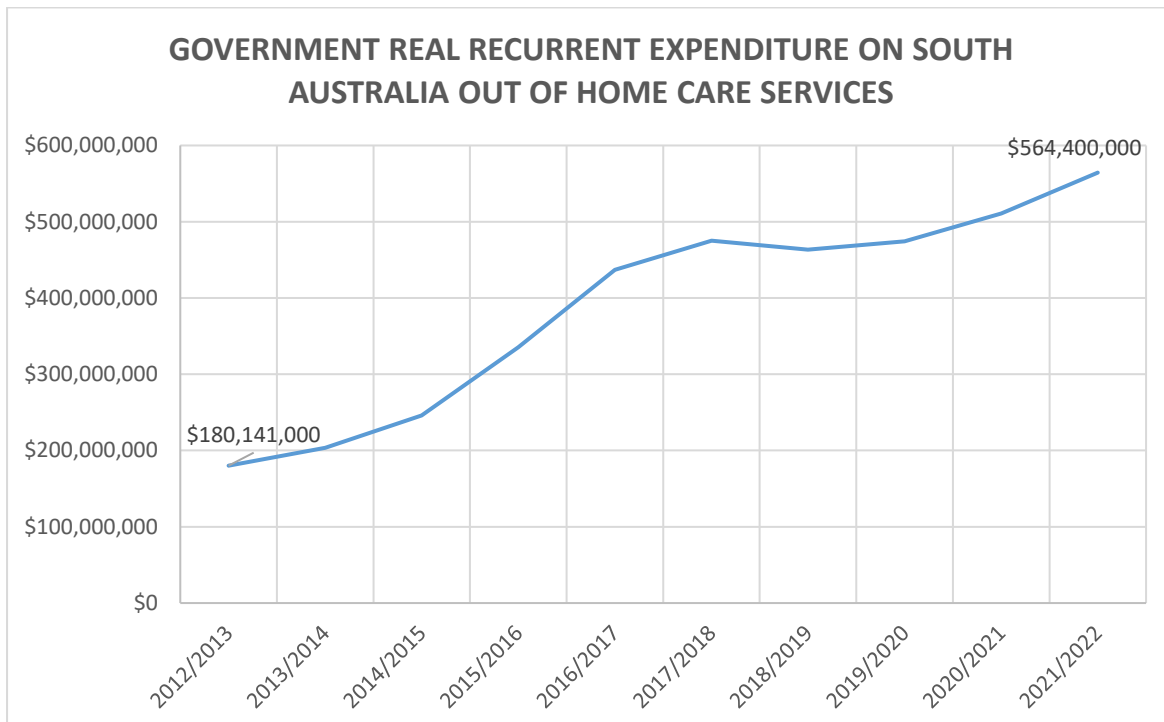
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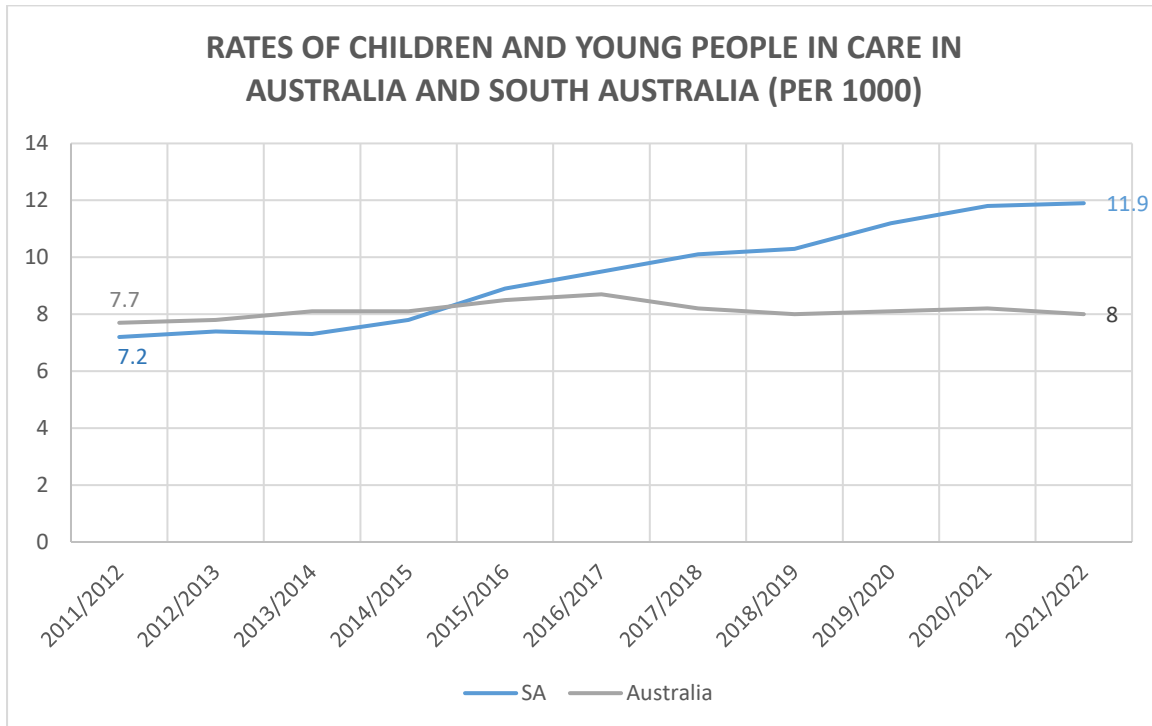
## South Australian's Child Protection Performance Snapshot



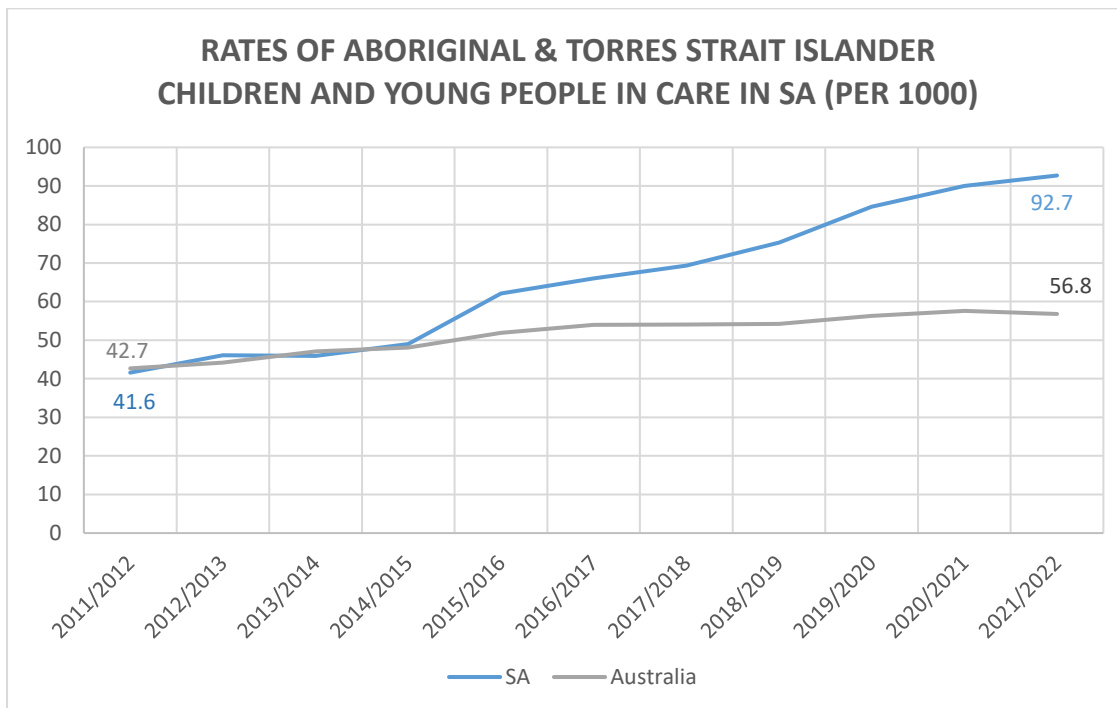
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