Submission

to the

Protecting Victoria's Vulnerable Children Inquiry

From: **Jesuit Social Services**

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Please note that Jesuit Social Services wishes to be advised of the dates and locations of Public sittings

Introduction

Jesuit Social Services welcomes the opportunity to make a submission to the <u>Protecting Victoria's Vulnerable Children Inquiry</u>.

In this submission we do not intend to respond to every question but limit our approach to where we have direct experience or broader observations we believe will assist the Inquiry.

Some of our points are repeated. This is deliberate and occurs where information is thought to be relevant to several of the Inquiry's questions.

Before moving to specific responses to the Guidelines for making a submission to the Inquiry, it will be useful for the Inquiry to understand the context and primary contentions of Jesuit Social Services.

The Jesuit Social Services approach

Jesuit Social Services formally describes its work in the following way:

> *Jesuit Social Service works to build a just society where all people can live to their full potential - by partnering with community to support those most in need and working to change policies, practices, ideas and values that perpetuate inequality, prejudice and exclusion.*

Our focus is with people, families and communities who experience debilitating disadvantage fall way to the left of the bell curve of economic and social opportunity.

Jesuit Social Services' involvement in the child protection system occurs in the main through our engagement with young people in the youth justice and adult corrections systems – most of whom have had, or currently have, involvement with the child protection system.

We work with people who as parents are at risk of being engaged with the child protection system (the 'pipeline' in) and with young people leaving the child protection system (the 'pipeline' out).

We also work with some young people and their families who have had three to four generations of involvement in the child protection system, and youth justice and adult corrections systems. This is a matter of great concern to us.

For the most part we are not directly involved in the applied mechanics of the child protection system per se. Nevertheless, we believe our experience with people who fall into the above categories puts us in a position where we can make a positive contribution to the Inquiry.

Programs

Jesuit Social Services offers a variety of programs including:

Through <u>Brosnan Youth Services</u> we provide a holistic support service for young people engaged with the justice system, or exiting adult prisons or youth justice centres, who are assessed as high risk/need, with limited social and family networks, limited accommodation and post release support options and who are experiencing multiple and complex health problems. Brosnan programs are delivered in a manner that reflects the social justice principles of participation, equity, access and respect.

Services include:

- *intensive outreach support*
- *case management*
- *supported accommodation*
- *drug and alcohol counselling*
- *recreation programs*
- *employment/training programs*
- *group conferencing*
- *material aid*
- *24/7 after hours emergency assistance and duty work and referral service.*

Through <u>Jesuit Community College</u>, we provide people with skills for life, learning and work to help them reach their full potential. The College offers nationally recognised vocational education and training, as well as opportunities to develop skills through non-accredited programs delivered in flexible, supportive and practical ways.

In particular, we help people who struggle to succeed in traditional educational settings enter and navigate the training system and develop the skills and connections they need to find an active and fulfilling role in the community.

More information on the range of Jesuit Social Services program offerings can be found on our website at www.jss.org.au.

A 3 tiered approach to prevention

It is our contention that a 3 tiered approach can be taken when addressing community disadvantage generally, and child protection issues more specifically. These tiers can be broken down as:

- *Applied programs that help people with various aspects of their life;*
- *The incidence and interlinked nature of disadvantage; and*
- *Broader social values, regulation and resilience building.*

Applied programs

Our approach to working with people experiencing disadvantage includes an understanding and appreciation of the totality of every individual. Rather than thinking about support from the perspective of separate silos (e.g. mental health, disability, drug and alcohol misuse, employment, housing, health, criminal justice), we work in partnership with people to build a 'whole of life' approach to the way support is provided. Our holistic approach to supporting people is also referred to as 'joined-up' or a 'wrap around' approach.

We have long argued that **government needs to support community organisations to deliver whole of life support to disadvantaged people and families including disadvantaged young people.**

To borrow the language of the Federal Government's 'Which Way Home' Green Paper on Homelessness, we agree that a key challenge for government is how to implement 'joined up' service delivery backed up by 'joined up' policy: "Program and funding program boundaries must allow governments and funded organisations to take a multidisciplinary approach to addressing people's needs" (FaCHSIA 2008:63).

The incidence and interlinked nature of disadvantage

Jesuit Social Services' research, authoured by Professor Tony Vinson, has focused extensively in the area of locational social disadvantage, [Unequal in life: the distribution of social disadvantage in Victoria and New South Wales,1999; Community Adversity and Resilience, 2004; Dropping off the Edge: the distribution of disadvantage in Australia 2007; Moving from the Edge: stories of achieving greater inclusion, 2010].

Over the past twelve years Jesuit Social Services has conducted a series of studies of the geographic concentrations of different elements of social disadvantage. The studies in 1999 and 2004 focused on Victoria and New South Wales and in 2007 a similar methodology, with extended range of indicators, was applied nationally. The last-mentioned project, titled Dropping Off the Edge employed 25 manifestations of social disadvantage in order to build up a picture of the geographic distribution of cumulative disadvantage throughout Australia. One of the strands employed was 'confirmed instances of child maltreatment' using information provided by four state authorities (Victoria, South Australia, New South Wales and Queensland). The general approach has been to convert the number of instances of an indicator within a specified period in each locality to a rate that takes into account the pool of eligibles, such as the number of children resident within its boundaries in the case of child maltreatment.

Child maltreatment distribution tends to be linked with a particular group of indicators that more than others help to define the outstandingly disadvantaged areas throughout Australia including the four states that were able to furnish child maltreatment data. These important indicators were:

- A local population's limited education and limited computer access;
- Low individual and family income;
- Limited work credentials;
- Poor health and disabilities; and
- Engagement in crime.

Where these attributes were present in concentrated form, then there, too, confirmed child maltreatment was prevalent. In the case of the latter indicator the picture was not one of continuous linkage with the level of other forms of disadvantage. It was mainly in the most deprived of localities that rates of child maltreatment were elevated.

Attached at Appendix 1 is a summary of how Professor Vinson's broader research around disadvantage could be applied by the Inquiry to child maltreatment.

- Child maltreatment is interlocked with other areas of outstanding social disadvantage, viz., a local population's limited education and limited computer access, low individual and family income, limited work credentials, poor health and disabilities and engagement in crime
- High spatial / geographic concentration of social disadvantage.

This compelling evidence leads to Jesuit Social Services' contention that **location- based services targeting disadvantage needs to be key to any response.**

Broader social context – Values, regulation and resilience building

In looking at strategies to remediate instances of disadvantage and child maltreatment Jesuit Social Services, as outlined above, has tried to develop a whole of person approach. This takes place in a broader community context where acceptable standards of behaviour and values are determined ultimately by individuals but influenced directly and indirectly by a multiplicity of social forces.

Community attitudes toward, and regulation of, alcohol, drugs, sexualisation of children, gambling and pornography (via the internet) recur throughout the commentary around child protection. Change consequent upon the new technology and the sophistication of marketing techniques has seen an uncomfortable community tolerance of new and emerging standards, without a full debate or appreciation of the true cost.

David Green, Adjunct Associate Professor in the School of Social Work and Social Policy at LaTrobe University and former Victorian Public Advocate, recently wrote a paper for Jesuit Social Services addressing these issues. Please find it attached at Appendix 2.

Whether harmful consequences of increased access to drugs, alcohol, gambling, pornography can be effectively regulated or whether resilience and education can be effectively deployed (or some combination required), is worth further community discussion.

Jesuit Social Services' Key Propositions

Note: Throughout this document, key propositions are highlighted in **bold**.

The government needs to support community organisations to deliver whole of life support to disadvantaged people and families including disadvantaged young people (see p. 3).

Location based services targeting disadvantage needs to be key to any response (see p. 4).

Whether harmful consequences of increased access to drugs, alcohol, gambling, pornography can be effectively *regulated* or whether *resilience* and education can be effectively deployed (or some combination required), is worth further community discussion (see p. 5).

Jesuit Social Services would submit that universal (and secondary) expenditure on programs consistent with Professor Vinson's approach are cost effective. Indeed, the major rationale for focusing (relatively but not exclusively) on localities of concentrated disadvantage is the prospect of maximising the return on the investment of funds and effort in circumstances of finite resources (see p. 12).

There continues to be little understanding among child protection caseworkers of the value of Aboriginal Plans as outlined in the legislation. Significant work should be undertaken to ensure practices of child protection workers are consistent with the requirements of the legislation (p. 12).

If the public health model can help broaden the debate by sharing ownership of the problem, and developing a more sophisticated approach to the allocation of scarce government resources across the three stages of focus, then the approach is useful (see p. 14).

Funding commitments to alleviate disadvantage need to be sustained over time, rather than being episodic or based on electoral cycles (see p. 14).

Encouragement and recognition of community leaders who engage in voluntary work on Boards should be developed by government. This should be supplemented by addressing training and governance needs and resourcing for non - government organisation boards (see p. 16).

The Victorian Government, in partnership with the sector, should develop a medium term strategy for an infrastructure program that is aligned with future demands for services to be delivered by the sector (see p. 16).

The administrative burden associated with the funding and delivery of services needs to be consistently proportionate. Red tape is an issue within each tier of government and between tiers of government. Funding and service agreements have different expectations and accountabilities, requiring different means of collecting and reporting data. Jesuit Social Services believes streamlining across and between governments needs to occur (see p. 16).

Victoria has relatively recently embarked on significant change to child protection system, including the reforms under last government that created childFIRST. These changes were made relatively recently and it may be too early to assess their full impact. A systematic monitoring of short, medium and long term effectiveness is recommended (see p. 18).

Jesuit Social Services is of the strong view that out of home care for children and young people is not working adequately and is, indeed, at crisis point. Children being removed from their families have a right to be in safe, stable and secure placements with consistent carer relationships (see p. 18).

Jesuit Social services believes that the out of home care system needs to be revamped. Consideration ought to be given to the re-examination of previous models of care, for example Family Group Home parallels. Given the increased complexity of problems young people are presenting with, carers now require greater levels of training and support. Further, a whole of government approach is required so that these most vulnerable of the State's children (and their families) have access to critical services in a timely manner (see p. 18).

More resourcing should be given to intensive in-home support for families at risk of having their children removed; this is cheaper than out of home care and much less disruptive to attachment and bond between children, parents, siblings and extended family (see p. 19)

People leaving the system of child protection need ongoing support and meaningful relationships that cannot be episodic but must be sustained over time, and until the age of 25 years at least (see p. 19).

Jesuit Social Services has noted and supports the activity of the CPSU, ASU and ACTU in campaigning for improved terms and conditions for employees within the child protection system and in particular the 'pay equity case' launched by the ASU and the CPSU campaign around workloads and staffing levels (see p. 24).

Jesuit Social Services is attracted to many of the observations of Professor Eileen Munro in her initial systems analysis (October 2010), and 'The Munro Review of Child Protection, Interim Report: A Childs Journey' (February 2011). The extent to which these observations have applicability in Victoria is a matter that the Inquiry should examine further (see p. 27).

The independence of the Child Safety Commissioner should be increased to give the power to initiate 'own motion' investigations and widened to include youth justice, and to have a co-ordinating role in community visitors to both child protection residential units and to youth justice centres (see p. 27).

Observations and recommendations from the Child Safety Commissioner's Office's and the Victorian Child Death Review Committee's inquiries into child death should inform the outcomes of this Inquiry, as in many instances, they specifically address systemic, institutional and practice concerns arising in the child protection and broader family support systems (see p. 27).

Community leaders, politicians and the media should promote a broader understanding and manage expectations that they can fix every problem. Managing expectations will assist politicians adopt policies that have a long time horizon and help move the political and media discourse beyond finding blame (see p. 28).

1. The factors that increase the risk of abuse and neglect occurring and effective preventive strategies.

1.1 Given the different forms which child abuse and neglect may take, and the very broad range of risk factors involved (for example, parental substance misuse, domestic violence, socio-economic stress, inadequate housing, availability of pornography, parental history of child maltreatment

1.1.1 What are the key preventive strategies for reducing risk factors at a whole of community or population level?

In the introduction this was examined at three levels:

- *Applied programs that helped people with various aspects of their life;*
- *The incidence and interlinked nature of disadvantage; and*
- *Broader social values, regulation and resilience building.*

There is clearly overlap in this approach but it is useful to consider each aspect in turn.

Programs

Jesuit Social Services offers a range of services focussed primarily on young people who have often had encounters with the criminal justice system.

Our services look to find a point of engagement with young people - Brosnan Youth Services, the Artful Dodgers program, Connexions, The Outdoor Experience.

If an engagement exists or can be established then there is a range of services which can be offered and provided to assist young people with specific experiences or behavioural issues (alcohol, drugs, offending, for example).

An overarching aim of Jesuit Social Services' programs is to help facilitate people's capacity to participate fully as citizens.

All programs seek to build trust, seek to provide meaning and are based around ongoing relationships. Programs need to be integrated and coordinated. Somebody needs to hold the person's story and help him/her create an aspirational vision for his/her future.

These goals are consistent with Jesuit Social Services' own review of the core ingredients of successful personal and social change. In *Moving from the Edge* the themes underlining the life stories of people who had managed to move from social exclusion to a more inclusive position showed three elements in particular to be characteristic of such endeavours –

1) The unconditional support of a change agent who is convinced that the person being assisted can achieve her or his goals;
2) Encouraging the manifestation of aspirations plausibly linked with the achievement of ultimate goals; and
3) Helping to break up the tasks involved into manageable bites.

We have a background in education that extends over more than 450 years and understand that the path out of social exclusion requires the development of the person over life, and opportunities for meaningful participation, including employment.

Jesuit Social Services' approach seeks to offer an engagement with learning. Jesuit Community College is an exciting new initiative to re-engage young people with learning. The College helps young people who have avoided or been excluded from education in the past to develop solid foundation skills for life

and build their capacity to successfully participate in further study and work.

We link learning to real life wherever possible, offer direct pathways from the College to higher level vocational training in a range of settings and foster and draw on strong networks of service agencies, mainstream education providers, community organisations, businesses, volunteers, mentors, government and other parts of Jesuit Social Services to support vulnerable young people into, through and out of our training programs.

Jesuit Social Services' approach is not a universal prescription but the principles that underpin it are sound – long term and consistent engagement to build trust as a basis for tailored intervention, and an education that will allow people to participate more fully in society, for example through a job and associated income.

Key preventative strategies are to identify people at risk of intervention from child protection authorities and address the risk factors in a holistic and sustained approach.

Critically, Jesuit Social Services recognises our approach has an expense, but this needs to be measured against the significant cost to government and society of failure.

A series of case studies of young people who have attended our Artful Dodgers studio (formerly known as the Gateway program) is attached at Appendix 3. These case studies illustrate that by engaging young people in meaningful programs, forming an ongoing relationship with them, and providing access to substantial 'wrap around' services, is ultimately cost effective.

These young people, who had previously had extensive involvement in both secondary and tertiary services (child protection, youth justice, mental health inpatient services, ambulance, for example) are now offending less, if at all, have reduced or stopped their substance abuse, are not requiring inpatient treatment services and are starting to participate in their community through either education or employment.

Whatever the program or intervention, Jesuit Social Services strongly believes that:

- People need significant figures in their lives, who can maintain a relationship with them, over time and help them to plan their lives - someone who can help them identify an aspiration that will break the cycle of poverty so that they can move back from the edge;
- People receiving attention from the child protection system need to be treated with respect and dignity at all times. In the experience of Jesuit Social Services, how it is done may be more important than what is done;
- People leaving the system of child protection need ongoing support that cannot be episodic and must be sustained over time, and up to the age of 25 years.

Social and economic disadvantage

Jesuit Social Services' work, undertaken by Professor Tony Vinson validates this applied approach by recognising the interconnectedness of causation factors.

Where there is disadvantage it is interconnected and self - sustaining. It is also concentrated in geographic areas and therefore also requires a geographic or placed based intervention.

Whatever direct or indirect strategies Jesuit Social Services or authorities adopt to enhance the safety and security of children, it is much more difficult to intervene successfully if children and families do not have access to basic securities - access to adequate income, health care, education, and housing.

In Jesuit Social Services' experience a child's education and a family's engagement with a range of universal and secondary services are much more effective if there is stability in housing.

Those at the margins struggle to enter the private rental market and can 'bounce around' emergency

accommodation provided by the state until they can find their way to the top of a housing wait list.

Currently there are 40,000 people on the public housing waiting list in Victoria and it would cost $1b to purchase 2,500 houses.

Vulnerable people are in the minority and rarely command a political priority that would deliver an investment of the magnitude required.

Similarly, income support (for example, a single person on an unemployment benefit at a rate of $34 a day), and rental assistance, are at levels which mean recipients are constantly on the edge of merely coping.

Whatever human frailty exists within individuals or families involved in raising children, it is magnified many times by insecure, unaffordable and substandard housing.

Social values and regulation

At the broadest level the State regulates the supply of alcohol, drugs, gambling and pornography and, whilst most in the community can regulate their demand and or use of legally available goods and services to safe levels, the most vulnerable people sometimes struggle. On occasions children may be impacted as a consequence of their parents' harmful levels of consumption.

We recognise the role of choice in the economy and society but submit that there must also be a recognition of vulnerable people's need for protection.

It is not easy or fashionable to regulate supply or choice and the discussion amongst Federal politicians (the independents' - Wilkie and Xenephon - negotiations with the Government) about how to protect 'problem' gamblers is illustrative of the difficulty.

To limit people's choice is a constraint of their entitlement to choose but the price of that should be to help people who cannot manage that choice.

On the demand side, towards the end of the term of the last State Government, a 'respect agenda' was initiated. This was an amorphous concept that was not adequately operationalised.
Nevertheless, it reflected a preparedness to tackle a range of concerns with existing and emerging social issues.

> "The Respect Agenda focuses on promoting positive behaviours by fostering a greater understanding of difference and diversity, encouraging people to get involved in their communities through activities like volunteering, and helping parents and carers. It also addresses disrespectful behaviours, such as alcohol-related violence, bullying, and violence against women".

> From - http://www.vic.gov.au/news-detail/respect-agenda-website-now-live.html

Jesuit Social Services believes that programs of this type, when adequately developed and targeted, have potential to contribute to the reduction of negative social behaviours.

[See for example New York Times 27 March 2011, Poisoned Web, A Girl's Nude Photo, and Altered Lives, at Appendix 4. This case study of 'sexting' by year 8 students, considers broader community attitudes, values adopted from mainstream media and advertising, the interaction of school, families, legal process and the impact on individuals involved. It is illustrative of how difficult it can be to regulate from the supply side and seek to limit demand in the broader social context.]

1.1.2 What strategies should be given priority in relation to immediate, medium and longer term priorities?

Jesuit Social Services has identified three broad areas where Government could reduce risk at a population level: programs for families and children at risk of intervention from child protection authorities, the need to tackle interlinked and causally connected disadvantage, and the broader social context and regulation.

The first thing to recognise is that work must be undertaken in each of the three areas.

The natural tendency is to focus on children most immediately at risk but that does not move people back from the edge.

There is a case for additional investment so that 'top of the cliff' matters can be tackled whilst still dealing with children at risk. Ultimately politicians are elected and unelected to allocate scarce resources.

In our submission the focus on disadvantage more broadly (Professor Vinson) has not received the investment it ought by any level of government. Policy to influence the broader social context is a longer term strategy but nevertheless should be undertaken in the short to medium term.

1.1.3 What are the most cost-effective strategies for reducing the incidence of child abuse in the community

Any discussion of 'cost effective' must be measured against the real cost, the elements of which are identified above.

The cost to the community of poorly raised children is immense:

> *"The personal, economic and social costs of child abuse are significant. If the estimates take into account such things as health system expenditure, additional educational assistance, protection programs, productivity losses, government expenditure across jurisdictions and other factors that make up the 'burden of disease' over a lifetime, the costs extend into the billions"*
>
> A report released by Access Economics in November 2008, "The cost of child abuse in Australia", found that a conservative estimate of the annual cost of child abuse and neglect in 2007 came to $4 billion with the value of the burden of disease representing a further $6.7 billion
>
> Parliament of Australia, Parliamentary Library, Background Note, 'Child abuse and protection in Australia', Online only, 18 March 2009, Janet Phillips Social Policy Section at
>
> http://www.aph.gov.au/Library/pubs/bn/2008-09/ChildAbuse.htm#_ftnref15

An unfulfilled life, sustained by welfare benefits, reliant on public services offered through 70 years over various life stages is expensive for the community. If the cost is to be contrasted with an 'average life', with an average job, paying average taxes to each level of government then the 'cost' of a disadvantaged life, expressed in dollar terms, is even greater.

Frustratingly, Jesuit Social Services' experience, along with the research and literature, demonstrate an early and sustained intervention can reduce the cost profoundly.

At Jesuit Social Services we have put our efforts into addressing unmet, and often unpopular, need. It is

also where we believe we can make a difference. We work to the left of the bell curve, with young people leaving criminal justice system, with young people disengaged with life and education.

Jesuit Social Services would submit our programs like those offered by Brosnan Youth Services, the Artful Dodgers program, Connexions, and the Jesuit Community College, are cost effective. Please refer to case studies of young people attending the Artful Dodgers studio (formerly known as the Gateway program) in Appendix 3.

Jesuit Social Services would submit that universal (and secondary) expenditure on programs consistent with Professor Vinson's approach are cost effective. Indeed, the major rationale for focusing (relatively but not exclusively) on localities of concentrated disadvantage is the prospect of maximising the return on the investment of funds and effort in circumstances of finite resources.

We recognise that Jesuit Social Services is not the only organisation to be active in these areas and that many good programs are offered which would benefit from access to additional resources.

1.1.4 Do the current strategies need to be modified to accommodate the needs of Victoria's Aboriginal communities, diverse cultural groups, and children and families at risk in urban and regional contexts?

Some of the most disadvantaged areas identified by Professor Vinson cover areas of significant Aboriginal populations.

Local Government areas in Victoria that have significant Aboriginal populations include:

- **Mildura** – Aborigines account for 2.4% of the population (this fluctuates because of seasonal variations). Central Mildura (postcode 3500) in 2007 had a moderate ranking on overall disadvantage (187/726), but the 'virtual suburb' Merbein (3505), while not making it to the top 40 list in the published report was 64/726, or in the top ranking 9% of Victorian postcodes on disadvantage;
- **Robinvale** – 9% of local population; again subject to seasonal variation in population but 40th ranked position and therefore in approximately the top 5% of Victorian postcodes according to overall disadvantage;
- **East Gippsland** – 2.9% of local population is Aboriginal. In East Gippsland, postcode 3889 (Bemm River locality) 83/726 or in the top 11 %, Lake Tyers (postcode 3887) ranks 11th and therefore in the top 2% most disadvantaged postcodes, and Orbost (29/726) is in the top 4% of Victoria's postcodes with respect to overall disadvantage;
- **Swan Hill** – 4.4% of its population is Aboriginal. This area is not especially disadvantaged (94/726) , but Lake Boga (35/726) which is close by is in the top 5%; and
- **Greater Shepparton** (postcode 3630) – 2.8% of population; just outside top 10%.

Where a location of disadvantage is overlapped with significant Aboriginal populations, then the types of intervention and characteristics identified by Professor Vinson need to be applied to the population and, where required, to the Aboriginal sub groups within it.

In the Windale case study identified by AIFS at Appendix 5, an Aboriginal health service and community nursing service were founded as a part of a broader policy response. Jesuit Social Services would advocate a partnership approach with Aboriginal community controlled organisations to design, develop and operate any such programs.

A similar approach would make sense where other significant sub-populations existed.

There continues to be little understanding among child protection caseworkers of the value of Aboriginal Plans as outlined in the legislation. Significant work should be undertaken to ensure practices of child protection workers are consistent with the requirements of the legislation.

1.1.5 Some in the sector have argued for the introduction of a 'Public Health Model' in relation to child protection. What might be the benefits of introducing such a model in Victoria? What are the main characteristics of such a model?

Jesuit Social Services supports the use of the Public Health model as it promotes a broader understanding of issues associated with child protection. In particular, this model encourages an increased emphasis on a 'top of cliff' policy approach that is consistent with research by Professor Vinson and the Jesuit Social Services experience.

The point is…

> *"The public health model as applied to child abuse and neglect is an encouraging approach to service delivery because the central focus is on the prevention of child abuse and neglect, as opposed to focusing on services where abuse and neglect has already occurred"* (O'Donnell, Scott, & Stanley, 2008).

Importantly, as an analytical device, the public health model could be used as a vehicle for broader community discussion. Critical to this is ensuring that cultural health imperatives are a primary consideration for each child and family engaged with child protection services.

Child protection issues are a concern and responsibility for the whole community and cannot be dismissed as simply the fault of bad parents making bad choices. Of course individuals must be accountable for their own actions but these actions occur in a broader social context.

If the public health model can help broaden the debate by sharing ownership of the problem, and developing a more sophisticated approach to the allocation of scarce government resources across the three stages of focus, then the approach is useful.

From Jesuit Social Services' experience of the criminal justice system, especially as it pertains to young people of an age where they might be expected to become parents, not enough is done at a secondary or tertiary level to enable those returning to society to come in from the margins. Jesuit Social Services would submit that an enhanced access to support services that help individuals:
- develop an aspiration or vision (case work);
- find suitable accommodation; and
- access supported training and ultimately employment.

Jesuit Social Services would assist people develop and sustain relationships that will be a path to more productive lives.

Jesuit Social Services' research challenges governments to respond at a universal level to disadvantage. On the narrowest view, child protection is simply about poor or neglectful parents. However once it is unpacked as in the research undertaken by Professor Vinson and the interlinked strands of disadvantage are identified and understood, the logic for focussing government services more broadly is compelling. Jesuit Social Services would hope the allocation of government resources would follow community discussion and acceptance of these universal, causal links.

Earlier reference to the primacy of choice without sufficient regard for the negative broader social costs (eg access to alcohol, internet etc) should also form part of the broader social discussion of appropriate universal remediation. Community values which normalise drunkenness have an impact on the safety of children. Community attitudes toward police will impact on the type of policing we receive. Parents of children with access to the internet must compete in a more complex learning environment.

Whilst the model suggests clean edges between each of the three areas of focus, (primary, secondary, tertiary), it is likely that there will be overlap. Any services derived from this approach should retain the flexibility to respond to the situation that presents.

In Jesuit Social Services' experience, government funding can lack the flexibility required at the frontline. If government funding is provided for a given purpose, too often it must be acquitted against that purpose in an inflexible and frustrating way. Flexibility for the frontline worker would often improve the outcome of the intended beneficiary and could be done in a way that would not diminish accountability for the expenditure of public money.

As noted elsewhere in this submission, **funding commitments to alleviate disadvantage need to be sustained over time, rather than being episodic or based on electoral cycles.**

2. Strategies to enhance early identification of, and intervention targeted at, children and families at risk including the role of adult, universal and primary services. This should include consideration of ways to strengthen the capability of those organisations involved.

2.1 What is the appropriate role of adult, primary and universal services in responding to the needs of children and families at risk of child abuse and neglect?

Jesuit Social Services provides a range of services associated with some of the areas identified at 2.1.We do not intend to address details of the history or adequacy of funding, but simply make the point that there is a direct relationship between funding and our ability to design, develop and deliver programs. The demand and need for the services we deliver is many times greater than what we are able to provide.

Jesuit Social Services works in secondary and tertiary services for young people of child bearing age, leaving the criminal justice system (correctional services) and refugee resettlement and migrant services. Many of these young people leaving the criminal justice system are, as young parents, at risk of intervention from child protection authorities. A growing number are from families who have had multiple generational engagement with the system; this is particularly evident among Aboriginal families.

Whilst a range of service delivery models are applied across the sector, Jesuit Social Services' experience is that considerable effort needs to be applied to engage these young people. Our approach has been to sustain contact, build trust and to use activities of interest (Artful Dodgers, The Outdoor Experience, Brosnan Youth Services, Connexions) to develop an engagement. For many of our clients, re-engagement with training or education system, even at a foundation or Certificate 1 level, is an enormous challenge.

By combining support and learning we work to 'round out' the citizenship of our clients, move them back from the edge and improve their capacity as people and parents. If people are helped to move closer to the mainstream of the community and the opportunities it affords, then they will be at a reduced risk of intervention associated with child maltreatment.

In terms of the government's ability to strengthen our programs generally we would repeat and reiterate points made earlier in the submission: a long term funding horizon, flexibility with funding acquittal, a broad perspective of services required to address disadvantage and unit cost funding at levels that facilitate recruitment and retention of staff.

In our experience, people whose lives have been framed in disadvantage and dogged by multiple and complex needs cannot readily engage in mainstream education or training opportunities. In the Jesuit Community College model we have tried to blend support for participants and access to suitable training. The nature and level of support needs to be flexible. Without a training or education qualification, most are locked out of employment opportunities that provide access to simple, mainstream rewards. Unless people are helped back from the edge, when they become parents they are at greater risk of coming to

the attention of child protection authorities.

Funding should not be episodic but rather take a medium to long term view. Problems often take years to develop and will usually take some time to address.

Beyond our program offerings, Jesuit Social Services' research conducted by Professor Vinson suggests an approach to locational disadvantage which in our submission is compelling:

> *"What is needed is persistent effort nearer to seven or eight years – as happens to good effect overseas – rather than the Australian norm of two or three. It is possible that an inadequate single 'dose' of community assistance may be more harmful than no help at all.*
>
> *We know that what are called 'place effects' – the net influence exerted by a locality on people's wellbeing – are particularly strong during the early stages of life and later adolescence.*
>
> *Postnatal outreach services, parenting support programs and children's diagnostic services should be strongly represented within highly disadvantaged neighbourhoods, including those in rural and remote areas.*
>
> *The same is true of adolescent health services. The policing of disadvantaged areas can be linked with the work of other social agencies in pursuit of improved community problem solving.*
>
> *Adequate community transport in disadvantaged areas within and outside of the metropolitan areas can mean the difference between some people utilising or failing to take advantage of available services.*
>
> *Relatively short term supportive interventions (usually around two to three years) have seen crucial improvements, especially in young children. The elements of assistance provided have ranged from job training and work placement, to educational outreach, health services, parent support and the cultivation of social cohesion."*
>
> [From 'Dropping off the Edge: the distribution of disadvantage in Australia', Professor Tony Professor Vinson, Faculty of Education and Social Work, University of Sydney, Parliament House Canberra, 28 February 2007]

Through our experience in working with new arrived immigrants, Jesuit Social Services believes that some would benefit from education / induction programs. Two specific areas of need in our experience would be classes for parents around expectations (in this culture) around child rearing and also programs targeting young males around appropriate behaviours / attitudes to women, furthering the work commenced through our Jesuit Social Services StrongBonds project (www.**strongbonds**.jss.org.au).

2.2 How might the capacity of such services and the capability of organisations providing those services be enhanced to fulfil this role?

Jesuit Social Services would submit that Boards of Management are critical to effectiveness of non-government organisations. Jesuit Social Services has been able to attract outstanding Board members over a long period of time. Other organisations, for a variety of reasons (size, location), have struggled to attract and retain the quality of people needed to deliver the leadership and counsel required to align delivery aspirations and practice.

At an applied level, encouragement and recognition of community leaders who engage in voluntary work on Boards should be further developed by government. This should be supplemented by addressing training and governance needs and resourcing for non-government

organisation Boards.

The Victorian Government either directly or indirectly employs over 250,000 people. Strategies aimed at encouraging and supporting activities in the NGO sector from the public sector in their private capacity would be welcome.

Barriers between public sector and the non - government sector should be examined to better enable employees to move between the two sectors. For example the administrative processes to approve and give effect to secondments between the sectors could be improved. We await the outcome of the portability of long service leave issue, as this is a significant barrier to labour market flexibility.

Whilst most NGOs access a variety of funding sources to deliver a range of services there is very limited scope for building infrastructure required to deliver programs. Some faith based organisations can access administrative property through their connection to the church but this is not always suitable or available. The situation is often worse for other organisations.

The Victorian Government in partnership with the sector should develop a medium term strategy for an infrastructure program that is aligned with future demands for services to be delivered by the sector.

The administrative burden associated with the funding and delivery of services needs to be consistently proportionate.

Where a large sum of money is involved it is naturally accepted that tender and acquittal processes will be comprehensive. Where tenders and acquittals are for lesser amounts Jesuit Social Services would submit that there should be a proportionate reduction in the administrative processes whilst still meeting all requirements to be accountable for the expenditure of public money. There have been some positive developments in this area but inconsistencies are still experienced.

Red tape is also an issue within each tier of government and between tiers of government. Funding and service agreements have different expectations and accountabilities, requiring different means of collecting and reporting data. Jesuit Social Services believes streamlining across and between governments needs to occur.

As previously mentioned, certainty around funding over longer periods of time, ensures the delivery of a better service and client outcomes. It should be added, that this predictability makes it easier for the organisation to adhere to common business principles.

Recruitment and retention of staff is the subject of another question [7.1.3] but obviously funding for the sector at prevailing salary rates creates a number of issues for management across the sector.

2.3 What strategies should be given priority in relation to immediate, medium and longer term priorities?

In relation to 2.1, a long term funding horizon, flexibility with funding acquittal, a broad perspective of services required to address disadvantage and unit cost funding at levels that facilitate recruitment and retention of staff.

In relation to 2.2, the Victorian Government in partnership with the sector should develop a medium term strategy for an infrastructure program that is aligned with future demands for services to be delivered by the sector. This should be supplemented by addressing training and governance needs and resourcing for non - government organisation boards.

2.4 What are the most cost-effective strategies to enhance early identification of, and

intervention targeted at, children and families at risk?

The Jesuit Social Services' research, undertaken by Professor Vinson, suggests that identified areas of locational disadvantage have greater likelihood of confirmed instances of child maltreatment. Accordingly a policy and programs focused on these areas would also provide cost effective interventions.

Jesuit Social Services submits that effective programs that engage and support vulnerable people and families that reside in these areas are too limited. The return on such an investment would be cost effective.

3. The quality, structure, role and functioning of: family services; statutory child protection services, including reporting, assessment, investigation procedures and responses; and out-of-home care, including permanency planning and transitions;

And what improvements may be made to better protect the best interests of children and support better outcomes for children and families.

a. Statutory child protection services, including reporting, assessment, investigation procedures and responses;

3.4   What are the strengths and weaknesses of our current statutory child protection services in relation to responding to and assessing suspected child maltreatment?

Victoria has relatively recently embarked on significant change to child protection system, including the reforms under last government that created childFIRST. These changes were made relatively recently and it may be too early to assess their full impact. A systematic monitoring of short, medium and long term effectiveness is recommended.

The literature is not filled with competing models for child protection. Jesuit Social Services does not think there is a silver bullet that would profoundly enhance our system if it were adopted. The focus on early intervention, evidence based on data, supporting families (through ChildFirst for example), are critical features. Timely responses continues to be a major concern.

Within the existing system, allowing frontline staff to exercise greater professional judgement, in a manner suggested by Prof Eileen Munro in the UK context , improving salary and conditions of the profession, and ensuring adequate support for foster parents would no doubt enhance the existing system.

c. Out-of-home care, including permanency planning and transitions

3.5   What are the strengths and weaknesses of the range of our current out-of-home care services (including respite foster care, foster care of varying durations, kinship care, permanent care and residential care), as well as the supports offered to children and young people leaving care?

As noted earlier Jesuit Social Services is engaged in the pipeline in and out of the child protection system.

Jesuit Social Services' observations of young people leaving the child protection system is that too many leave with multiple and complex problems. When they present to our programs, we find that many of them have been living on the streets for a significant period of time, have drug and alcohol, mental health issues, very low educational achievement and minimal connection to community.

Jesuit Social Services is of the strong view that out of home care for children and young people is not working adequately and is, indeed, at crisis point. Children being removed from their families have a right to be in safe, stable and secure placements with consistent carer relationships.

Jesuit Social Services believes that the out of home care system needs to be revamped. Consideration ought to be given to the re-examination of previous models of care, for example Family Group Home parallels. Given the increased complexity of problems young people are presenting with, carers now require greater levels of training and support. Further, a whole of government approach is required so that these most vulnerable of the State's children (and their families) have access to critical services in a timely manner.

More resourcing should be given to intensive in-home support for families at risk of having their children removed; this is cheaper than out of home care and much less disruptive to attachment and bond between children, parents, siblings and extended family.

Earlier in this submission [at **1.1.3**] three aspects of programs were identified which Jesuit Social Services submitted were required features / components of programs for people leaving care, viz.,

- People need significant figures their lives, who can maintain a relationship with individuals over time and help them to plan their lives. Someone who can help them identify an aspiration that will break cycle of poverty.
- People receiving attention from the child protection system need to be treated with respect and dignity at all times. In the experience of Jesuit Social Services, the quality of the relationship is critical.
- **People leaving the system of child protection need ongoing support and meaningful relationships that cannot be episodic but must be sustained over time, and until the age of 25 years at least.**

Creating environments and providing services during the period young people are under the care of the child protection system would obviously reduce the need to provide services of this type and form after they leave care.

Jesuit Social Services experience is that the young people we encounter who are estranged from their family, resulting from either child protection intervention or the criminal justice system, overwhelmingly seek to re-engage with them.

When developing a vision with a young person, a connection to family or significant person is often a prerequisite to developing a broader aspiration which may be advanced through other programs or training.

Interventions or supports should accordingly be designed and delivered to assist this re-engagement and be more consistently focused on the family as a whole or key people within the family be they a parent(s), grandparent(s) or sibling(s).

4. The interaction of departments and agencies, the courts and service providers and how they can better work together to support at-risk families and children.

4.1 Given the very broad range of professions, services and sectors which need to collaborate to achieve the best outcomes for

In responses to questions 1.1.3 and 1.1.5 of this submission reference has been made to the need to empower frontline line workers to use their professional judgement to solve problems they encounter. This needs to be undertaken within a framework of supervision by more experienced managers.

Jesuit Social Services noted that government funds are often derived from administrative units created to focus on a particular problem rather than the holistic interest of the young person. Flexibility for the frontline worker would often improve the outcome of the intended beneficiary and could be done in a way that would not diminish accountability for the expenditure of public money.

In responses to questions 2.2 of this submission it was noted the need for the administrative burden should be consistently proportionate to the funds allocated, or sought through tender or like processes.

5. The appropriate roles and responsibilities of government and non-government organisations in relation to Victoria's child protection policy and systems.

5.1 Given Victoria's distinctive history in relation to the role of not-for-profit community service agencies in caring for children and families in need, and the recent emergence of some for-profit organisations in the sector:

5.1.1 What is the most appropriate role for government and for non-government organisations (both for-profit and not-for-profit) in relation to child protection?

Governments have a role to ensure that the most vulnerable in the community are protected but as discussed throughout this submission, Jesuit Social Services would argue that a broad approach needs to be adopted to effectively pursue this outcome.

There is an obvious and vital role for Community Service Organisations (CSOs) to assist government achieve the aim of protecting vulnerable people.

CSOs bring a range of community assets which would (generally) not otherwise be offered to government. CSOs motivate and facilitate the contribution of an organisation's resources, mostly their people, to concerns of common interest.

CSOs bring a community awareness and engagement (from members, supporters and media) that would not be available to government. Indeed CSOs' interest in child protection pre-dates that of governments.

Jesuit Social Services has a history of opposing the for-profit sector entering into the direct provision of government services to vulnerable people and submits that the introduction of 'for profit sector' into child protection would be deleterious.

By definition, the for-profit corporation needs to create a profit. It is hard to conceive of a model under existing, or known child protection system that readily lends itself to creating a profit. Revenue source from government is not readily increased, expenses are for the most part wages and are notoriously slim, office accommodation and property holdings are at best modest.

The ability of the CSO sector to attract community support and standing in the community is based on a volunteer ethos of giving. People know we are 'fair dinkum'. If relationships are based on business principles of profit, then an expectation arises that every transaction has a price and a financial transaction is at the base of all exchanges.

If someone chooses profit over the interest of a client then the system has produced a sub-optimal result.

5.1.4 Is it necessary to strengthen the capability of organisations in the non - government sector to better equip them to work with vulnerable children and families and if so, how?

The quality and number of staff, the nature and volume of funded programs directly affect an organisation's capacity to work with vulnerable children.

The submission in response to question 2.2 identifies areas that could be examined to improve the capacity of organisations, including access to property for administrative and therapeutic activities. The ability of organisations to recruit and retain appropriately skilled staff is considered in the response to question 7.

5.1.6 What are the strengths and weaknesses of current Commonwealth and State roles and arrangements in protecting vulnerable children and young people, for example

through income support, family relationship centres, local early childhood initiatives such as "Communities for Children" etc? What should be done to enhance existing roles or address any weaknesses?

Tertiary and most secondary services in respect of vulnerable children are clearly the responsibility of the State government. Provision of universal services, those that provide support and education before problems arise, is an area where the Commonwealth government is also active.

Income support and housing assistance are areas where the Commonwealth government has policy responsibility. The adequacy of the level of benefit and the supply of housing were discussed in response to question 1.1.1. The Commonwealth's foray into the regulation of gambling was discussed in the introduction.

The preparedness of the Commonwealth government to address social inclusion, by having a Minister responsible, by creating a social inclusion board, initiating research and funding programs is a welcome development.

Jesuit Social Services has received funding from the Commonwealth Government and delivered quality programs but the episodic nature of funding and a failure to effectively link with other state funded initiatives risks sub-optimal outcomes.

Ideally the Commonwealth Government's thinking and policy initiatives would seamlessly integrate with the approach of State and Territory Governments. This remains a holy grail of Federation.

6. Possible changes to the processes of the courts referencing the recent work of and options put forward by the Victorian Law Reform Commission.

6.1. In light of recent child protection legislative changes, trends in other jurisdictions, and in particular the options put forward by the Victorian Law Reform Commission1:

6.1.1 What changes should be considered to enhance the likelihood that legal processes work in the best interests of vulnerable children and in a timely way?

The work of the Victorian Law Reform Commission culminating in their 2010 Report was a positive contribution to the thinking around the legal mechanics of child protection.

The principles identified and amendments proposed appear to have merit. In particular
- Attempts to facilitate agreement between parties in a less legal and adversarial form (primacy of family group conferences, no fault finding that child is in need of protection); and
- Enhancing the role and independence of the Office of the Child Safety Commissioner.

The child-centric approach and engagement with family is more conducive to creating an environment that Jesuit Social Services has identified as lacking in the pipeline out of the child protection system. Limiting some of the collateral negative impact (finding fault, cross examination) on the process has the potential to enhance the process.

For these reasons Jesuit Social Services supports a less adversarial approach from the courts and a heightened focus on alternative dispute resolution. An expansion of Group Conferencing would be welcomed.

The KPMG reviewed Youth Justice Group Conferencing (YJGC) Program (September 2010). Some of the key findings included:
- Three quarters of the young people participating in YJGC received non-supervisory orders and were diverted from further progression into the Youth Justice system;
- Young people who participated in the YJGC were much less likely to have reoffended within 12 or 24 months than young people who received initial sentences of Probation or Youth Supervision Order; and
- For every $1 invested by the Department of Human Services on Group Conferencing, at least $1.21 is saved in the immediate and short term. These savings are likely to underestimate the actual saving to Government for each young person over the course of their lifetime.

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7. Measures to enhance the government's ability to: plan for future demand for family services, statutory child protection services and out-of-home care; and ensure a workforce that delivers services of a high quality to children and families.

7.1 Given the resources required to provide appropriate services and care for children and young people referred to statutory child protection services and in out-of-home care, what is the likely future demand for services and what needs to be put in place to help sustain services and systems and plan for and meet future demand pressures?

7.1.1 Is there sufficient research into child protection matters to support government's ability to plan for future child protection needs? If not, how might government encourage and support sufficient research in this area?

Jesuit Social Services' experience and observation is that, whilst many decision makers are convinced of the need to invest in addressing the broad causes of disadvantage (housing, supported education) some resist this allocation of scarce resources on the basis that the advantage is too diffuse or unclear. Any research which will better assist Departments of Treasury and Finance and Premier and Cabinet measure the benefit and costs of early and sustained investment and would provide an evidence base to advance dialogue would be welcome.

There is very little research about young people leaving care; how many pursue study, how many enter employment, how many become parents, what is the prevalence of negative life experiences. Quantitative research in this area would provide a stronger base from which to formulate policy. Research should be informed by what has worked and what has not. It should also draw on the reports and recommendations from the Child Safety Commissioner and Victorian Child Death Review Committee.

Whatever the research reveals, Jesuit Social Services is concerned that an effective response requires a political will to address substantive issues. Too little has been done in the recent past to address and resource problems which are well known.

7.1.3 What workforce development and retention strategies are required to meet the needs of the child and family welfare sector in the future?

An overt recognition and appreciation by government of the vocational aspect of this career choice is vital. This must be accompanied by the provision of environments to nurture this, along with better professional development opportunities and better remuneration.

Jesuit Social Services seeks to maintain a positive and constructive relationship with the Australian Services Union which represents the industrial interests of its employees.

Jesuit Social Services has noted and supports the activity of the CPSU, ASU and ACTU in campaigning for improved terms and conditions for employees within the child protection system and in particular the 'pay equity case' launched by the ASU and the CPSU campaign around workloads and staffing levels.

Jesuit Social Services is on record as supporting the pay equity case;

> 'This is an issue of social justice and equality and is a sign of what and who we value in our community. The pay equity claim needs to be supported by government and sector alike. If this doesn't happen we send a clear message that we don't value staff and we don't value the people who most need our care,' per Julie Edwards, CEO of Jesuit Social Services, VCOSS Media Release 21 March 2011, at http://www.vcoss.org.au/media/mediarelease.php?id=94

There is no doubt this or subsequent wage increases will create capacity to pay arguments but unless Government funding fixes and maintains wages at a rate that is necessary to attract and retain quality employees, the sector will achieve sub-optimal results.

In the longer term the state must continue to try and find ways to replicate access to services that stem from the unconditional love of natural parents. Earlier in the submission at 1.1.3 it was submitted that:

> *"People need significant figures in their lives who can maintain a relationship over time and help them to plan their lives. Someone who can help them identify an aspiration that will break the cycle of poverty. "*

Using a traditional employment relationship to extract the discretionary efforts of employees to become a significant figure, is difficult enough but where a lack of career path, excessive workload and low wages drive high staff turnover these efforts are that much harder to capture.

8. The oversight and transparency of the child protection, care and support system and whether changes are necessary in oversight, transparency, and/or regulation to achieve an increase in public confidence and improved outcomes for children.

8.1 There is currently a range of oversight processes involved in the child protection and care system (for example, Ministerial/Departmental inquiries into child deaths and serious injuries, internal organisational complaints procedures, and the statutory roles of the Ombudsman, the Victorian Auditor General, the Child Safety Commissioner and the Coroner).

8.1.3 What changes, if any, are required to improve oversight and transparency of the child protection, care and support system? How would those changes contribute to improved outcomes for children?

Child protection is one of the most reviewed areas of public administration, the list of Victorian reviews cited by the Victorian Law Reform Commission as a part of its review is tiring;

- Norgard Committee report 1976.
- Report of the Child Welfare Practice and Legislation Review (the Carney Committee's report) 1982 - 1984
- Protective Services for Children in Victoria: Interim and Final Report (Fogarty) 1989, 1993.
- Auditor-General's Special Report No 43: Protecting Victoria's Children: The Role of the Department of Human Services, 1996.
- Report of the Community Care Review (the Carter Report), 2000.
- The Public Accounts and Estimates Committee's Review of the Auditor-General's report, 2001.
- Protecting children: The Child Protection Outcomes Project (DHS, Allen Consulting Group, Kirby, Ward and Freiberg report) 2002, 2004.
- Evaluation of pre-hearing conferences (Ms Jeanette Maughan and Ms Andrea Daglis)
- Boston Consulting Group report on the Children's Court, 2007.

Protection Applications in the Children's Court, Final Report, Victorian Law Reform Commission, Chapter 2.

Many of these reforms have led to changes in the legislation which create the child protection system in Victoria.

The Law Reform Commission also provides details of a range of national reviews.

In addition to these, many reviews have been undertaken by the Coroner and Ombudsman and the bodies identified in question 8.1.

In the first paragraph of her Review of child protection in the UK Eileen Munro noted

> "The reforms introduced by previous Governments have been designed by well-informed and well-intentioned people, so it is reasonable to ask why there should be yet another review leading to another set of reforms. The problem is that previous reforms have not led to the expected improvements in frontline practice. Moreover, there is a substantial body of evidence indicating that past reforms are creating new, unforeseen complications".
>
> (The Munro Review of Child Protection, Part One: A Systems Analysis, October 2010).

Munro argues that an unintended effect of having so many reviews is that the practice of social work has been compromised by undue priority being given to procedural compliance, or as one commentator described it 'fear driven proceduralism.'

Munro urges that reviews should focus more on acquiring learning rather than finding fault.

> *Practitioners must be held accountable when malpractice is proven but this is a matter for employer-led disciplinary processes and must not be confused with acknowledging the mistakes that inevitably arise because of the inherent uncertainty in the work. Children and young people will be safer if workers can revise assessments or change decisions because they develop a different understanding of the problems without fear of being criticised for not getting it right first time.*
> (The Munro Review of Child Protection, Part One: A Systems Analysis, October 2010).

Jesuit Social Services is attracted to many of the observations of Professor Eileen Munro in her initial systems analysis (October 2010), and 'The Munro Review of Child Protection, Interim Report: A Child's Journey' (February 2011). The extent to which these observations have applicability in Victoria is a matter that the Inquiry should examine further.

There is a case for the independence of the Child Safety Commissioner's independence to be increased and his role widened.

Jesuit Social Services submits that the independence of the Child Safety Commissioner should be increased. In particular, we would call for the Commissioner to be given the power to initiate 'own motion' investigations.

Further, we would call for his scope to be widened to include youth justice as well as child protection. As is well known, many of the children known to child protection also come to the attention of the Courts and youth justice. There is a role here for the Commissioner to include this cohort in his suite of responsibilities and to take on a role in overseeing the transition points between systems.

Jesuit Social Services submits that the Child Safety Commissioner should have a co-ordinating role in community visitors to both child protection residential units and to youth justice centres.

In relation to vulnerable children in general, there is real value in having the Child Safety Commissioner initiate and engage the community in debate around 'childhood' and changes to society.

Observations and recommendations from the Child Safety Commissioner's Office's and the Victorian Child Death Review Committee's inquiries into child deaths should inform the outcomes of this Inquiry, as in many instances, they specifically address systemic, institutional and practice concerns arising in the child protection and broader family support systems.

8.1.4 Are there strategies which might increase public understanding of, confidence in, and support for child welfare services?

The State has a kind of reverse Faustian pact with its citizens; the State will apply its best endeavours, with limited resources it allocates, if the community is spared the need to examine or know the detail or context of abuse and neglect.

Three or four cases come to public attention every year through reports of the Ombudsman or the Coroner. The media picks them up and the cases achieve a cause celebre status for 15 minutes. The community is outraged for several iterations of the media cycle but the failure of sustained government investment forces a conclusion that the real politic of expenditure does not prioritise this area over other preferred expenditures.

Jesuit Social Services is optimistic that this Inquiry is a sign that the government is prepared to make the necessary investment consequent upon any recommendations.

Community leaders, politicians and the media should promote a broader understanding and manage expectations that they can fix every problem. Disney film endings in real life are rare. It is hard and there will be failure.

The nature of child protection, whatever the investment, can be confronting. (Most recently the trial and conviction of Arthur Freeman for throwing his daughter to her death from the Westgate Bridge).

Managing expectations will assist politicians adopt policies that have a long time horizon and help move the political and media discourse beyond finding blame.

BROADER PERSPECTIVES ON CHILD MALTREATMENT AND ITS AMELIORATION

Over the past twelve years Jesuit Social Services has conducted a series of studies of the geographic concentrations of different elements of social disadvantage. The studies in 1999 and 2004 focused on Victoria and New South Wales and in 2007 a similar methodology but extended range of indicators was applied nationally. The last-mentioned project, titled Dropping Off the Edge, employed 25 manifestations of social disadvantage in order to build up a picture of the geographic distribution of cumulative disadvantage throughout Australia. One of the strands employed was 'confirmed instances of child maltreatment' using information provided by four state authorities (Victoria, South Australia, New South Wales and Queensland). The general approach has been to convert the number of instances of an indicator within a specified period in each locality to a rate that takes into account the pool of eligibles, such as the number of children resident within its boundaries in the case of child maltreatment.

The emphasis in this submission is upon variations in the pattern of rates of child maltreatment. However, before presenting that data there is one other aspect of the distribution of confirmed child maltreatment (as well as some other indicators of potential importance to strategic planning) that warrants mention, although the public discussion of it seems to invite confusion. We refer to the unmodified proportion of the sheer volume of cases located within a very limited number of locations. In our 2004 report Community Adversity and Resilience (page 48) we revealed that 2.7% of 647 Victorian postcodes accounted for 25% of the total volume of cases; 8.3% accounted for 50% of them. This remarkable spatial concentration becomes somewhat more diluted when account is taken of the population of 'eligibles.' Nevertheless it is striking that seven years later, twelve of the fifteen postcodes that we recently found accounted for 25% of remand cases in Victoria were on the original list of areas accounting for 25% of child maltreatment cases in 2003 (see Young People on Remand in Victoria: guilt still to be determined, Jesuit Social Services 2011).

We now turn to the patterning of rates of child maltreatment, taking into account the number of children in Victoria's postcode areas. Overall, we have found that most of the aspects of disadvantage studied (referred to as indicators) wax and wane together; they tend to inter-correlate in the sense that if an area had a 'high' score on one factor (say, limited formal education) it tends to have high scores on several other factors.

Confirmed child maltreatment differs in an important way from this pattern. Its distribution tends to be linked with a particular group of indicators that, more than others, help to define the outstandingly disadvantaged areas throughout Australia including the four states that were able to furnish child maltreatment data. These important indicators were: a local population's limited education and limited computer access, low individual and family income, limited work credentials, poor health and disabilities, and engagement in crime. Where these attributes were present in concentrated form then, there too, confirmed child maltreatment was prevalent. In the case of the latter indicator the picture was not one of continuous linkage with the level of other forms of disadvantage. It was mainly in the most deprived of localities that rates of child maltreatment were elevated.

Two pieces of statistical evidence from our studies support the foregoing contentions:

1. The inter-connectedness of many of the indicators in Victoria but not 'confirmed child maltreatment';
2. The indicators, including child maltreatment, that serve to identify Victoria's most cumulatively disadvantaged localities.

Interconnections between the indicators

In 2007 a little under half (10/23) of the Victorian indicators correlated at or above +0.50 level with nine or more of the other indicators. **Low income families** not only fulfilled this threshold requirement with twelve of the other variables but did so above the +.70 level in seven instances. Another recurrent theme in the patterns of association was the prominence of **limited computer usage and internet access.** The first mentioned correlated with twelve other indicators at or above +0.50 and the last mentioned correlated with eleven. **Disability / sickness support** was another common thread linking many of the variables studied. In fact, this indicator correlated above +0.50 with eleven others, exceeding .70 in four cases. Six other Victorian indicators: Year 12 incomplete, early school leavers, dependency, low work skills, average taxable income and criminal convictions, each correlated at or above the .50 level with between eight and ten other indicators. The following summary table provides an overview of the substantial degree of interconnectedness between ten of the indicators:

TABLE 1: Indicators that correlated at +0.50 level or above with between eight and ten other indicators (Dropping Off the Edge, p. 51)

	Year 12 incomplete	Early school leavers	Dependency ratio	Low work skills	Ave. taxable income	Criminal convictions
Limited computer usage	✔	✔	✔	✔	✔	✔
No internet access	✔	✔	✔	✔	✔	✔
Post-school qualifications	✔	✔	✔	✔	✔	✔
Average taxable income	✔	✔	✔	✔		✔
Low income families	✔	✔	✔	✔	✔	✔
Disability / sickness support	✔	✔	✔	✔	✔	✔
Year 12 incomplete		✔	✔	✔	✔	✔
Early school leaving	✔		✔	✔	✔	
Low work skills		✔			✔	✔
Long-term unemployment		✔				
Mortality			✔			
Lone person household			✔			
Criminal convictions	✔			✔		
Imprisonment						✔
Dependency ratio	✔	✔			✔	

Victoria's most disadvantaged postcodes

Dropping Off the Edge employed multiple ways of identifying disadvantaged localities but the simplest of those means provides an uncomplicated picture of the characteristics that define cumulative disadvantage. Essentially we have identified localities with comparatively high scores or rank positions across the range of available indicators. Of course, what constitutes a comparatively high score is basically a matter of judgement rather than observance of an established standard. The procedure adopted has been to rank the geographic units on each indicator assigning first position to the locality with the highest negative score (the highest proportion of early school leavers, the highest number of residents on sickness / disability payments and so forth). Then we count the number of times each area falls into the 'top group' of most disadvantaged places defined in general as approximately the top 5%. Thus we derive an estimate of the relative disadvantage experienced by each locality. Coincidentally, this procedure also throws light on the extent to which 'high' (that is, negative) scores are concentrated in a comparatively small proportion of the areas studied and, in the cases of previously studied jurisdictions, including Victoria, the extent to which these concentrations have remained stable over time.

In 2007 data was collected on 726 postcode areas of Victoria. A total of 1,000 'top 40' rank positions were analysed (25 indicators x 40 top ranked localities representing the 5% most disadvantaged places on each indicator). The results provided continuing evidence of a very considerable degree of concentration of the State's social disadvantage within a limited number of Victorian localities.

- 1.5% (11) of the postcode areas accounted for 13.7% of the top 40 positions, a ninefold over-representation.
- 6.2% (45) of the postcode areas accounted for 30.3% of the top 40 positions, an almost fivefold over-representation.
- 10.0% (72) of the postcode areas accounted for 41.6% of the top 40 positions, a fourfold over-representation.

There were 27 localities that appeared six or more times in the top 40 lists. They are presented in Table 4 together with a comment on the stability of the high ranking localities. Here we are concerned to identify the attributes that were characteristic of the localities experiencing cumulative disadvantage. Of the 27 Victorian postcode areas listed:

- fourteen or fifteen of them were in the top 40 on (i) low family income, (ii) early school leaving, (iii) limited computer use and (iv) internet access;
- twelve or thirteen were in the top 40 on (i) unemployment and (ii) disability / sickness support; and
- ten or eleven were equally highly ranked on (i) domestic violence, (ii) child maltreatment, (iii) criminal convictions, (iv) rental stress and (v) lack of qualifications.

These eleven attributes appear to be recurring features of those Victorian communities burdened with cumulative disadvantage. That is not to imply that comparable areas in other large states will have identical profiles. Other indicators that seemed less central in identifying highly disadvantaged areas in Victoria included admissions to psychiatric hospitals, long-term unemployment, low birth-weight babies, home purchase stress, mortality ratio, average taxable income and childhood injuries, all of which

appeared in the top 40 rank positions five or fewer times. There were other indicators occupying an in-between status – indicators that were part of the profile of the 27 areas between seven and nine times. They included dependency ratio, Year 12 incomplete, lone person households, non-attendance at preschool and deficient immunisation rates. The profile of significantly disadvantaged communities in Victoria appears to be as outlined in the following table. It shows a considerable overlap between the most inter-correlating variables – those that correlated with others eight or more times above +0.50 - and the attributes of cumulatively disadvantaged areas. One of the exceptions is confirmed child maltreatment the rate of which does not move in concert with other inter-connected indicators but is concentrated in disadvantaged locations.

TABLE 2: Comparison of indicators emphasised by the Victorian correlation analysis and the major characteristics of 27 disadvantaged postcode areas.

MAJOR CHARACTERISTICS	Inter-correlating indicators	27 disadvantaged areas
Low family income	✔	✔
Early school leaving	✔	✔
Limited computer use	✔	✔
No internet access	✔	✔
Disability / sickness support	✔	✔
Criminal convictions	✔	✔
Lack of post-school qualifications	✔	✔
Dependency ratio	✔	
Year 12 incomplete	✔	
Low work skills	✔	
Average taxable income	✔	
Unemployment		✔
Domestic violence		✔
Confirmed child maltreatment		✔
Rental stress		✔

Why the rate of confirmed child maltreatment is apparently magnified in the presence of multiple forms of social disadvantage? We believe the spill-over effect of cumulative stresses can help to engender higher levels of registrable child maltreatment but that such levels can also be an artefact of added surveillance in areas where vulnerable families may be better known to social agencies and where closer scrutiny is maintained. Of course the relationship between indicators characteristic of highly disadvantaged areas and child maltreatment is not immutable. For example, our own data shows that the apparent relationship

between low family income and maltreatment varies according to the level of measured social cohesion in an area (see the research strategy and full results at Chapter 6, Dropping Off the Edge). The same is true of the relationship between unemployment and maltreatment indicating that the amelioration of the problem in question warrants the inclusion of socio-environmental interventions as part of the armamentarium at the disposal of the state.

TABLE 3: Correlations between antecedent and outcome variables within areas with different degrees of social cohesion in Victoria

	Across 495 postcode areas with cohesion scores	Low social cohesion N=164	Medium social cohesion N=176	High social cohesion N=155
CHILD MALTREATMENT				
Unemploy./child mistreat	.44	.63	.44	.26
Low fam. inc./child mistreat	.36	.59	.42	.27

TABLE 4: Victoria's most disadvantaged postcodes (based on repeated 'top 40' rankings)

Top 30 2004	Postcode	Locality
		MOST DISADVANTAGED
✔	3531	**Berriwillock**, Boigbeat, Springfield
✔	3889	**Cabbage Tree Creek**, Bemm River, Club Terrace, Combienbar, Errinundra, Manorina
✔	3061	**Campbellfield**
✔	3520	**Korong Vale**, Knypanial
✔	3000	**Melbourne**
✔	3887	**NowaNowa**, Lake Tyers, Wairewa
✔	3595	**Nyah West**
✔	3965	**Port Welshpool**
✔	3835	**Thorpdale**
✔	3544	**Ultima**, Gowanford, Waitchie
		NEXT MOST DISADVANTAGED
	3022	**Ardeer**, Deer Park East
	3900	**Benambra**, Cobberas, Uplands
✔	3019	**Braybrook**, Braybrook North, Robinson
✔	3047	**Broadmeadows**, Dallas, Jacana
	3053	**Carlton**, Carlton South
	3460	**Daylesford**, Basalt
✔	3523	**Heathcote**, Argyle, Costerfield, Derrinal, Heathcote South, Knowsley, Moormbool West, Mount Camel, Redcastle
✔	3423	**Jeparit**, Lake Hindmarsh
✔	3580	**Koondrook**
✔	3515	**Marong**, Wilsons Hill
✔	3482	**Massey**, Morton Plains, Warmur, Watchem, Watchem West
✔	3964	**Minyip**
✔	3594	**Nyah**
	3223	**Portalington**, St Leonards
	3940	**Rosebud West**
✔	3701	**Tallangatta Valley**, Dartmouth, Eskdale, Fernvale, Granite Flat, Granya, Mitta Mitta, Shelley
✔	3712	**Thornton**, Bellbird Creek, Rubicon

It is possible to assess the stability of the list of high-ranking localities by asking whether they appeared two or more times in the top 30 equivalent in 2004. A tick before the postcode number in the preceding table indicates that this was the case in 21/27 instances. Within the group designated most disadvantaged seven of the ten localities had earlier appeared four or more times. That still leaves the question of whether the six new postcodes (3022, 3053, 3223, 3460, 3900 and 3940) reflect a significant degree of rapid change in the status of some localities. In fact, another explanation is more plausible in at least five of the six cases. There have been boundary changes which seem to have had the effect of concentrating the degree of disadvantage within smaller areas. This is not true of the sixth case (3053 Carlton) whose elevation in the list of disadvantaged localities reflects another general possibility in this field. Introduce a wider range of indicators and there is the possibility that a postcode's standing can significantly change. That is what has happened with Carlton, accounting for the difference from its 2004 result. However, in 1999 Carlton had been placed within the first seventeen most disadvantaged localities.

CONTRADICTIONS OF WEALTH (VCOSS April 2011)

Australia is a stable, well governed, peaceful and increasingly wealthy country. So why on many key indicators of our collective health and wellbeing is our story not one of shared progress for all?

Jesuit Social Services put the question to La Trobe University Associate Professor David Green. This article is an abridged and edited version of his response.

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Today Australia is almost three times richer — in terms of GDP — than it was before the Second World War. Yet despite this growth, and the resources and technological innovations which largely drive it, we have an increasing number of children subject to abuse, trauma and neglect; family violence continuing to rise; increasing numbers of young people and adults homeless; more young people neither in full time work nor full time employment; and the rise of certain mental illnesses and addictions which defy both our prosperity and the progress of medicine and science.

While the data behind these trends is complex and contested, how do we explain such stark contradictions? Some answers may be seen in the ways different economic, social, environmental, and cultural systems interact and, in so doing, impact on each other and on our wellbeing.

1.   Affluence, choice and constant technological innovation empower some but disempower others.

Oxford economic historian Avner Offer[1] has concluded that affluence and constant innovation and choice are eroding self-control and commitment, and thereby undermining the wellbeing of many people and families vulnerable to the markets of our contemporary world. Eli Paretsky's[2] work on the history of psychoanalysis in the context of modern capitalism describes these changes in terms of the decline of an inner directed life.

Ironically, says Richard Eckersley, the promise of 21st century individualism — increased autonomy, control and infinite choices — has delivered for some a separation 'from others and the environment in which they live. The more narrowly and separately the self is defined, the greater the likelihood that the personal influences and social forces acting on us are experienced as external and alien'[3].

2.   Economic growth and affluence may produce greater inequality.

Leading British epidemiologists Richard Wilkinson and Kate Pickett argue that the most equal wealthy countries in the world do far better on almost all indicators of health and wellbeing than the most unequal wealthy countries — including Australia[4].

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[1] Offer, A., 2006, *The Challenge of Affluence: Self-Control and Wellbeing in the USA and Britain since 1950,* Oxford

[2] [3] Paretsky E., 2004, Secrets of the Soul, New York, Alfred A Knopf

[3] Eckersley, R. (ed), *Measuring Progress: Is Life Getting Better?* CSIRO Publishing, Melbourne, pp. 3-34.

[4] Wilkinson, R& Pickett, K, 2009, *The Spirit Level: Why More Equal Societies Almost Always Do Better*. London, Allen Lane.

They go further, saying that economic growth, in the most unequal countries, can further increase inequality, disadvantage and reduced opportunities for social inclusion of vulnerable people. The instability, uncertainty, and economic vulnerability of people in unequal but rich countries generate conditions which are bad for children and adults—more anxiety, depression, fear, social insecurity, lack of self-esteem, lack of pride, shame, bitterness, resentment and violence.

3. Many Australian public policy responses to the changes of globalisation, technology, economic growth, and economic restructuring are manifestly inadequate.

A range of policy and institutional failures compound growing inequality and heighten the impacts of this inequality, including[5]:

lack of commitment to policies that support full employment and support low skilled people to obtain good jobs (since the defeat of the Keating government and its Working Nation policies in 1993), alongside major problems of housing affordability;

movement away from the workers-welfare state without protecting citizens from economic uncertainty;

policies designed to reconcile new working demands and family life that still fall behind many countries;

measures introduced and planned to increase the conditionality of welfare; and

redistributive measures such as tax reform or education policy changes that maintain or reinforce existing inequalities.

To compound all this it now appears markets represent an increasingly attractive paradigm for the state to govern society. Understanding people's market choices provides government with an effective approach to 'manage' policy decisions in increasingly difficult areas like education, health and urban planning.

4. Families are rearing children in a society which gives markets and their technologies increasing and powerful roles in family life, parenting and child development.

Three centuries ago the family was a multifunction service provider—school, hospital, refuge, church, house of correction, old people's home. Gradually most of these functions were taken over by the state and then, more recently, the state contracted many of them to the market.

The market has responded and the choices have increased, strengthening and liberating some families and weakening and demoralising others. US feminist scholar Arlie Hochschild saw this process starting with 'the commodification of emotional life'[6].

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[5]Healy K. & McClelland A. (2005), Australia's changing social policy context: increased vulnerability and the human service response, address to a *Conference on Contemporary welfare regime and delivery of social services for the 21st century*, Canberra ACT

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What, then, are the implications for community service organisations, if these changes reliably inform the way we understand the world?

1. Confronting the systemic and moral issues of our times.

Over the last two decades governments in general have been moving to public policy responses which are focused on managing problems rather than solving them. In particular, managing risk is a powerful paradigm across all levels of public policy, which points downstream and focuses not on the systemic issues but the highly visible symptoms—such as a struggling child protection system, alcohol fuelled violence, and welfare dependency. While scientists and professionals continue to solve what Jerome Ravetz[7] originally identified as 'technical' problems, that can be addressed by the knowledge found within disciplinary boundaries, new and old 'practical' problems where 'facts are uncertain, values in dispute, stakes high and decisions urgent' are defying solution and threatening our futures[8]. And in the context of today's politics, solving problems such as these are seldom addressed in systemic terms, particularly if possible solutions threaten our expectations of constant 'growth', ever improving 'quality of life' and 'progress'.

Consider the following:

Sharp increases in the tax levied on Alcopops to discourage teenage drinking.

Proposed pre-commitment strategies to gambling to prevent 'pokie addictions'.

'Income management' for designated families receiving welfare payments.

Each represents public policy attempts to deal with complex problems about individual choice, control, judgment and commitment in the context of the siren song of markets (see Offer, 2006). They are 'downstream' last resort measures focused on attempting to change and regulate the interface between individuals and markets. They are preferred measures because the freedom of markets and of consumers to optimise their choices, as exemplified by the provision of alcohol in remote communities or gambling in low socioeconomic regions, transcends our vulnerability to the constant almost inescapable confrontation with choice. Desperate problems provoke desperate remedies, but the goal of governments should be, according to Offer, to restore and strengthen control, judgment and balance in our lives, not to further weaken them.

If this analysis is valid (and it is strongly contested), who is going to challenge the dominant assumptions that growth, increased choice and affluence are always good for society and people?

This is very difficult territory for community organisations, whose advocacy has traditionally focused on widely accepted arguments for social and economic justice, equal opportunity, access and inclusion. To question the

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[6] Hochschild A. R., (2003) *The commercialisation of intimate life: notes from home and work,* Berkeley, University of California Press

[7] Ravetz J.R., (1971) *Scientific Knowledge and its Social Problems,* Oxford, Oxford University Press

[8] Horlick-Jones, T. and Sime, J. (2004) 'Living on the border: knowledge, risk and transdisciplinarity', *Futures*, 36(4), pp. 441-456.

benefits of freedom and choice in ever expanding markets and ever improving technologies appears to quarrel with the very notion of progress. However, as Offer points out, our wellbeing is about more than having more. Governments, it could be argued, should be about institutional arrangements which foster balance, judgment and commitment as well as facilitating technological development, access and consumption. It is generally services working at the borders of inclusion and exclusion which are usually the first to see and make sense of the contradictions of growth and progress on people and communities.

2. Resilience as a new cornerstone of understanding and practice

In Australia's recent bushfire, flood and cyclone disasters, resilience has been at the forefront of the way we have understood and recognised our responses. In these contexts, relevant psychological factors for our personal resilience include a high degree of awareness of what is happening and why, anticipation of future events, a realistic sense of personal agency and capacity, problem solving skills, and access to support, friends, and safe places[9].

Just as building resilience in ecosystems and communities is a major strategy for managing the impacts of climate change, so too may it be key to the capacity building work of community service organisations helping those confronting social, economic and technological change[10]. Constant change and choice can weaken us, erode commitment to each other, and reduce rather than increase our adaptability and our capacity to make good judgments. In recent years community organisations have focused on social inclusion as the solution, but now 'inclusion' into a society and economy framed by affluence, rapid change and global crises may no longer work.

Community services now have to respond to this volatility, recognising that the foundations of our collective security and resilience may no longer be supported by the institutional certainties of the past.

3. Community service organisations as learning organisations

Peter Senge suggests only learning organisations can build on and adapt their experience, to address the complex and changing demands made upon them[11]. Senge has written largely in the context of commercial enterprises, but his argument holds true for community service organisations. Every intervention at the Brosnan Centre, Gateway, Atherton Gardens estate, or Dandenong is a demonstration of how Jesuit Social Services engages with a complex world. Many other organisations also confront the same complexity and volatility and are developing and testing new ways of working. Articulating, sharing, developing and evaluating these engagements, both the ones that are effective and those that are not — across organisations and sectors — is as vital to the mission and purpose of today's community organisations as the actual delivery of services. We need much more open conversations and institutional arrangements which support this cooperation rather than inhibit and constrain.

This is an edited version of a paper prepared for Jesuit Social Services by David Green.

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[9] •Wiseman, J. and Edwards, T. 'Climate change, resilience and transformation: Challenges and opportunities for local communities', in Weissbecker, I. (ed.) *Climate Change and Human Wellbeing: Global Challenges and Opportunities*, (forthcoming)

[10] Walker, B. and Salt, D. (2006) *Resilience Thinking: Sustaining Ecosystems and People in a Changing World*, Washington, Island Press

[11] Senge P. (1993) *The Fifth Discipline* Sydney, Random House

Kate - 20 years old

History at Referral to Gateway:

Hospital admissions: 8 inpatient admissions to mental health units

Ambulance call-outs: numerous – long history of suicidal behavior, self-harm.

History since attending Gateway for 2.5 years:

Hospital admissions: 1 for two days.

Ambulance call-outs: one

Background:

At referral Kate was living in transitional housing. She has been diagnosed with a severe borderline personality disorder. She has: had longstanding auditory hallucinations; a history of self-harming behaviour; made several suicide attempts; had numerous hospital admissions. Mother left father when Kate was young and Kate was raised by her father who allegedly physically, emotionally and sexually abused her. DHS became involved and Kate moved into supported accommodation at age 15. She has a significant history of substance misuse that has impacted on her mental health issues.

Current Situation:

Kate was referred to Gateway and completed an outdoor experience program then engaged in the arts and music program twice per week. She was referred by Gateway staff to a dual diagnosis counsellor, in the Jesuit Social Services Connexions program, who she has been seeing on a weekly basis for 2 years. She has been assisted with finding more stable accommodation. She is planning to complete her own schooling starting next year. There has only been one hospital admission since Kate commenced at Gateway and that was only for two days. Kate's drug use has reduced and her mental health has stabilized. She is now more socially connected and has aspirations for the future, where previously she had none. Kate attributes much of her progress to the wrap around service response provided by both the Gateway pre-employment training program and the Connexions dual diagnosis counselling and outreach program that are co-located and work closely together to support young people with complex needs.

Kay - 23 years old

History at Referral to Gateway:

Hospital admissions: 10 plus admissions to hospitals and treatment clinics. Had been receiving psychiatric treatment on and off since the age of 12. Described by psychiatrist as "highly suicidal and very traumatized."

Ambulance call-outs – frequent due to drug misuse and suicidal behaviour.

Engaged in Employment/Training: nil

History since attending Gateway for 3 years:

Hospitalizations: 1 short stay

Ambulance call-outs: nil

Employment/training: Advanced Diploma in Multi-Media

Background:

Kay has been diagnosed with bi-polar and has a history of cannabis, amphetamine and ecstasy use. At referral she was seeing a psychiatrist three times per week and was highly medicated. She had been sexually assaulted as an adolescent and her relationship with her parents had broken down.

Current Situation:

Kay attended Gateway for a period of three years. She became heavily involved in the arts program. She was referred to a drug counsellor in the Jesuit Social Services Connexions program and reduced her drug use significantly. She continues to attend a psychiatrist but at a reduced level – once per week.

With support from Gateway staff she was referred to TAFE and commenced an Advanced Diploma in Multimedia. She found it difficult to cope with the demands of full-time study and became overwhelmed and was hospitalized for a short period of time. She then returned to Gateway and was and supported to return to part-time study. She is continuing with these studies and is progressing very well. At the time of her referral to Gateway, Kay was socially isolated and disconnected from her family. By the time she finished with Gateway her confidence in social situations had increased dramatically and she was able to actively participate in social events and had formed significant friendships. Her family relationships had improved to the point where she was having regular contact with her parents.

Kay also attributes much of her progress to the wrap around service response provided by both the Gateway pre-employment training program and the Connexions dual diagnosis counselling and outreach program that are co-located and work closely together to support young people with complex needs.

POISONED WEB; A Girl's Nude Photo, and Altered Lives

By JAN HOFFMAN

Published: March 27, 2011

LACEY, Wash. -- One day last winter Margarite posed naked before her bathroom mirror, held up her cellphone and took a picture. Then she sent the full-length frontal photo to Isaiah, her new boyfriend.

Both were in eighth grade.

They broke up soon after. A few weeks later, Isaiah forwarded the photo to another eighth-grade girl, once a friend of Margarite's. Around 11 o'clock at night, that girl slapped a text message on it.

''Ho Alert!'' she typed. ''If you think this girl is a whore, then text this to all your friends.'' Then she clicked open the long list of contacts on her phone and pressed ''send.''

In less than 24 hours, the effect was as if Margarite, 14, had sauntered naked down the hallways of the four middle schools in this racially and economically diverse suburb of the state capital, Olympia. Hundreds, possibly thousands, of students had received her photo and forwarded it.

In short order, students would be handcuffed and humiliated, parents mortified and lessons learned at a harsh cost. Only then would the community try to turn the fiasco into an opportunity to educate.

Around the country, law enforcement officials and educators are struggling with how to confront minors who ''sext,'' an imprecise term that refers to sending sexual photos, videos or texts from one cellphone to another.

But adults face a hard truth. For teenagers, who have ready access to technology and are growing up in a culture that celebrates body flaunting, sexting is laughably easy, unremarkable and even compelling: the primary reason teenagers sext is to look cool and sexy to someone they find attractive.

Indeed, the photos can confer cachet.

''Having a naked picture of your significant other on your cellphone is an advertisement that you're sexually active to a degree that gives you status,'' said Rick Peters, a senior deputy prosecuting attorney for Thurston County, which includes Lacey. ''It's an electronic hickey.''

In the fall of 2009, Margarite, a petite, pretty girl with dark hair and a tiny diamond stud in her nose, was living with her father, and her life was becoming troubled. Her relationship with her father's new wife was tense. Her grades were in a free fall.

Her social life was deteriorating. A good friendship with a girl had soured, abetted by a fight over a boy. This girl would be the one who would later brand Margarite's photo and forward it.

Margarite's former friend is tough and strong-willed, determined to stand out as well as fit in, according to those who know her. Her parents, recent immigrants, speak limited English and were not able to supervise her texting.

In the shifting power dynamics of middle school girls, the former friend understood well that she who sneers first sneers best. The flick of a cutting remark, swiftly followed by ''Just kidding!'' The eye roll. As the animosity between

the two girls escalated, Margarite felt shunned by an entire group of girls and was eating lunch by herself. At home she retreated to her bedroom, alone with her cellphone and computer.

Her mother would later speculate that Margarite desperately needed to feel noticed and special. That December, just before the holidays, she took the photo of herself and sent it to Isaiah, a low-key, likable athlete she had recently gotten to know.

After the winter break, Margarite was preparing a fresh start. She would move back in with her mother and transfer to a school in a nearby district.

But one night in late January, a few days before her transfer, Margarite's cellphone began vibrating around 1 a.m., waking her. She was being bombarded by texts -- alerts from worried friends, leers from boys she scarcely knew.

The next morning in her mother's car, Margarite lowered her head, hiding her reddened eyes, her terrible secret.

''Are you O.K.?'' asked her mother, Antoinette, who like other parents and children who agreed to be interviewed asked to be identified by only first or middle names to protect their privacy.

''Yeah.''

''Are you sure?''

''Yeah.''

But her mother knew otherwise. Earlier that morning a parent had phoned Kirsten Rae, the principal of Margarite's school, Chinook Middle, complaining about a naked photo sent to her child. The child knew at least a dozen students who had received it.

The principal then called Antoinette. The police wanted to question Margarite. On the drive to school, the girl sobbed uncontrollably, feeling betrayed and degraded.

The school was buzzing. ''When I opened my phone I was scared,'' recalled an eighth grader. ''I knew who the girl in the picture was. It's hard to unsee something.''

Meanwhile, another middle school principal in Lacey had begun investigating a sexting complaint that morning. Ms. Rae realized that Margarite's photo had gone viral.

Students were summoned to Ms. Rae's office and questioned by the police. Their cellphones were confiscated.

Ms. Rae went into crisis management. Parents were calling, wanting to know whether their children would be arrested and how she would contain the spread. She drafted a letter for school families. Administrators planned a districtwide voicemail to the families of middle school students. Chinook teachers would discuss the issue in homerooms the next day.

By late morning, Isaiah and Margarite's former friend had been identified and pulled out of class.

Then Isaiah's mother, Jennifer, got the call. ''Naked?'' she shouted. ''How naked?''

When Jennifer, who works for an accountant, arrived at the school, she ran to Isaiah, a tall, slender boy with the startled air of an unfolding foal. He was weeping.

''I was in shock that I was in trouble,'' he recalled during a recent interview. ''I didn't go out of my way to forward it, but I felt responsible. It was bad. Really bad.''

He told the police that the other girl had pressured him into sending her Margarite's photo, vowing she just wanted to look at it. He said he had not known that their friendship had disintegrated.

How had the sexting from Margarite begun? ''We were about to date, and you'll be like, 'Oh, blah blah, I really like you, can you send me a picture?' '' Isaiah recalled.

''I don't remember if I asked her first or if she asked me. Well, I think I did send her a picture. Yeah, I'm pretty sure. Mine was, like, no shirt on.

''It is very common,'' he said. ''I'd seen pictures on other boys' cellphones.''

Mr. Peters, the county prosecutor, had been hearing that sexting was becoming a problem in the community. In a recent interview, he said that if the case had just involved photos sent between Isaiah and Margarite, he would have called the parents but not pressed charges.

''The idea of forwarding that picture was bad enough,'' he said. ''But the text elevated it to something far more serious. It was mean-girl drama, an all-out attempt to destroy someone without thinking about the implications.''

He decided against charging Margarite. But he did charge three students with dissemination of child pornography, a Class C felony, because they had set off the viral outbreak.

After school had been let out that day in late January, the police read Isaiah his rights, cuffed his hands behind his back and led him and Margarite's former friend out of the building. The eighth graders would have to spend the night in the county juvenile detention center.

The two of them and a 13-year-old girl who had helped forward the photo were arraigned before a judge the next day. (Margarite's former friend declined to be interviewed, as did the girl who helped her.)

Officials took away Isaiah's clothes and shoes. He changed into regulation white briefs and a blue jumpsuit. He was miserable and terrified.

''My socks got wet in the shower,'' Isaiah said.

WHERE TO DRAW THE LINE?

Sexting is not illegal.

Two adults sending each other naughty pictures, dirty language? Just garden-variety First Amendment-protected speech.

A November 2009 AARP article, ''Sexting Not Just For Kids,'' reported approvingly on the practice for older people, too. In women's magazines and college students' blogs, coy guides include pragmatic tips like making sure to keep your face out of the photo.

But when that sexually explicit image includes a participant -- subject, photographer, distributor or recipient -- who is under 18, child pornography laws may apply.

''I didn't know it was against the law,'' Isaiah said.

That is because culturally, such a fine distinction eludes most teenagers. Their world is steeped in highly sexualized messages. Extreme pornography is easily available on the Internet. Hit songs and music videos promote stripping and sexting.

''Take a dirty picture for me,'' urge the pop stars Taio Cruz and Kesha in their recent duet, ''Dirty Picture.'' ''Send the dirty picture to me. Snap.''

In a 2010 Super Bowl advertisement for Motorola, the actress Megan Fox takes a cellphone picture of herself in a bubble bath. ''I wonder what would happen if I were to send this out?'' she muses. The commercial continues with goggle-eyed men gaping at the forwarded photo -- normalizing and encouraging such messages.

''You can't expect teenagers not to do something they see happening all around them,'' said Susannah Stern, an associate professor at the University of San Diego who writes about adolescence and technology.

''They're practicing to be a part of adult culture,'' Dr. Stern said. ''And in 2011, that is a culture of sexualization and of putting yourself out there to validate who you are and that you matter.''

The prevalence of under-age sexting is unclear and can often depend on the culture of a particular school or circle of students. An Internet poll conducted for The Associated Press and MTV by Knowledge Networks in September 2009 indicated that 24 percent of 14- to 17-year-olds had been involved in ''some type of naked sexting,'' either by cellphone or on the Internet. A December 2009 telephone poll from the Pew Research Center's Internet and American Life Project found that 5 percent of 14- to 17-year-olds had sent naked or nearly naked photos or video by cellphone, and that 18 percent had received them. Boys and girls send photos in roughly the same proportion, the Pew survey found.

But a double standard holds. While a boy caught sending a picture of himself may be regarded as a fool or even a boastful stud, girls, regardless of their bravado, are castigated as sluts.

Photos of girls tend to go viral more often, because boys and girls will circulate girls' photos in part to shame them, explained Danah Boyd, a senior social media researcher at Microsoft and a fellow at Harvard University's Berkman Center for Internet and Society.

In contrast, when a boy sends a revealing photo of himself to a girl, Dr. Boyd noted, she usually does not circulate it. And, Dr. Boyd added, boys do not tend to circulate photos of other boys: ''A straight-identified boy will never admit to having naked photos of a boy on his phone.''

Policy makers are beginning to recognize that a uniform response to these cases does not fit.

''I hate the word 'sexting,' '' said Andrew J. Harris, an assistant professor of criminology at the University of Massachusetts in Lowell, who is leading a study of the practice among adolescents to help develop policies to address it. ''We're talking about a lot of different behaviors and a lot of different motivations.''

There is the high-tech flirt. The troubled attention-seeker. A couple's consensual exchanges. Drunken teenagers horsing around. Pressure from a boyfriend. Malicious distribution. A teenager who barrages another with unsolicited lewd photos or texts. Or, as in a 2009 Wisconsin case of ''sextortion,'' a boy, pretending to be a girl online, who solicited explicit pictures of boys, which he then used as blackmail to compel those boys to have sex with him.

The content of the photos can vary widely too, from suggestive to sadistic.

Adults in positions of authority have been debating how to respond. Many school districts have banned sexting and now authorize principals to search cellphones. According to the National Conference of State Legislatures, at least 26 states have tried to pass some sort of sexting legislation since 2009.

''The majority of states are trying to put something in place to educate kids before and after the event,'' said Justin T. Fitzsimmons, a senior attorney at the National District Attorneys Association who specializes in Internet crimes against children. ''We have to protect kids from themselves sometimes. We're on the cusp of teaching them how to manage their electronic reputations.''

But if the Lacey students were convicted of dissemination of child pornography, they could be sentenced to up to 36 weeks in a juvenile detention center. They would be registered as sex offenders. Because they were under 15, however, after two years they could petition a court to remove their names from the registry, if they could prove they no longer posed a threat to the public.

PENALTIES AND PREVENTION

Rick Peters, the prosecuting attorney, never intended for the Chinook Middle School students to receive draconian sentences. But he wanted to send a scared-straight message to them, as well as to the community.

Yet when the local news media storm cascaded, the outcry was not about the severe penalties for a felony sexting conviction. It was about why Mr. Peters had not also arrested Margarite.

''She's a victim,'' Mr. Peters said. ''She made an ill-advised decision to share that picture with her boyfriend. As far as she knew, that was as far as it would go.

''What good would come from prosecuting her? What lesson could we teach her that she hasn't already learned now 1,000 times over?''

Eventually a deal was brokered for the three teenagers who were charged. The offense would be amended from the child pornography felony to a gross misdemeanor of telephone harassment. Isaiah and the two girls who had initially forwarded Margarite's photo would be eligible for a community service program that would keep them out of court, and the case could be dismissed.

Those three students would have to create public service material about the hazards of sexting, attend a session with Margarite to talk about what happened and otherwise have no contact with her.

After Margarite and her mother approved the conditions, Mr. Peters signed off, pleased.

Throughout last spring, on Monday afternoons after school, Eric Fredericks, Isaiah's math teacher, met with the three students to help them develop their material.

Margarite's former friend made a PowerPoint presentation, with slides copied from the Internet.

The younger girl made a poster dense with warnings about sexting's consequences. She concluded: ''I am a 13 year old teen that made a bad choice and got my life almost totaled forever. I regret what I did more than anything but I cant take it back.''

Isaiah created a two-page brochure, citing studies from the Internet, accompanied by a tumble of adolescent feeling:

''Not only does it hurt the people that are involved in the pictures you send, it can hurt your family and friends around you, the way they see you, the way you see yourself. The ways they feel about you. Them crying because of your mistakes.''

Ms. Rae has yet to distribute the material. Chinook, with 630 seventh and eighth graders, still has students who know those involved in last year's episode. She wants to give Isaiah, Margarite and the others more time to distance themselves.

While the case was on its way to resolution, prosecutors and district educators decided to put its aftershock to good use.

''After the story broke, parents called us because they didn't know about the law that could send kids to jail for a bad choice,'' said Courtney Schrieve, a spokeswoman for the North Thurston Public Schools. ''Kids didn't know about it either. So we decided to turn this into an opportunity to educate teachers, parents and students.''

In October, Ms. Rae, the police, prosecutors and Mr. Fitzsimmons of the National District Attorneys Association held separate forums about sexting for Lacey's teachers, parents and student delegations from the four middle schools.

The students then returned to their homerooms to teach classmates what they had learned.

Elizabeth Colón taught a session with Jon Reid. Both are eighth graders at Chinook.

''Most of the questions were about penalties,'' she said. ''Kids wanted to know if they would get into trouble just for receiving the picture.''

Jon spoke about long-term consequences. ''I said that people may look at you differently,'' he said. ''They'll know what kind of person you were, even though you changed.''

One spring evening, the three students who had been disciplined met for a mediation session with Margarite and two facilitators from Community Youth Services. The searing, painful session, which included the students' parents and Mr. Fredericks, lasted several hours. Everyone was asked to talk about his or her role in the episode.

Mr. Fredericks listed all the people who had spent hours trying to clean the mess the students had created in a matter of seconds: police officers, lawyers, teachers, principals, hundreds of families.

Then it was Isaiah's turn. He looked Margarite in the eye. ''He poured his heart out,'' Mr. Fredericks recalled. Isaiah said that he was ashamed of himself, but that most of all, he was sorry he had broken Margarite's trust. Then he asked for her understanding and forgiveness. ''He cried,'' Mr. Fredericks said. ''I choked up.''

The former friend who had forwarded the photo, creating the uproar, was accompanied by her mortified father, an older sister and a translator. She came across as terse and somewhat perfunctory, recalled several people who were there.

One of the last to speak was Margarite's father, Dan, an industrial engineer

''I could say it was everyone else's fault,'' Dan said. ''But I had a piece of it, too. I learned a big lesson about my lack of involvement in her use of the phone and texting. I trusted her too much.''

He had not expected the students to be punished severely, he continued. But they needed to understand that their impulsive actions had ramifications.

''When you walk out of here tonight, it's over, you're done with it,'' he said, looking around the room.

''Keep in mind that the only person this will have a lasting impact on,'' he concluded, is his daughter.

The photo most certainly still exists on cellphones, and perhaps on social networking sites, readily retrievable.

''She will have to live with this for the rest of her life.''

THE VICTIM

When the police were finished questioning Margarite at Chinook in January 2010, her mother, a property manager, laid down the law. For the time being, no cellphone. No Internet. No TV.

Margarite, used to her father's indulgence and unfettered access to technology, was furious.

But the punishment insulated Margarite from the wave of reaction that surged online, in local papers and television reports, and in texted comments by young teenagers throughout town. Although the police and the schools urged parents to delete the image from their children's phones, Antoinette heard that it had spread to a distant high school within a few days.

The repercussions were inescapable. After a friend took Margarite skating to cheer her up, he was viciously attacked on his MySpace page. Kids jeered, telling him to change schools and go with ''the whore.''

The school to which Margarite had transferred when she moved back in with her mother was about 15 miles away. She badly wanted to put the experience behind her. But within weeks she was recognized. A boy at the new school had the picture on his cellphone. The girls began to taunt her: Whore. Slut.

Margarite felt depressed. Often she begged to stay home from school.

In January, almost a year to the day when her photo went viral, she decided to transfer back to her old district, where she figured she at least had some friends.

The episode stays with her still. One recent evening in her mother's condominium, Margarite chatted comfortably about her classes, a smile flashing now and then. But when the moment came to recount the events of the winter before, she slipped into her bedroom, shutting the door.

As Antoinette spoke about what had happened, the volume on the television in Margarite's room grew louder.

Finally, she emerged. The smell of pizza for supper was irresistible.

What is it like to be at school with her former friend?

''Before I switched back, I called her,'' Margarite said. ''I wanted to make sure the drama was squashed between us. She said, were we even legally allowed to talk? And I said we should talk, because we'd have math together. She apologized again.''

What advice would Margarite give anyone thinking of sending such a photo?

She blushed and looked away.

''I guess if they are about to send a picture,'' she replied, laughing nervously, ''and they have a feeling, like, they're not sure they should, then don't do it at all. I mean, what are you thinking? It's freaking stupid!''

Poisoned Web: Articles in this series are examining online bullying.

PHOTOS: Elizabeth Colón and Jon Reid gave a presentation about the consequences of sending risqué photos and text messages after three students were charged in a sexting case at their school. Neither was involved in the case. (A20); Rick Peters, a county prosecutor in Washington State, initially charged three middle school students with disseminating child pornography, a felony, after they forwarded a 14-year-old's nude photo of herself to hundreds

of friends. (PHOTOGRAPHS BY STUART ISETT FOR THE NEW YORK TIMES); Public service material on the hazards of sexting that was written by a student charged in the Washington State case. Preparing the material was part of a deal that was brokered to avoid harsh penalties. (A21)

From Child Abuse Prevention Newsletter vol.14 no.2 Winter 2006

Case study 1

Windale: A child abuse prevention success

Windale, in the New South Wales Lake Macquarie region, was originally established as a suburb by the New South Wales Department of Housing. In 1999, Jesuit Social Services rated Windale as the most socially disadvantaged community in New South Wales (where community was defined by postcode areas). A comprehensive three-year community renewal process improved the situation.

Proving that preventing child abuse is possible, Windale moved from the worst 1 per cent in terms of child protection notifications in New South Wales in 1999 to the best 25 per cent in 2003. Windale achieved this outcome primarily through the establishment of a community centre attached to the local primary school. The community centre - known as the Alcazar Centre - was led by a community committee with broad representation.

Programs initiated included:

Parenting classes;

The staged introduction of preschool-aged children to schools;

Joint exercise and sociability groups for isolated mothers;

An Aboriginal health service and community nursing;

The identification of talented youngsters and provision of academic extension opportunities;

Locally created scholarships and the Department of Housing's relocation of some families to make schools more accessible;

The involvement of fathers in making various contributions to the life of the school and a general increased involvement by parents in school life;

A Shop Smart nutrition program;

Improved street lighting, enabling safe travel at night, and a Windale 'welcome' landmark, building community pride; and

The sponsorship of school and sporting needs by local businesses.

Over time, Windale Primary School became a hub of the community, later being used as a blueprint for the Schools as Community Centres initiative across New South Wales. The Alcazar Centre was given an Award for Excellence by the Director General of the NSW Department of Education and Training.