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7. Crafting child-mindful curricula in social work education: a review of the national child protection framework

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ABSTRACT

The Council of Australian Governments' 'Protecting children is everyone's business: National framework for protecting Australia's children 2009-2020' (2009) (the Framework) declares a need for a shared agenda for change; suggests a public health model applied to child protection will deliver better outcomes for children; and, sets a target for a substantial reduction in child abuse. The Framework provides interested parties with an opportunity to observe Australian federalism and child welfare administration at a critical juncture. This article identifies three threads to be teased out from the Framework by social work educators and students for critical examination: the Framework itself; a nationally consistent approach to working with children checks; and, the child protection data upon which the Framework relies. Addressing these threads goes some way to meeting the Australian Association of Social Workers' education and

accreditation standards while engaging future practitioners with the on-going task of making child protection happen.

Keywords: *child protection, governance, social policy, social work education.*

INTRODUCTION

This article seeks to contribute to widespread disciplinary considerations as to the part to be played by social work in addressing children's well-being and protection. Taken as a starting point is Healy's (2005, p. 221) view that the discipline of social work need not only understand the institutional contexts and formal theories for social work practice, but actively participate in reflexively transforming them. For Australian based social workers a dominating feature of the institutional context is a federal system of government.

The call for papers for this special issue of *Advances in Social Work and Welfare Education* addressing *Working with Children* invites contributions addressing among other things 'educational strategies meeting the Australian Association of Social Workers' (AASW) minimum standards in child protection'. To this end, this article presents a discussion on how the Council of Australian Governments' 'Protecting children is everyone's business: National Framework for protecting Australia's children 2009-2020' (2009) (the Framework) may be drawn on as a useful curriculum resource to engage social work students in a critical dialogue about some of the key issues it raises in relation to child welfare and protection, and about important contextual issues, such as governance, legislation and policy.

THE AUSTRALIAN SOCIAL WORK EDUCATIONAL AND ACCREDITATION STANDARDS

The AASW's Australian Social Work Educational and Accreditation Standards (Australian Association of Social Workers 2008) (the Standards) provide part of the frame of reference for this article. The Standards set out what is required from educational institutions if graduates are to be eligible for membership to the AASW. The Standards address the overarching goals, content and process of social work education.

The Standards and a linked addendum entitled 'Specific child wellbeing and protection curriculum statement' require educational institutions to educate social work students about the legislative, policy and service contexts of social work practice with children and families. Section 4.1.5 of the Standards state, in part, under the heading 'Understanding the context of social work practice':

The ability to understand the context of social work practice at local, national and international levels, and the institutional context of social work practice, is required. This understanding requires knowledge of, and the ability to, critically analyse social, political, economic, historical, cultural and ecological systems as well as the important consideration of governance with respect to these. (Australian Association of Social Workers 2008, p. 11)

This statement lends itself to being reframed as learning outcomes or goals for social work students.

The other frame of reference for this article is the Framework which was endorsed at the Council of Australian Governments (COAG) on 30 April 2009. Claiming it 'represents an unprecedented level of collaboration between Australian, State and Territory governments and non-government organisations to protect children' (Council of Australian Governments 2009, p. 5) the Framework's authors assert it is a blue print for reform. The Framework's key aim is to deliver a more integrated response to child welfare and child protection while noting there will be no change to the responsibilities of State and Territory governments. It is the contention of this article that understanding how a more integrated response to child welfare and child protection can happen in the context of no change at state and territory levels requires critical engagement with the complexity of institutional arrangements guiding the achievement of child protection

The Framework provides social work educators and students with an interesting, important and contemporary resource that can be used to tease out the governance, legislative and policy contexts of Australian child welfare and child protection. The Framework also provides opportunities for educators to encourage students to engage in critical debate and discussion on the range of outcomes, strategies and

interventions proposed and the consequential practical issues relating to working with children.

Together, the Framework and the Standards are resources that help build a professional understanding that protecting children demands both extra-local decision making and skilled practitioners at the 'coal face', able to respond to particular instances of child abuse and endangerment.

Those responsible for the Framework have invited on-going monitoring, and so provide a ready-made opportunity for social work students to contribute directly to the governance of child protection in Australia. Students are able to engage with the complexity of child protection from the beginning of their professional careers by becoming aware of and involved with current discourses shaping the framing of child welfare and child protection at national and local levels of working with children.

Against this background, the discussion that follows considers three threads that could be teased out from the Framework for critical examination within social work education: the Framework itself; a nationally consistent approach to working with children checks; and, the child protection data upon which the Framework relies

THE FRAMEWORK

COAG is Australia's peak intergovernmental forum and an important governance mechanism in making the Australian federation work. Its decisions affect Commonwealth, and State and Territory government systems, and the community. COAG's members are the Prime Minister, States' premiers and Territories' chief ministers. It addresses matters of national significance requiring intergovernmental co-ordination.

The Framework is in government terms a key document that warrants consideration by those interested in community well-being, child welfare, child protection and family support. The Framework asserts it is a foundation for the national reform of Australian child protection, and nominates the Australian Governments' prioritised child and family welfare concerns. These nominations show to some extent how child

protection and family welfare is conceived of in Australia in Government circles in 2009. The Framework is focused on achieving six outcomes: that

1. Children live in safe and supportive families and communities.
2. Children and families access adequate support to promote safety and intervene early.
3. Risk factors for child abuse and neglect are addressed.
4. Children who have been abused or neglected receive the support and care they need for their safety and wellbeing.
5. Indigenous children are supported and safe in their families and communities.
6. Child sexual abuse and exploitation is prevented and survivors receive adequate support. (Council of Australian Governments 2009, p. 11)

The Framework provides many opportunities to enliven discussions about how children and their families are and have been socially constructed and represented in social policy, and assisted, controlled and managed by government and government funded services over time. Students might consider the question of what an outcomes list might look like in the future, or have looked like in earlier times in Australia, and even earlier in their lifetimes. For example, social work students in earlier times might have expected to see terms and concepts like 'latch-key children', 'uncontrollable children', 'juvenile delinquent', 'unwed mothers', 'unwanted children', and 'permanency planning' figuring in text supporting an Australian Framework for child protection.

The Framework also presents an opportunity for students to explore and discuss the way child protection responsibilities are distributed within the Australian federation. Students might identify those responsibilities that are solely the province of the States and Territories and those that are the province of the Commonwealth government. There are also those areas of responsibility that are duplicated or around which there is confusion. For example, students might consider:

how or whether the Commonwealth government's income support payment for young persons who are unable to live at home is managed conjointly by their State's or Territory's child welfare authority and the Commonwealth when the youth is a child; which level of government has primary responsibility for policing internet based child pornography; or the way the States' and Territories' children's courts and the Commonwealth government's Family Court synchronises operations when matters could reasonably be listed simultaneously before them.

In understanding how social work's contexts for practice have evolved and been both differentially and mutually shaped by researchers, practitioners and policy makers, it is relevant to consider how the issues and areas of concern listed in the Framework have come to gain status as identified national priorities. As a means of demonstrating the effectiveness of social research and social action, students might map the trajectory from relative professional and community ignorance about child-sexual abuse in the 1970s to today's widespread awareness of it as a problem and its listing as one of the Framework's six outcomes. Many people will be surprised to learn that as late as 1975 a textbook reprised a statistic derived from a 1955 study by Weinberg that in the Western world incest victims numbered 1 in 1 million children (quoted in Olafson, Corwin and Summit 1993, p. 15). Students might like to attempt to anticipate what wisdom in hindsight will be obvious about today's social work practice and policy assumptions.

The Framework favours the adoption of a public health model where promoting children's well-being and safety is part of a child protection strategy:

Under a public health model, priority is placed on having universal supports available for all families (for example, health and education). More intensive (secondary) prevention interventions are provided to those families that need additional assistance with a focus on early intervention. Tertiary child protection services are a last resort, and the least desirable option for families and governments. [Council of Australian Governments 2009, p. 7]

The promotion of a public health model for protecting children provides an opportunity for further exploration consistent with the AASW's standards document which asks that graduates have a beginning knowledge of:

Contemporary service frameworks for children and families such as the continuum of services from promotion of wellbeing to prevention of abuse and neglect to treatment services and the ways in which services along this continuum match the multiple needs of children and families.

[Australian Association of Social Workers 2008, p. 62]

In the context of the Framework, students are presented with an opportunity to delve deeper into what is envisaged by adopting a public health model in child protection (see Scott 2006) and to monitor whether and how this occurs in their jurisdictions and nationally, and whether change follows nationwide commitment to the Framework.

There are various aspects of the Framework which invite critical consideration of Australia's governance system generally, and specifically in relation to child protection. While the Framework has been developed under COAG's auspices, responsibility for implementation is assigned by it to the Community and Disability Services Ministers Conference (the Ministers' Conference). Information about the Ministers' Conference is accessible on the internet (Community and Disability Services Ministers' Conference, n.d.). While implementation responsibility for the Framework is assigned to the Ministers' Conference, COAG indicates supporting implementation roles will be assigned to a) a Ministerial Forum on Protecting Australia's Children, b) the Community and Disability Services Advisory Committee, c) a tripartite National Framework Advisory Committee, and d) a series of working groups (Council of Australian Governments 2009, p. 35). Observing how the non-government players are included in these implementation mechanisms will be of particular interest.

COAG's dictates about the Framework's implementation create 'windows' for stakeholders to observe progress:

The implementation plan will be a key tool in measuring progress of the National Framework. All jurisdictions and stakeholders will be able to monitor progress against activities and milestones outlined in the Implementation Plan. A set of performance indicators will be developed as part of the Implementation Plan, providing another opportunity to monitor progress and outcomes (Council of Australian Governments 2009, p. 36).

The Framework promises annual reports from the Ministers' conference to COAG (ibid., p. 35) against a 'broad suite' of indicators (ibid., p. 12). In September 2009 the Ministers' conference released a joint communiqué where it reaffirmed its commitment to the Framework and endorsed the first implementation plan which covers the period 2009-2012. (The implementation plan was not accessible from the Ministers' Conference web site at the time this article was prepared, in September 2010.)

To date the Federal Department of Families, Housing, Community Services and Indigenous Affairs (FAHCSIA) and some of the States' and Territories' departments have commenced promoting the Framework on their websites. The Framework and the first three year implementation plan are available at FAHCSIA's internet site (Families, Housing, Community Services and Indigenous Affairs 2009). FAHCSIA (2009) indicates that periodic reports on progress toward implementation will be posted on their website. These reports should make it relatively easy to monitor the way the Ministers' Conference reports its achievements. Identifying what is not achieved and what 'drops off' the Framework's commitments will probably be more difficult.

While there are other broad issues able to be easily extracted from the Framework, this article now focuses on two aspects that could fruitfully be considered in-depth: The first issue to unpack is the documented promise to develop a nationally consistent approach to working with children checks across jurisdictions. The second is to critically consider the nature of the data drawn upon in developing the Framework.

A NATIONAL APPROACH TO WORKING WITH CHILDREN CHECKS

One aspect of the Framework relevant to those intending to 'work with children' is its commitment to deliver a 'nationally consistent approach to working with children checks' (Council of Australian Governments 2009, p. 18). Many social work students will have first-hand experience of working with children checks when they apply for a working with children card (WwC card) as a requirement in completing their study. If a student works with children in different jurisdictions they may need to obtain more than one WwC card. If a decision is made to deny a student a WwC card the person will not be able to work with children in the jurisdiction where the decision was made. That is, they will be able to work with children in some parts of Australia and not others.

Students might be encouraged to think about what a nationally consistent approach to working with children checks might mean within the Australian federal system of government. Questions for critical debate and reflection might include:

- Should the Australian jurisdictions have similar checking systems?
- Can the best elements of all the jurisdictions' systems be combined into a single system?
- Is a national card possible?
- Is a single point of administration possible?
- Can portability between the jurisdictions be achieved?
- Do different jurisdictions have different workforce checking needs?

COAG's commitment to a nationally consistent approach to workforce checking provides an opportunity for students to consider a characteristic of Australian child protection - different State and Territory legislation. Positively, that each jurisdiction develops different legislation in an area such as working with children checks might mean the legislation is tailored to a jurisdiction's particular needs. Such an approach also means jurisdictions have the opportunity to learn from each other and refine their approaches based on other jurisdictions' evaluations. If an approach is trialled by one jurisdiction and it is 'successful', it is open to being

emulated in other jurisdictions. In Western Australia, when it comes to children, this process of emulating other jurisdictions' legislation seems to result in politicians wanting to appear to be 'tougher' than other jurisdictions when legislating to deal with child offenders and child abusers. Such seems to have been a driver in Western Australia's working with children legislation. In introducing the *Working with Children (Criminal Record Checking) Bill* 2004 the Minister explained in her second reading speech: 'Today our Government is introducing Australia's toughest compulsory criminal record checking regime for people working with children....In developing this legislation we have assessed the strongest elements of schemes in Queensland and New South Wales' (McHale 2004, p. 6946). The Minister then proceeded to promise: 'We will not tolerate paedophiles who have escaped conviction for various reasons working with our children' (ibid., p. 6947). Given the evident difficulty of identifying offending paedophiles not known to the justice system such statements raise the question of how the safety of children is furthered by such ambit claims. The critical question for reflection then might be: How do the legal and political aspects of the governance involved in protecting children interact in practice?

Even when tackling the same issue the Australian jurisdictions' legislative differences make it difficult for State and Territory officials to work together. An example of difference: in Western Australia if a person is charged with a prescribed offence and the charge is heard in court, when the person applies for a WwC card the person's records will be screened whether the charge leads to a conviction or not. In Victoria this is not the case. This difference translates into an on-ground issue: When the Western Australian Department for Child Protection is screening a person it remains uninformed about whether the person has been charged with offences in Victoria, if the charge has been disposed of and did not lead to a conviction.

To appreciate the different Australian legislative contexts it might be desirable to ask students to look at the legislation that drives their jurisdiction's approach to workforce screening. Berlyn, Holzer and Higgins (2010) simplify the task for those interested in pursuing

legislation by setting out the names of the relevant Act for each Australian jurisdiction, and a summary of its features. The legislation is not particularly difficult to read, though it does require attention to detail. Watson and Wilcox (2000) recommend practitioners develop skills in both reading the narratives of practice and the conventions of practice. This involves hearing both particular human stories of and in practice, and being aware of the conventions of legislation shaping that practice. In the long term both narratives and conventions are mutually constitutive and by moving between them there are opportunities for students:

To appreciate more clearly the range of responses necessary to solve professional problems, from the technical rigour required for proper resolution of instrumental problems to the flexible approaches needed in dealing with complex and ambiguous situations. (Watson and Wilcox 2000, p. 58)

The opportunity for comparative legal study emerges as Australia's state and territory jurisdictions develop different legislation to tackle the problem of how to prevent people known or suspected to be dangerous to children, from working with them. As an aid to thinking about interpretation of the Acts, students are able to freely access legislation, second reading speeches, explanatory memoranda, and cases relevant to each Australian jurisdiction from the Australian Legal Information Institute (Austlii) website (Australian legal information institute, n.d.). An Austlii search limited to the Western Australian jurisdiction about working with children resulted in the identification of cases relevant to children's workforce checking adjudicated in various Western Australian Courts, including the State Administrative Tribunal and the Supreme Court of Western Australia.

That the working with children checks issue is also topical in the United Kingdom provides an opportunity for educators and students to consider some of the international social work context practice issues referred to in the Standards. In the United Kingdom the Bichard inquiry report (Bichard 2004), which followed the murder of two children, was referred to by the Western Australian Minister when she introduced the *Working with Children (Criminal Record Checking) Bill* 2004 (McHale 2004, p. 6946). Bichard recommended a barred employees list known

as the Protection of Children Act (PoCA) list. The way the PoCA list is administered, and its form is to change in 2010 when responsibility for vetting the children's and vulnerable person's workforce will be transferred to an Independent Safeguarding Authority (Independent safeguarding authority 2009).

CHILD PROTECTION DATA

In its introductory sections the Framework poses the question 'what is the problem?' Its response commences 'in 2007-08 there were 55,120 reports of child abuse and neglect substantiated by child protection services' (Council of Australian Governments 2009, p. 6). This introductory section of the Framework notes that these figures represent a reduction of substantiations of child abuse from the previous year, notwithstanding the number has doubled over the previous 10 years (ibid., p. 6). Such data was used to support the Framework's rationale and were taken from the Australian Institute of Health and Welfare's 'Child protection Australia 2007-2008' (Australian Institute of Health and Welfare 2009).

Problems of different jurisdictions' policies and incomparability of data dog the Australian Institute of Health and Welfare's (AIHW) national child protection data. Child protection Australia 2008 – 2009 (Australian Institute of Health and Welfare 2008, 1) commences:

Child protection is a State and Territory government responsibility, and there are significant differences in how jurisdictions deal with and report child protection issues. Statistical comparisons between States and Territories should therefore be treated with caution.

The first data table in the report, about notifications, is qualified: 'New South Wales figures are not comparable with other jurisdictions' (ibid., p. 11). Similar cautions about using the data are contained in earlier reports. However, notwithstanding the qualifications set out by the AIHW about its data and other known problems with Australia's national child protection data collection, such as the omission of cases of extra-familial abuse (see Bromfield and Higgins 2004, p. 28), the AIHW's data are frequently quoted by authoritative sources without qualification

as though the amount of child abuse throughout Australia were known. The Framework quotes child abuse data without qualification initially (Council of Australian Governments 2009, pp. 6-7) though later alluding to the data's limitations (ibid., p. 11).

The extent of child abuse and neglect in Australia in families and in organisational settings is unknown. The AIHW child protection reports are effectively partial workload measures for the Australian State and Territory child and family welfare departments, not a measure of the quantum of child abuse in Australia. The quantum of reported abuse to these departments rises and falls according to policy decisions and the amount of resource assigned to them. With respect to organisational located abuse, data about child abuse in organisational settings is simply not collected and consequently there is not a reasonable estimate of prevalence to call on.

CONCLUSION

The Framework provides a relevant and contemporary opportunity for the analysis of a number of contexts of child protection in Australia, including its governance within the Australian federal system. This article encourages educators to facilitate future practitioners' engagement with the Framework as a means of them becoming social workers who appreciate the institutional context of Australian social work practice and who can work to the aims of their discipline.

While there are many ways the Framework can be used as a pedagogical resource, this article suggests three threads from the Framework can be utilised to address a number of aspects of the AASW's educational and accreditation standards (Australian Association of Social Workers 2008): the Framework itself; a nationally consistent approach to working with children checks; and, the child protection data upon which the Framework relies.

At the heart of this article is the belief that if the current cohort of Australian social work students appreciate the importance of the Framework, REFERENCES some will take an active interest in the

Framework's progress throughout the course of their studies and beyond, and play a part in its accountability, delivery and iteration. Such grounded involvement in the on-going interplay of research, practice and policy in the context of the Australian federation is a hallmark of social work both at the level of the practitioner and the discipline.

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