

Implementing the successor
plan to the National
Framework for Protecting
Australia's Children 2009-
2020

Submission to the Department of
Social Services

26 July 2021

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About knowmore

Our service

knowmore legal service (knowmore) is a nation-wide, free and independent community legal centre providing legal information, advice, representation and referrals, education and systemic advocacy for victims and survivors of child abuse. Our vision is a community that is accountable to survivors and free of child abuse. Our mission is to facilitate access to justice for victims and survivors of child abuse and to work with survivors and their supporters to stop child abuse.

Our service was established in 2013 to assist people who were engaging with or considering engaging with the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). From 1 July 2018, knowmore has been funded to deliver legal support services to assist survivors of institutional child sexual abuse to access their redress options, including under the National Redress Scheme.

knowmore is funded by the Commonwealth Government, represented by the Attorney-General's Department and the Department of Social Services.

knowmore uses a multidisciplinary model to provide trauma-informed, client-centred and culturally safe legal assistance to clients. knowmore has offices in Sydney, Melbourne, Brisbane and Perth and will be establishing another office in Adelaide later this year. Our service model brings together lawyers, social workers and counsellors, Aboriginal and Torres Strait Islander engagement advisors and financial counsellors to provide coordinated support to clients.

Our clients

In our Royal Commission-related work, from July 2013 to the end of March 2018, knowmore assisted 8,954 individual clients. The majority of those clients were survivors of institutional child sexual abuse. Almost a quarter (24%) of the clients assisted during our Royal Commission work identified as Aboriginal and/or Torres Strait Islander peoples.

Since the commencement of the National Redress Scheme for survivors of institutional child sexual abuse on 1 July 2018, to 30 June 2021 knowmore has received 48,936 calls to its 1800 telephone line and has completed intake processes for, and has assisted or is currently assisting, 9,261 clients. Of knowmore's clients, 31% identify as Aboriginal and/or Torres Strait Islander peoples. Just over a fifth (21%) of clients are classified as priority clients due to advanced age and/or immediate and serious health concerns including terminal cancer or other life-limiting illness.

A significant number of knowmore's clients are survivors who were sexually abused as children living in out-of-home care. Our client group and our service have a strong interest in child protection, child safety and child wellbeing.

knowmore's submission

knowmore legal service commends the Australian Government's commitment to develop and implement the successor plan to the National Framework for Protecting Australia's Children, and the focus on improving outcomes for the priority groups under the target cohort.

Our comments on the Consultation Paper

We are pleased to see that the successor plan will work alongside the National Strategy to Prevent Child Sexual Abuse. knowmore made a submission regarding the Strategy in April 2021.

knowmore broadly supports the proposed vision, goal, target cohort and priority groups outlined in the Consultation Paper. We are particularly pleased to see that children and young people experiencing or who have experienced abuse or neglect are a priority group.

What changes or supports are needed to help children access therapeutic services to recover from experiences of domestic violence, abuse or neglect?

We recommend the following:

- Responsive, culturally safe, and trauma-informed service systems exist to provide safe opportunities for victims and survivors to disclose child abuse.
- The response of services and justice systems when abuse occurs improves and prioritises the needs of the child.
- Children who are survivors and victims of abuse are supported to cope with the impacts of the abuse, including by providing ongoing psychological support to assist their recovery from trauma.

We have highlighted additional considerations specific to the questions posed in the Consultation Paper in the sections below.

Reducing the over-representation of Aboriginal and/or Torres Strait Islander children in out of home care

Beyond delivering on the existing commitments in the National Agreement on Closing the Gap, what is the most important thing we can implement under the successor plan to reduce over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45%?

There is no singular ‘important thing’ that can alone reduce the representation of Aboriginal and/or Torres Strait Islander children in out of home care.

The 2019 independent review of Aboriginal Children and young people in out of home-care in NSW, the *Family is Culture* report, found that:

There are three primary levers to reduce the number of Aboriginal children in the out-of-home care (OOHC) system. The first is to guard against Aboriginal children entering the system in the first instance. The second lever is to enhance compliance with the Aboriginal Child Placement Principle (ACPP), and the third is to increase the number of exits from the system.¹

We have elaborated on these levers below.

Early Intervention

The Consultation Paper provides that a “greater emphasis should be placed on intensive family support and the needs of the whole family and their unique circumstances”. The Consultation Paper then adds that “this includes improving multi-disciplinary specialist responses within child protection systems, as well as improved referral pathways, in recognition of the various professional specialities needed to address multiple issues experienced by families”.

knowmore is of the view that a multidisciplinary approach is essential in implementing successful early intervention measures and subsequently reducing the over-representation of Aboriginal and/or Torres Strait Islander children in out of home care.

The *Family is Culture* Report identified that:

Investing resources earlier in the system is the key to diverting children away from care and ensuring better outcomes for children and families. The best way to prevent Aboriginal children entering the OOHC system is through providing appropriate support to Aboriginal families prior to children entering care, particularly when children first come into contact with the child protection system. Increasing early intervention and secondary prevention support for vulnerable families is a way to change the system focus from reactive to proactive support, which is needed to move beyond the current crisis-driven, tertiary intervention focused approach.²

Multidisciplinary early intervention includes economic support, parent education, social support, cultural support, housing support, legal assistance, and health and developmental support services for both children and families.

knowmore uses a multidisciplinary model to provide trauma-informed, client-centred and culturally safe legal assistance to adult clients. Our service model brings together lawyers,

¹ Independent review of Aboriginal children and young people in OOHC, *Family is Culture* (2019), 144.

² Ibid, at page 145.

social workers and counsellors, Aboriginal and Torres Strait Islander engagement advisors and financial counsellors to provide coordinated support to clients. Our services ensure that Aboriginal and Torres Strait Islander engagement advisors are available to all survivors who would like their assistance. Aboriginal and Torres Strait Islander engagement advisors are able to provide cultural safety and support in a manner that is often quite distinct from formal legal processes.

A holistic suite of services that provides trauma-informed, client-centred, and culturally safe care needs to be readily available for children and families who are engaged with the child protection and out of home care systems. This form of early intervention can help reduce the over-representation of Aboriginal and/or Torres Strait Islander children in out of home care.

We further discuss the importance of cultural safety; services having Aboriginal and/or Torres Strait Islander staff; and the essential roles of Aboriginal Community Controlled Organisations (ACCOs) later in this submission.

Compliance with the Aboriginal and Torres Strait Islander Child Placement Principle

The 2019-2020 national consultations by Families Australia,³ in partnership with the Australian Government, to inform the development of the successor plan, identified that the successor plan should:

strengthen efforts to address the over-representation of Aboriginal and Torres Strait Islander children, young people, families and communities in child protection systems by implementing all five elements of the Aboriginal Child Placement Principle in all jurisdictions, building the capacity of Aboriginal Community Controlled Organisations (ACCO) and actively engaging Aboriginal and Torres Strait Islander children, young people, families and communities by implementing Aboriginal-led solutions, and ensuring strong Aboriginal and Torres Strait Islander representation in all governance mechanisms.

We welcome strengthening efforts to achieve the above. However, we suggest that in order to achieve meaningful change, a mechanism to monitor and evaluate the extent to which full implementation of, and compliance with, the Aboriginal and Torres Strait Islander Child Placement Principle is achieved in practice is essential. This is particularly so in light of previous findings of significant non-compliance with the Child Placement Principle.⁴

³ Families Australia, *Beyond 2020: Towards a Successor Plan For The National Framework For Protecting Australia's Children 2009-2020: Final Report On National Consultations* (May 2020), 8.

⁴ Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report Volume 12*, pp. 330–332.

A monitoring mechanism would increase the likelihood of the successor plan effecting positive change in the identified priority areas. The results should be regularly reviewed and audited in order to promote full compliance with the Aboriginal and Torres Strait Islander Child Placement Principle across all Australian jurisdictions, and to identify and address specific shortcomings.

Length of time in care and increasing the number of exits

The over-representation of Aboriginal and/or Torres Strait Islander children in care is not just an issue of scale, but also an issue of duration. Focus should not just be on reducing the over-representation of Aboriginal and/or Torres Strait Islander children in care, but also the length of time spent in care.

The *Family is Culture* report explains that placing children in out of home care should generally be a temporary measure while parents are supported to make changes that will enable them to safely care for children at home.⁵ The review examined the case files of all Aboriginal and Torres Strait Islander children and young people placed in out of home care in NSW between 1 July 2015 and 31 June 2016. The review found that placing children in out of home care was rarely used for the purpose of supporting and working with parents, and only a small percentage of children in the cohort were ultimately restored.⁶

A significant amount of knowmore's clients are survivors who were sexually abused as children while in state care, or living in out-of-home care. Many clients have described their experience in out of home care as 'getting lost in the system', and only being released from this kind of care at the age of 18. The longer children are in out of home care, the more they lose connection with family, Country, and Culture, compounding the ongoing cycle of intergenerational trauma.

The Australian Institute of Health and Welfare 2021 identified that in 2018-19, based on data from six states and territories, of the 820 Aboriginal and Torres Strait Islander children aged 0–16 who were reunified with family during 2017–18, 82% did not return to out-of-home care in the following 12 months.⁷

The Consultation Paper provides:

⁵ Independent review of Aboriginal children and young people in OOHC, *Family is Culture* (2019), 349.

⁶ Ibid.

⁷ Australian Institute of Health and Welfare 2021, The Aboriginal and Torres Strait Islander Child Placement Principle Indicators 2018–19 Measuring progress.

It is well known that Aboriginal and Torres Strait Islander children will thrive in environments where there is a strong connection to culture and community, and families are enabled to provide safe and nurturing home environments.

We believe that it is important to not just recognise the importance of reunification and family for Aboriginal and/or Torres Strait Islander children, but to act in line with this understanding. To assist with this, factors that extend the length of time of children in care should be assessed. This research should be undertaken as a matter of priority. This research would also address broader questions including what is the most effective pathways for families to transition to reunification to allow them to leave care sooner.

Support and accessing services

What skills, competencies, and/or practices does the workforce need to provide the most effective support for children and families in the priority groups?

This includes strengthening the interface between services across jurisdictions including disability, early childhood education and care, health and mental health, drug and alcohol, domestic violence, justice, housing, and employment service systems

Tell us about the additional barriers to accessing services faced by:

- Aboriginal and Torres Strait Islander children and families,
- children with disability and/or parents and carers with disability,
- children and families with multiple and complex needs
- children and young people experiencing or who have experienced abuse and/or neglect, including children in out-of-home care, and young people leaving out-of-home care and transitioning to adulthood

How do you think we could facilitate greater access to and navigation through public supports such as disability, early childhood education and care, health and mental health, drug and alcohol, domestic violence, justice, housing, and employment service systems?

What action can governments take to support collaboration between services to offer wrap around supports to vulnerable children and families?

knowmore supports formally building the Aboriginal and/or Torres Strait Islander community-controlled sectors to deliver services to support Closing the Gap initiatives.

The Consultation Paper provides that various authors have identified that the reasons for the over-representation of Aboriginal and/or Torres Strait Islander children in child protection systems include “intergenerational trauma from previous separation from family and culture, discrimination, a lack of understanding of cultural differences in child-rearing

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practices and family structure, and inadequate culturally safe and responsive universal and early intervention services”.

An increase in Aboriginal and/or Torres Strait Islander staff is crucial in ensuring improvements to a child protection system in which Aboriginal and Torres Strait Islander children are over-represented. While regular cultural awareness and safety training is imperative in ensuring that staff are conducting their roles effectively, it is not a substitute for having Aboriginal and/or Torres Strait Islander staff and ACCOs having integral roles in the system.

Cultural awareness reduces unconscious bias present in assessment processes by people working in child protection. Unconscious bias can lead to cultural deficit tendencies, in which *“social workers interpret the difficulties facing a child as manifestations of a minority culture that is problematic in and of itself. The solution involves either “correcting” the culture in some manner or even “rescuing” the child from the culture via a caretaking process”*.⁸ This bias, though unconscious, can influence every part of the child protection process. It is therefore essential for individuals working in this space to be aware of how ethnic biases can affect their professional assessments and decisions, and to then reflect and reduce their biases.

Any individual or family support available across the service system needs to be culturally safe. An increase in Aboriginal and Torres Strait Islander staff would help achieve this. Experiences or perceptions that services are not culturally safe will operate as a barrier to access from the outset. Where individuals and families feel they cannot safely access or trust a service, they will be less likely to seek assistance when needed. It is in this context that the mistrust for the child protection system, government systems generally, and the reluctance to engage with these systems needs to be understood in order to better protect children, reduce the overrepresentation of Aboriginal and/or Torres Strait Islander children in out of home care, and increase reunification rates.

The intersection between out of home care, youth detention, and child sexual abuse

What data and information is needed to better understand and improve outcomes for vulnerable children and families?

What would success look like?

What changes do you expect to see in the short, medium and long term?

⁸ Gunilla Egonsdotter, Staffan Bengtsson, Magnus Israelsson & Klas Borell (2020) Child protection and cultural awareness: Simulation-based learning, *Journal of Ethnic & Cultural Diversity in Social Work*, 29:5, 363.

knowmore has previously made a submission to the Working Group of the Council of Attorneys-General on the importance of keeping children out of detention, and raising the minimum age of criminal responsibility to 14 years.⁹

We have reproduced this submission below and expended on the relevance of this issue with regard to out of home care.

The link between out of home care, future offending behaviour and subsequent detention has been well established.¹⁰ This link has been continually evidenced in reports establishing that a significant proportion of children in the juvenile justice system grew up in out of home care.¹¹ The *Family is Culture* report found that “it has now been demonstrated that placement in OOHC exacerbates the existing risk that maltreated children will become involved in criminal offending”.¹²

Notably, Aboriginal and/or Torres Strait Islander children are over-represented in both the out of home care system *and* the criminal justice and youth detention systems.¹³

Youth detention environments are a high-risk setting for child sexual abuse. The Royal Commission identified youth detention as a common setting for institutional child sexual abuse. Of the 6,875 survivors the Royal Commission heard from in private sessions, 551 (8%) had been sexually abused in youth detention.¹⁴ Experiencing child sexual abuse in youth detention was particularly common among Aboriginal and/or Torres Strait Islander survivors (15%), and survivors who were in prison at the time of their private sessions (33%).¹⁵

Although the Royal Commission heard from relatively fewer survivors who had been abused in contemporary youth detention institutions since 1990 (91 in total),¹⁶ it emphasised that youth detention remains a high-risk setting for institutional child sexual abuse. Key reasons for this include that:

⁹ knowmore, *Review of the age of criminal responsibility*, submission to the Working Group of the Council of Attorneys-General, 28 February 2020. <<https://knowmore.org.au/wp-content/uploads/2020/11/submission-review-of-the-age-of-criminal-responsibility-cth.pdf>>.

¹⁰ Catia G Malvaso, Paul H Delfabbro and Andrew Day, ‘Risk factors that influence the maltreatment-offending association: A systematic review of prospective and longitudinal studies’ (2016) 31 *Aggression and Violent Behavior* 1, 6; Independent review of Aboriginal children and young people in OOHC, *Family is Culture* (2019), 236.

¹¹ Independent review of Aboriginal children and young people in OOHC, *Family is Culture* (2019), 40.

¹² Ibid 236.

¹³ Report of the Special Rapporteur on the rights of indigenous peoples on her visit to Australia, 8 August 2017, A/HRC/36/46/Add.2, available at <https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/36/46/Add.2>, at para 74.

¹⁴ Royal Commission, Final Report: Volume 2, Nature and Cause, 2017, Tables 2.12 and A.7.

¹⁵ Royal Commission, Final Report: Volume 5, Private Sessions, 2017, Tables P.13 and S.14.

¹⁶ The Royal Commission stated that this was “unsurprising”, given that survivors take 23.9 years on average to disclose childhood sexual abuse (Final Report: Volume 15, Contemporary Detention Environments, 2017, p. 26; see also p. 77).

- Youth detention institutions are “closed” environments, isolated from society and public scrutiny.
- Key features of youth detention environments — including the significant power imbalance between staff and detained young people, the lack of privacy, and the separation of young people from their family, friends and community — tend to increase the risk of child sexual abuse.
- Children in youth detention frequently have complex needs and histories of abuse, neglect and other trauma that increase their vulnerability to sexual and other abuse while in detention. In this regard, the Royal Commission stated “[i]t is often the most vulnerable children who are deprived of their liberty in detention environments, including many children with prior trauma and multiple needs, and some with behaviours that may cause harm to themselves or others”.¹⁷
- Compared to other institutions, there is a heightened risk of young people in youth detention being sexually abused by other children. This reflects the fact that, as the Royal Commission noted, “children who have harmful sexual behaviours or have engaged in criminal or antisocial behaviour are disproportionately clustered in youth detention institutions”.

In light of the ongoing risk of child sexual abuse in youth detention environments, knowmore is supportive of measures that will help to keep young people out of detention wherever possible, including raising the minimum age of criminal responsibility in all Australian states and territories to 14 years, or alternatively, introducing a minimum age of detention in all Australian states and territories of 14 years. We have discussed this further below.

Minimum age of criminal responsibility

The *Families Australia* Report identified that an indicator of success to the element of “a continued focus on the needs of children and young people in out of home care” was that State and Territory Governments work together with the Commonwealth in raising the age of criminal responsibility from 10 to 14 years.¹⁸ knowmore supports this position. This is important not only due to the link between out of home care and future offending behaviour and child sexual abuse, but more generally as a key consideration when it comes to protecting children.

Currently, the minimum age of criminal responsibility in Australia is significantly lower than the global average of 12.1 years, and the average in the majority of European Union

¹⁷ Royal Commission, Final Report: Volume 15, p. 34.

¹⁸ Families Australia, *Beyond 2020: Towards a Successor Plan For The National Framework For Protecting Australia’s Children 2009-2020: Final Report On National Consultations* (May 2020), 141.

member states of 14 years.¹⁹ Further, the United Nations Committee on the Rights of the Child has recommended that Australia raise the minimum age of criminal responsibility to 14 years to bring the justice system into line with Australia's obligations under the Convention on the Rights of the Child.²⁰ This recommendation is supported by numerous Australian organisations, including the Australian Human Rights Commission.²¹

knowmore strongly supports raising the minimum age of criminal responsibility in all Australian states and territories to 14 years of age, to bring Australia into line with international best practice and international human rights standards.

knowmore is supportive of other measures that will help to keep children out of detention wherever possible. If raising the minimum age of criminal responsibility to 14 years is not able to be achieved, in the alternative, knowmore recommends the introduction of a minimum age of detention in all Australian states and territories of 14 years.

knowmore is of the view that these measures are important to:

- Address the over-representation of Aboriginal and/or Torres Strait Islander children in youth detention environments.
- Reduce the risk, incidence and impacts of child abuse and child sexual abuse in youth detention environments.

Article 37(b) of the Convention on the Rights of the Child provides that the arrest, detention or imprisonment of a child shall be used only "as a measure of last resort and for the shortest appropriate period of time". However, the high rates of incarceration of Aboriginal and/or Torres Strait Islander children demonstrates that Australia is failing to meet this obligation.

According to a report of the United Nations Special Rapporteur on the rights of indigenous peoples following her visit to Australia in 2017, Aboriginal and/or Torres Strait Islander children, including those under 14 years of age, continue to experience routine detention and are up to 24 times more likely to be detained than non-indigenous children.²² The

¹⁹ Joint policy statement by the Law Council of Australia and the Australian Medical Association, *Minimum Age of Criminal Responsibility*, 17 December 2019, available at: <https://www.lawcouncil.asn.au/media/media-releases/lca-and-ama-call-on-australian-governments-to-raise-the-age-of-criminal-responsibility-to-14>.

²⁰ United Nations Committee on the Rights of the Child, *Concluding observations on the combined fifth and sixth periodic reports of Australia*, 1 November 2019, CRC/C/AUS/CO/5-6, available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fAUS%2fCO%2f5-6&Lang=en.

²¹ Australian Human Rights Commission, *Raising the Age of Criminal Responsibility*, statement by National Children's Commissioner Megan Mitchell, 20 November 2019, available at: <https://www.humanrights.gov.au/about/news/raising-age-criminal-responsibility>.

²² Report of the Special Rapporteur on the rights of indigenous peoples on her visit to Australia, 8 August 2017, A/HRC/36/46/Add.2, available at https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/36/46/Add.2, at para 74.

Special Rapporteur highlighted the discriminatory and disproportionate impact of incarceration on Aboriginal and/or Torres Strait Islander children, stating:

*Aboriginal and Torres Strait Islander children are essentially being punished for being poor and, in most cases, prison will only perpetuate the cycle of violence, intergenerational trauma, poverty and crime.*²³

knowmore is of the view that raising the minimum age of criminal responsibility is a necessary and important step in addressing the inequality experienced by Aboriginal and/or Torres Strait Islander children in the criminal justice system. In addition, we are of the view that raising the minimum age of criminal responsibility will help to reduce the risk, incidence and impacts of institutional child sexual abuse for all children who come into contact with the criminal justice system, given the Royal Commission's findings that:

- Youth detention has been, and continues to be, a high-risk setting for child sexual abuse.
- The experience of child sexual abuse in youth detention can have significant, life-long impacts for survivors, particularly in contributing to later criminal behaviour and leading to patterns of recurrent imprisonment.

Engagement

How can children, families and communities be better engaged in service design and delivery?

A common experience for many of the clients we assisted during the Royal Commission who were abused in out of home care was that they had no voice. They experienced a consequent lack of safety that ensued from this disempowerment. The Royal Commission found that a lack of participation by children is one factor that contributes to an environment that enables institutional child sexual abuse to occur. It noted that "where children do not feel listened to, they are less likely to report abuse and to have their reports taken seriously".²⁴

Many of our clients suffered abuse in out of home care settings where any attempt by them to report such abuse led to either no action, punishment or, not uncommonly, further sexual abuse at the hands of those receiving such a complaint. Additionally, many of our clients were not given an appropriate opportunity or setting to report abuse. Faced with these situations, some children understandably took matters into their own hands and ran away, usually to be apprehended by police and/or child welfare officers. Rarely was such a child ever questioned by anyone in authority or an appropriate person about the reasons for

²³Ibid, at para 76.

²⁴ Royal Commission, Final Report: Volume 15, Contemporary Detention Environments, 2017, p. 134.

their action, in circumstances where such an approach would readily have elicited information from the child about the abuse sustained by them and the practices in the institution.

The fear that children have of not being believed, as well as the powerlessness felt by them and others around them to report abusive behaviour, often results in prolonged experiences of abuse and a lack of remedies, including investigative and/or prosecutorial action against perpetrators. Child sexual abuse results in enduring feelings of shame and guilt for most survivors, and the techniques used by perpetrators to silence children from speaking up can have long ranging consequences on how as adults, survivors may seek help or speak out.

In our work, knowmore assists survivors pursuing redress under the National Redress Scheme to access a 'direct personal response', or an apology, from institutions where they have been harmed. This process allows survivors to engage with a representative of an institution to obtain an acknowledgement of the sexual and other abuse they experienced as a child. A key and common piece of feedback we hear from survivors is the importance for people who have a lived experience of abuse in out-of-home care settings, to obtain assurances of how things have improved, as well as having opportunities to contribute ideas as to how further improvements could be achieved. This process not only provides a voice to survivors and can result in positive change, but can assist survivors by giving them some degree of healing or closure for what they have been through. Very often survivors express that one of their primary motivations in coming forward is to help ensure that what happened to them does not happen to other children in the future.

Further, cultural and social issues relating to shame greatly influence reporting behaviour. Confusion, trauma and unresponsive reporting frameworks can all impact to prevent children and adults from seeking help. Consequently, it does not matter how well established a system or Successor Plan is, if the first step of contact is not one that people feel comfortable or safe enough to access.

Accordingly, all services involved in child protection activities must identify and implement ways to promote the effective and meaningful participation of 'clients' in all key aspects of service design and delivery.

Consumer participation in Australia is a widely understood ideology and practice particularly in consumer-driven health sectors such as alcohol and other drugs and mental health. These sectors in particular have greatly championed the expertise of those with lived experience when it comes to the planning and delivery of critical services, and the notion of peer/citizen-led approaches.

In recent years, the work of the Royal Commission highlighted the critical role of survivor-led advocacy in shining a light on institutional child sexual abuse in Australia. The Royal Commission's views are highly relevant in the broader contexts of child protection services and consumer voices. In considering what supportive service systems should include going

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forward, the Commission recognised the importance of weaving survivor experience and feedback throughout the construction and maintaining of such systems so that they:

- *“have the necessary components to respond adequately to victims’ and survivors’ support needs;*
- *understand the ways child sexual abuse and institutional responses to it can affect an individual, their families and communities, and the way trauma can influence service needs;*
- *provide a holistic response to victims and survivors as part of a cohesive systems approach;*
- *support services and staff to sustainably work with victims and survivors safely, efficiently and effectively;*
- *are underpinned by the principles of trauma-informed practice and an understanding of institutional child sexual abuse; and by the principles of collaboration, availability, accessibility, acceptability and high quality”*.²⁵

Ways to promote participation and increase engagement should focus on providing culturally safe and trauma informed feedbacks loop where problems can be assessed, and solutions can be discussed in a collaborative way. The mechanisms for this should recognise multiple and different ways in which stakeholders might wish to contribute to discuss solutions and improvements. Detaching lived experience and insight into out of home care from solutions is inefficient. Solutions or improvements proposed in isolation from each other will not lead to meaningful change. Collaboration is therefore key in establishing workable solutions to service design and delivery.

Services must acknowledge the critical importance of involving people with lived experience in the design and delivery of services which affect them. This approach is supported by research; is consistent with the principles of trauma-informed practice²⁶ and human rights principles; empowers ‘consumers’ (who have often been under-represented in decision-making); and has been adopted and is established in other sectors, as noted above.

²⁵ Royal Commission, *Final Report: Volume 9, Advocacy, support and therapeutic services*, p. 13.

²⁶ Safety, trustworthiness, choice, collaboration and empowerment.

Conclusion

As outlined above, knowmore strongly supports a Successor Plan to the National Framework that is designed to work alongside the National Strategy to Prevent Child Sexual Abuse.

For Aboriginal and/or Torres Strait Islander children, the reasons for over-representation in child protection and out of home care systems are complex and varied. knowmore supports increased multi-disciplinary early intervention, improved compliance with the Aboriginal and Torres Strait Islander Child Placement Principle (and monitoring), and increased focus upon reunification and exits from care. In doing so, we wish to bring light to the link between duration and over-representation of Aboriginal and/or Torres Strait Islander children in out of home care, youth detention, and instances of abuse. knowmore also strongly supports raising the minimum age of criminal responsibility in all Australian states and territories to 14 years of age.

In knowmore's view, the recommended measures are critical in ensuring that the over-representation of Aboriginal and/or Torres Strait Islander children in out of home care is reduced. This is a necessary and important step to reducing the abuse of some of Australia's most vulnerable children.

Brisbane

Level 20, 144 Edward St, Brisbane QLD 4000
PO Box 2151, Brisbane QLD 4001
t 07 3218 4500

Melbourne

Level 15, 607 Bourke St, Melbourne VIC 3000
PO Box 504, Collins St West VIC 8007
t 03 8663 7400

Sydney

Level 7, 26 College St, Sydney NSW 2000
PO Box 267, Darlinghurst NSW 1300
t 02 8267 7400

Perth

Level 5, 5 Mill St, Perth WA 6000
PO Box 7072, Cloisters Sq WA 6850
t 08 6117 7244

knowmore Legal Service Limited | ABN 34 639 490 912 | ACN 639 490 912. knowmore is funded by the Commonwealth Government, represented by the Attorney-General's Department and the Department of Social Services.

Image inspired by original artwork by Dean Bell depicting knowmore's connection to the towns, cities, missions and settlements within Australia.

knowmore acknowledges the Traditional Owners of the lands across Australia upon which we live and work. We pay our deep respects to Elders past, present and emerging.