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Playing it safe? Opportunity is knocking!

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Has child protection in Queensland suffered from a risk-averse approach? The recent Child Protection Commission of Inquiry found that a risk-averse culture was one contributing factor to systemic failure in the State's child protection system. Somewhat paradoxically, such an approach to child protection work can bring its own risks for children and young people. This commentary considers this and asks us to consider what a less risk-averse approach might look like in practice.

■ **Keywords:** risk-averse, child protection, child need

> 'The policy of being too cautious is the greatest risk of all.' Attributed to Jawaharlal Nehru, the first Prime Minister of India and political statesman, 1889–1964 (Nehru, 2013).

In a 2012 radio tribute to astronaut Neil Armstrong, it was noted that his historic 1969 trip to the moon had occurred in the pre-digital age, prior to recent technological advances. A present-day astronaut commented that it was 'tough to imagine' how such a trip was accomplished safely in those times and further reflected that:

> . . . we are a much more safety conscious public these days and we have a much lower tolerance for risk than they did back then – so you wonder, if we were to transplant our safety culture onto that day in the 60s, whether we would have gotten as far as they did? (Lopez-Alegria, 2012)

Closer to home, we have witnessed much public debate about the experiences of children growing up today. In particular, questions have been raised about the longer-term impacts of what has been described as 'helicopter parenting' and practices such as the removal of some play equipment from schools and public parks and the banning of certain outdoor activities and games. These questions centre on the concern that in trying to avoid or reduce risks to children's safety, these approaches actually bring their own risks for the emotional, social, psychological and physical development of children – both now and into their adulthood. Are these approaches getting in the way of children learning about their own strengths, developing resilience and a well-rounded sense of self? The notion that a risk-averse approach now may lead to negative outcomes in the future for children has some resonance with the current situation in Queensland around the protection of vulnerable children.

There is little evidence to suggest that, broadly speaking, Queensland has become a more dangerous place for children living with their families. Yet, more Queensland families are now being reported to child-protection authorities for suspected abuse or neglect of their children than in recent years (SCRGSP, 2013, Table 15A.74). This situation is tragically even more pronounced for Aboriginal and Torres Strait Islander children and their families, where the rate of reports in Queensland has increased with each successive year (SCRGSP, 2013, Table 15A.74). There is also evidence to suggest that once children and young people enter care in Queensland, they are staying for longer than before (SCRGSP, 2013, Tables 15A.81 and 15A.82). As well, it is known that these children, Indigenous and non-Indigenous, are more likely to be placed with non-relative foster carers than with relatives or kin (SCRGSP, 2013, Table 15A.83).

With more families being brought to the attention of the system, and a tendency for children to stay in care for longer, away from family or kin, the question arises: has child protection in Queensland become risk-averse to the point that the system increasingly creates its own risks for children? Legislation in Queensland establishes that the safety, wellbeing and best interests of a child are paramount, and that the preferred way of ensuring a child's safety and wellbeing is to support their family (Office of the Queensland Parliamentary Counsel, 2013, pp. 22–23). Research indicates that a child-protection system truly focused on a child's needs strives to enable families to care safely for their children and

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young people, whenever this is possible (Thoburn, Robinson, & Anderson, 2012). This cannot be done without the system carrying and managing some level of risk. A child-protection system which shies away from this truth and seeks to avoid any risk, paradoxically introduces other risks for children and their families.

Of significance here are the findings from the recent Queensland Child Protection Commission of Inquiry, conducted by Commissioner Tim Carmody, which found evidence of systemic failure in Queensland's child-protection system. The report of the Inquiry established one causal factor as:

> . . . a widespread risk-averse culture that focuses too heavily on coercive instead of supportive strategies and overreacts to (or overcompensates for) hostile media and community scrutiny. (QCPCI, 2013, p. xi)

A risk-averse context sets the scene for overly intrusive responses to families when risk to children is identified. Some children will also remain indefinitely in care because their safety at home or with relatives cannot be 'guaranteed'. A risk-averse approach can also blur the focus for decision making, with clarity about individual child need becoming obscured by defensive practice. Such situations bring long-term detriment to children and young people.

What has this risk-averse approach achieved? Even the most cautious system cannot stop the occurrence of all child abuse tragedies (Munro, 2011). However, it is important to note that Queensland's risk-averse culture does not even seem to have been effective in countering some of the systemic deficits linked to significant risk for children and young people; for example, the over-representation of Aboriginal and Torres Strait Islander young people across the child-protection system, lack of effective and adequate transition from care and after-care support for young people, and the lack of continuity (and stability) in the lives of many children in care. It is even possible that Queensland's risk-averse approach, with its more coercive focus as found by Carmody (QCPCI, 2013), may have reinforced some of these long-standing systemic deficits.

Aboriginal and Torres Strait Islander children now comprise 38% of children in out-of-home care in Queensland (SCRGSP, 2013, Table 15A.81), despite representing only 6% of the state's children. The number of these children placed in culturally appropriate placements has declined in recent years, with approximately 46% not placed in accordance with the Child Placement Principle (SCRGSP, 2013, Table 15A.84). Has this statistical climb happened, at least in part, because the system overall has been too risk-averse to 'risk' supporting Indigenous communities to protect their children? In one example, with resonance for others, decision makers in the system seemed to find it hard to balance the 'risk' of placing an Aboriginal child with an Auntie who was denied a Blue Card, against the arguably greater risk of the child growing up in a non-relative, non-Indigenous, non-culturally aware placement. The Blue Card system in Queensland was introduced 'to address widespread community concerns about the number of children who had been exposed to significant levels of abuse in service environments intended to promote their safety and wellbeing' (Commission for Children and Young People and Child Guardian, 2012, p. 1). Why was the Auntie unable to receive a Blue Card? Some years ago when facing domestic violence, she hit back and was found guilty of a serious offence. Alongside this event stands a long known history of caring well for other children.

Often the very people the system is trying to protect are those negatively affected by a risk-averse approach. Children and young people wear the risk of overly intrusive and coercive interventions, with some unnecessarily separated from their families, communities and culture, while others lose opportunities for return to their families, and for continuity of relationships and a sense of belonging and identity. Those children and young people set adrift from care without the anchor of continuous relationships with family or committed carers, pay the price for the system's lack of willingness to manage risk. For these children, while we do 'manage' the risk at *entry* to care, it gains interest over the years, to be returned tenfold to them at exit.

Fortunately, the flipside of risk is opportunity. Queensland's recent Child Protection Commission of Inquiry sets the compass for a change of direction. In denouncing a risk-averse culture, in seeking to orient Queensland's child-protection system toward supporting families to care safely for their children, and in arguing for effective prevention and early intervention responses, the Inquiry offers the potential of regaining lost opportunities. At the time of writing, the Queensland Government is formulating its response to the Inquiry report and recommendations, with no date set for release of this response. In this context it is timely to consider the practice challenges for a child-protection system focused on 'creating opportunities' rather than 'risk-avoidance'. What might a less risk-averse approach to practice actually look like?

The focus of exploration here picks up on the issues noted earlier, that children in care in Queensland are tending to stay there longer and are not likely to be placed with relatives while in care. The risks to children from these trends are clear: we know that the longer children stay in care, the greater the number of placements they are likely to experience (SCRGSP, 2013, Table 15A.86). Research also warns of the negative outcomes for children when their experience of care results in loss of contact with people important to them, the erosion of their identity and sense of belonging, and a lack of adequate support following them into adulthood (Cashmore & Paxman, 2007).

Given the risk-averse setting for these trends, it is reasonable to question whether the system is finding a timely return home or alternative placement with family too risky a proposition. If so, these issues must be counterbalanced with the risks inherent to the care experience and the fact

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that out-of-home care remains a temporary experience for many children (SCRGSP, 2013, Table 15A.82), with most children in placement reconnecting with home eventually, in some way (Cashmore & Paxman, 1996; Thoburn et al., 2012). Perhaps there is a need for the system to face the risk of return, with a proactive, planned and well-managed approach to creating and taking opportunities for this to happen. Can we risk trying to get children home to family sooner rather than later?

In contemplating this we need to focus on what 'being safe' means for children and young people. In daily practice, child protection workers rarely, if ever, face a choice between a 'clearly safe' and a 'clearly unsafe' option for a child. Queensland's statutory child-protection agency is charged with preventing the likelihood of *significant* harm for children, not *all* or *any* conceivable harm, a point that the Inquiry has emphasised: 'The department has no legitimate role until "significant harm" (a legally defined term) is reasonably suspected' and '. . . It does not (and cannot) intervene to remove all risk' (QCPCI, 2013, p. xiii).

Usually, the options available for intervention to protect a child bring both benefits and costs. In weighing these up, child protection workers across the sector must consider both the differences and the connections between physical safety and emotional security for a child. Further, workers must be conscious of planning for, and attending to, the need for both immediate safety and longer-term safety for a child. Workers face conundrums around these issues all the time; for example, removing children to keep them physically safe can bring very real risks for their emotional safety. Stability (staying in one place) does not necessarily meet a child's needs for belonging, identity or 'felt' security in the immediate or the longer term. Should a child removed from home at 2 years of age and placed in care remain there at 6 years of age, because she is now attached to her carers? Even though her family may be able to care safely for her now, is it just too late? What about the child's longer-term emotional safety needs for the remaining 12 years of her childhood, as well as for her adult wellbeing?

Some of these complex questions are already being addressed in practice – much good work is being done where managers and their workers have been willing to take risks, sometimes in the face of opposition from other parts of the system. There are also positive initiatives already in place across Queensland, such as Safe Houses in Indigenous communities, driven by agency and worker commitment to child need, local demand and a willingness to form working partnerships across sectors. More innovative responses that question the status quo are required.

Successful work to reunify families has its roots in a proactive focus on return, right from the point of removal. Crisis theory tells us that people are poised for change in the flux of a crisis – this opportunity should be embraced in practice, by supporting workers in persistent attempts to engage parents in this emotionally turbulent time. This persistence aims to avoid the real risk that parents will succumb to a fog of despair and hopelessness, and retreat from their child's life (Fernandez, 1996; Thomson & Thorpe, 2003). Working with parents to focus on early reunification does not mean ignoring risks to children – realistic assessment of risk enables strategies to be designed to reduce and manage it.

Research indicates that even where children can't return to their parents' full-time care, child wellbeing is enhanced by achieving a positive relationship with parents. The onus on the system is to work actively with parents from the outset to meet their children's need for optimal connectedness. Failure to make this timely response creates a harder task for all concerned in the future – and further risk for children.

Another practice critical to success in meeting child need is the active facilitation of truly collaborative working relationships between parents and carers. This is one of the most effective ways to meet child need for belonging and identity. It requires the system to shoulder the risks involved in establishing and brokering relationships between parents and carers, including relative carers. It is too easy to retreat from this endeavour in the face of perceived risks posed by some parental behaviours. In response to this and carers' fear and uncertainty, workers can hesitate to promote the need for a relationship with a child's parents. The challenge is to conceptualise placement as a strategy to support families in caring for their children – rather than it being defined as a service to a child, separate from work with their family. Do we dare to see it this way?

To work collaboratively with carers *and* parents requires a knowledge base and specific framework for practice, reinforced by training and supervision. It requires a coordinated and sustained effort to join workers, families and carers together in a caring team around the child or young person. It requires a clear focus on child need, informed by an accurate understanding of issues of attachment, trauma and loss. It requires a system unafraid of allowing workers to take risks in order to return children to good-enough families.

Because, as Carmody states, '. . . sooner is generally better and cheaper in the long run. Childhood is short and every moment counts' (QCPCI, 2013, p. xv).

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