

The Centre for Excellence in Child and Family Welfare

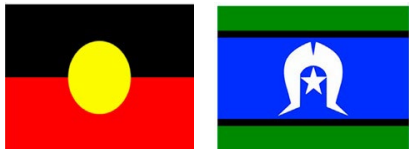
**Submission: Joint Sessional Committee's
Inquiry into the Implementation of the
Commission of Inquiry Recommendations**

The Centre for Excellence in Child and Family Welfare

The Centre for Excellence in Child and Family Welfare (the Centre) is the peak body for child and family services in Tasmania and Victoria representing more than 180 community service organisations, students, and individuals. The Centre advocates for the rights of children and young people to be heard, to be safe, to access education, and to remain connected to family, community, and culture. Our vision is to see a community that is fair and equitable and creates opportunities for children and their families to live happy and healthy lives. We thank our members for their insights and suggestions which have helped inform the content of this submission.

Acknowledgement of Country

The Centre would like to acknowledge and pay respect to the past and present traditional custodians and Elders across Lutruwita. The Centre also acknowledges the injustices and trauma suffered as a result of European settlement, the Stolen Generations, and other policies such as the forced removal of children from their families, communities, culture, and land. We respect the resilience of the Tasmanian Aboriginal and Torres Strait Islander community in the face of this trauma and respect their right to, and aspiration for, self-determination and empowerment.



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Introduction

The Centre for Excellence in Child and Family Welfare (the Centre) is pleased to provide this submission to the Joint Sessional Committee on the Tasmanian Government's implementation of the Commission of Inquiry's recommendations.

The Tasmanian Government's commitment to addressing the findings of the Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings (Commission of Inquiry) presents a significant opportunity to create meaningful change for Tasmania's children and families.

This submission reflects our experience working with the Department of Education, Children and Young People (DECYP), our member organisations, and insights from participating in Royal Commissions and Inquiries both federally and in other jurisdictions.

We commend the Tasmanian Government's commitment to implementing all 191 recommendations from the Commission of Inquiry and recognise that significant progress has been made in several key areas, including the provision of one-off funding to implement the Commission of Inquiry's recommended out-of-home care reforms and increased funding for out-of-home care (recommendation 9.1); the development of a whole-of-government child sexual abuse reform strategy (recommendation 19.1); the development of advisory groups (recommendation 15.7) and the implementation of a number of legislative changes that will benefit children and families in Tasmania (recommendation 16.9, 16.11, 16.13, 16.18, 20.3).

We applaud the appointment of the Hon. Robert Benjamin AM SC as Tasmania's inaugural Child Safety Reform Implementation Monitor, in alignment with recommendation 22.11, as well as the release of the *30 Lessons and Counting*¹ resource developed by the Lived Experience Advisory Panel (LEAP). This resource shares lessons learned by policymakers about the experience and impact of working directly with adult victim-survivors of child sexual abuse and encourages engagement with children and young people to inform changes to the child and family system. The voices of victim-survivors and service users are important in shaping the implementation of the Commission of Inquiry's recommendations, and we look forward to seeing how children, young people, and families inform Tasmania's future child and family system.

The Government has made a concerted effort to respond to many of the recommendations with many initiatives underway and some already completed. There are, however, still a number of recommendations that require our continued focus and action to meet the long-term objectives of the Commission of Inquiry's work. As the peak body for children and families in Tasmania, the Centre is pleased to walk alongside both the Government and the sector in the implementation of these important reforms.

¹ Government of Tasmania, 2024. *30 Lessons and Counting*. <https://www.justice.tas.gov.au/about-us/news/articles/30-lessons-and-counting>

This submission refers to a number of recommendations made by the Commission of Inquiry, many of which have been paraphrased for brevity, but all of which can be identified by their recommendation number.

Strengthening Prevention

In line with our peak colleagues, we stress the importance of a renewed focus on prevention and early intervention to achieve the Commission of Inquiry's objectives. The Commission of Inquiry already has a strong focus on prevention, and we believe that prioritising these recommendations – particularly those related to preventing harms to children beyond institutions – will be especially impactful for children and communities, as we know that many harms to children occur outside of institutional settings².

Prioritising prevention strategies will likely be more impactful and cost-effective in the long-term^{3,4} and will communicate to Tasmanian communities that the Government is seriously committed to reducing the harm that led to the Commission of Inquiry in the first instance. We commend the Government on having made significant progress on recommendation 6.2, which involves DECYP focusing on safeguarding children in the education context, with a particular focus on prevention, risk identification, policy development, and related workforce development. We suggest that the Government prioritise other key recommendations focused on prevention outlined below, with their completion status detailed in the footnotes.

- Recommendation 6.1: Development and implementation of a mandatory child sexual abuse prevention curriculum⁵
- Recommendation 16.17: Preventative programs for adults who have abused, or are at risk of abusing, children⁶
- Recommendation 18.1: Ensuring the availability of Australian Government prevention strategies, including under the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021-23*⁷
- Recommendation 12.11: Raising the minimum age of criminal responsibility⁸

² Haslam D, Mathews B, Pacella R, Scott JG, Finkelhor D, Higgins DJ, Meinck F, Erskine HE, Thomas HJ, Lawrence D, Malacova E. (2023). The prevalence and impact of child maltreatment in Australia: Findings from the Australian Child Maltreatment Study: Brief Report. Australian Child Maltreatment Study, Queensland University of Technology. P. 14

³ Valentine, K 2015, How Early is Early Intervention and Who Should Get It? Contested Meanings in Determining Thresholds for Intervention, Children and Youth Services Review, <https://doi.org/10.1016/j.chidyouth.2015.05.014>

⁴ Teager, W, Fox, S and Stafford, N 2019, How Australia can invest early and return more: A new look at the \$15b cost and opportunity. Early Intervention Foundation, The Front Project and CoLab at the Telethon Kids Institute, Australia

⁵ Completion status: In-progress, phase 2 - 2026

⁶ Completion status: Progress undetermined

⁷ Completion status: In-progress, phase 3 - 2029

⁸ Completion status: In-progress, phase 3 - 2029

- Recommendation 9.15: Implementing the Aboriginal and Torres Strait Islander Child Placement Principle through increased investment in Aboriginal-led targeted early intervention and prevention services⁹
- Recommendation 12.27: Developing an Aboriginal youth justice strategy that is underpinned by self-determination and that focuses on prevention, early intervention, and diversion strategies for Aboriginal children and young people¹⁰

Prevention of child sexual abuse

Although all prevention initiatives are crucial, in alignment with the Commission of Inquiry, we consider “child sexual abuse prevention initiatives to be of particular benefit to the broader Tasmanian community” in the post-Commission of Inquiry environment¹¹. Developing and implementing age-appropriate child sexual abuse education; creating child-centred policies and practices; providing professional development opportunities and organisational culture change initiatives; funding prevention programs for adults who are at risk of abusing, or have abused, children; and aligning with national prevention strategies will all help to create the cultural shift we desperately need.

The 2023 Australian Child Maltreatment Study (ACMS) reminds us of the need for change, highlighting that many Australians experience multiple forms of abuse, and those who do are more likely to have mental health issues and engage in harmful behaviours as adults, increasing the risk of self-harm and suicide¹².

We acknowledge that family support services play a key role in the successful implementation of the Commission of Inquiry's reform agenda. We are also calling on the Tasmanian Government to invest in early intervention and family support services across the state, ranging from universal services to intensive support for families already involved in statutory systems. These services not only ease pressure on the child safety system and help prevent children and young people from being exposed to harm in institutional settings but also provide critical early support to families to prevent harm to children at home.

Prevention of involvement in the youth justice system

The Centre welcomed the opportunity to contribute to the Youth Justice Reform Community Engagement Group, established by the Keeping Children Safe Reform Unit last year, and submitted a response to the draft Youth Justice Model of Care. We were heartened to see that

⁹ Completion status: Progress undetermined

¹⁰ Completion status: Progress undetermined

¹¹ Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse (Report, August 2023), Volume 1: Executive Summary, p. 11

¹² Lawrence, D, Hunt, A, Mathews, B, Haslam, D, Malacova, E, Dunne, M, Erskine, H, Higgins, D, Finkelhor, D, Pacella, R, Meinck, F, Thomas, H & Scott, J. 2023, The Association Between Child Maltreatment and Health Risk Behaviours and Conditions Throughout Life in the Australian Maltreatment Study, The Medical Journal of Australia, <https://doi.org/10.5694/mja2.51877>

both the draft Youth Justice Model of Care and the version published in December 2024 included an approach that was child rights-based, therapeutic rather than punitive, and oriented towards restorative justice. We were also pleased to see the whole-of-government approach proposed that prioritises the need for cultural safety and care for First Nations children and young people.

Overall, the Centre endorses the direction, principles, and evidence-informed approach in the Youth Justice Model of Care, especially around highlighting the importance of addressing criminogenic behaviours and preventing harms.

In line with the prevention-focus of the Commission of Inquiry, and as the Youth Justice Model of Care Plan recognises, we ask the Government to provide earlier access to diversionary services which will help prevent or reduce interaction with the justice system – something that is currently only offered once a child has been charged with an offence¹³. These diversionary programs, in conjunction with evidence-based models that have proven to work such as MST and FFT, are lifechanging for children in contact with the justice system.

Tasmania has a relatively low number of children and young people in youth detention. With the right investment in family services, particularly in proven diversionary programs, Tasmania has the opportunity to lead the nation in keeping children out of the justice system and connected with their families and carers.

Uplifting Care Reforms

In developing this submission, we are proud to highlight the steps taken to implement the recommendations from the Commission of Inquiry related to out-of-home care and the ways in which we have contributed to this important work. The Centre has a long history of supporting governments in child and family reform processes and values the opportunity to contribute its expertise and support in meaningful ways as the Government transitions out-of-home care to the non-government sector.

In monitoring the effective implementation of the Commission of Inquiry recommendations, the out-of-home care reforms have been a key focus area for the Centre as they have the potential for significant impact on the lives of children and young people in care, and the carers that open their hearts and their homes to them in Tasmania.

Two key recommendations that the Centre would like to see progress are:

- Recommendation 9.2: The full transition of out-of-home care services to the child and family services sector¹⁴

¹³ Save the Children & 54 Reasons (2023). Putting children first: A rights respecting approach to youth justice in Australia. https://www.savethechildren.org.au/getmedia/4befc9d7-c9de-4088-b591-547714fc8673/Putting-children-first-A-rights-respecting-approach-to-youth-justice-in-Australia_April-23.pdf.aspx, p.36

¹⁴ Completion status: In-progress - phase 2, 2026

- Recommendation 9.8: The creation of a strategic plan for the out-of-home care system¹⁵

The Centre fully supports the transition of out-of-home care to the non-government sector (recommendation 9.2) and asks the Government to allocate the necessary resources for its successful implementation. We have welcomed the opportunity to work closely with DECYP and the out-of-home care service providers as the conveners of the Uplifting Care Statewide Service Providers Reference Group, as well as holding roles on other governance groups.

We are heartened to see this forum for non-government family-based care and salaried care service providers in Tasmania to provide inputs and advice on focus areas and projects related to the commissioning process, quality assurance, and planning of the proposed transition of out-of-home care. We commend the Government's efforts to drive the implementation of the out-of-home care recommendations and look forward to supporting organisations involved in delivering out-of-home care to play a more active role in shaping the direction of the outsourcing process moving forward.

As previous efforts to reform Tasmania's out-of-home care system have not been fully realised, we believe that strong partnerships and the active involvement of organisations delivering out-of-home care in direction-setting will be essential for the success of these reforms. The Centre looks forward to continuing to work alongside the Government to ensure the successful outsourcing of out-of-home care to community organisations working with children, young people, families, and carers.

Partnership with Tasmanian Aboriginal Communities Working with Children and Families

The Commission of Inquiry outlines a range of recommendations which relate to partnering with Aboriginal community-controlled organisations (ACCOs) to improve outcomes for Aboriginal children and young people and prevent harms caused by child sexual abuse. These include:

- Recommendation 9.15¹⁶: Full implementation of all elements of the Aboriginal and Torres Strait Islander Child Placement Principle
- Recommendation 9.7¹⁷: Appointment of an Executive Director for Aboriginal Children and Young People for the whole of the Department of Education, Children and Young People
- Recommendation 9.14¹⁸: Appointment of a Commissioner for Aboriginal Children and Young People to monitor the experiences of Aboriginal children in out-of-home care and youth detention

¹⁵ Completion status: In-progress, phase 3 - 2029

¹⁶ Completion status: In-progress, phase 3 - 2029

¹⁷ Completion status: In-progress, phase 2 - 2026

¹⁸ Completion status: In-progress, phase 2 - 2026

- Recommendation 12.27¹⁹: Development of an Aboriginal Youth Justice Strategy, created in partnership with Aboriginal communities, that is underpinned by self-determination and focuses on prevention, early intervention, and diversion strategies
- Recommendation 16.2²⁰: Tasmania Police developing a strategy to build trust with Aboriginal communities to encourage reporting of child sexual abuse
- Recommendation 21.7²¹: Improving healing services for Aboriginal victim-survivors and their families by resourcing and supporting Aboriginal organisations to design, develop, and deliver Aboriginal-led healing approaches

The Centre supports the full implementation of the Aboriginal and Torres Strait Islander Child Placement Principle. This includes partnerships with Aboriginal communities in decision-making processes related to out-of-home care and child safety, as well as transferring child safety decision-making authority to recognised ACCOs. We urge the Tasmanian Government to implement these recommendations fully so that Tasmania's Aboriginal communities have the resources and autonomy to provide culturally safe, community-led services for Aboriginal children and families.

Learning and Development Strategy

The Centre advocates for the development of a Learning and Development Strategy for the Tasmanian child and family services workforce, as the needs of children and families in Tasmania become increasingly complex and as there is greater reliance on community organisations working with them. A skilled workforce is essential to meet these needs. A recent survey of 15 Tasmanian community service organisations highlighted a need for training in areas such as:

Adolescent/young person violence in the home (AVITH): 95.8% of respondents reported needing training

Analysis and planning/risk assessment: 91.7% of respondents reported needing training

Reflective practice and collective wellbeing: 91.6% of respondents reported needing training

Effective supervision: 91.3% of respondents reported needing training

Trauma-informed practice: 91% of respondents reported needing training

Managing and maintaining personal boundaries: 87.6% of respondents reported needing training

Effective leadership: 87.5% of respondents reported needing training

Client voice in practice: 83.4% of respondents reported needing training

¹⁹ Completion status: In-progress, phase 2 - 2026

²⁰ Completion status: In-progress, phase 2 - 2026

²¹ Completion status: In-progress, phase 3 - 2029

Like many jurisdictions in Australia, Tasmania is experiencing challenges with attracting and retaining staff in the child and family workforce. This issue is further compounded by the state's rural and remote geography, the absence of competitive workplace conditions, and a shortage of the skills and resources needed to manage the complexity of trauma—and vicarious trauma—that the workforce faces.

Consultations with our membership has highlighted a need for funded learning and development, and it has been encouraging to have some conversations with DECYP about how we can work together to meet the learning and development needs of organisations working with children and families as we implement the Commission of Inquiry recommendations.

Aligning with Recommendation 9.10²², we urge the Tasmanian Government to invest in a workforce strategy to improve staff numbers, retention, workplace conditions, and staff wellbeing. This strategy should ensure that staff have the skills and knowledge required to effectively support the children and families in their care.

As the peak body for children and families in Tasmania and a registered training organisation, the Centre is ready to partner with government and sector leaders to develop a workforce learning and development strategy and training program so the workforce can deliver the highest quality services to children, young people, and families in Tasmania.

Trust and Transparency Between Government and Organisations Working with Children and Families

The Tasmanian Government's commitment to strengthening its partnership with the community services sector is welcome and demonstrates a genuine recognition of the important role Tasmanian organisations working with children and families play in their communities. This commitment is clear in the Centre's engagement with DECYP and the Government's ongoing efforts to work more closely with organisations working with children and families.

However, community organisations across Tasmania are under increasing pressure—facing rising demand and complexity, growing compliance and monitoring obligations, and ongoing workforce shortages. Addressing these challenges requires consistent and regular engagement across the sector.

To support the successful implementation of the Commission of Inquiry recommendations, we ask the Government to provide regular updates on progress and establish more opportunities for meaningful engagement with the Centre, as the sector's peak body, as well as with our member organisations working with children and families.

²² Completion status: In-progress, phase 3, 2029

Given the scale of change across the child and family system, it is crucial that organisations working with children and families receive timely information about contracts and commissioning. This will help them prepare for changes in service provision and retain the skilled workforce needed to implement reforms. Transparent and trusted relationships will allow organisations to plan for the long term, strengthen workforce stability, and enable services to focus on what they do best—delivering life-changing services to Tasmania’s children and families.

Collaboration Between State and Federal Governments

Aligning Tasmanian reforms with national efforts like the *National Framework for Protecting Australia’s Children 2021-2031 (Safe and Supported)*, the *National Plan to End Violence Against Women and Children 2022-2032*, the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030*, and a response to findings of the ACMS provides opportunities to leverage lessons learned from other states and avoid duplicating efforts.

Tasmania has the potential to become a nation-leader in work with children and families through these reforms. However, to achieve this, more coordination between Tasmania and other state, territory, and the federal governments is essential. As the peak body for Tasmania and Victoria, the Centre asks for more opportunities to align work on Commission of Inquiry implementation with national frameworks, research, and best practices.

One example of the way in which the Centre calls upon the Tasmanian Government to work with the Commonwealth Government is in the provision of financial incentives that would help carers manage cost-of-living pressures and better support the children in their care. Along with National Foster Care Sustainability Group, and the national peak body for children and families, Families Australia, the Centre is advocating at the federal level for financial supports such as access to medical and therapeutic supports through a card system (similar to the Veteran’s Health Card), reducing financial burdens through tax offsets, and providing equitable leave entitlements.

Technology, Artificial Intelligence, and Child Sexual Abuse

The Centre believes that if the implementation of the Commission of Inquiry recommendations is to be future-focused and relevant in coming years, the Government must consider the risks – as well as potential opportunities – of new technologies and the development of artificial intelligence (AI).

As technology continues to evolve at an unprecedented pace, the landscape of child sexual abuse will also change, with new threats emerging. A recent report by the e-Safety Commission²³ highlights the risks that AI poses to children, including the potential for adults to exploit children

²³ E-Safety Commissioner (2023). Tech Trends Position Statement – Generative AI. <https://www.esafety.gov.au/sites/default/files/2023-08/Generative%20AI%20-%20Position%20Statement%20-%20August%202023%20.pdf?v=1739412422440>

with harmful images and grooming techniques, as well as gain access to children's data and harmful information.

To safeguard children and young people from harm, the Government is not only responsible for addressing current forms of abuse but also for proactively preparing for new challenges that technology may introduce. The Government will need to embed flexibility and foresight into its strategies, collaborating with the Commonwealth to adopt forward-thinking approaches that respond to technology-facilitated sexual abuse. This will help ensure that the Commission of Inquiry's recommendations remain relevant and effective in preventing and responding to child sexual abuse, now and in the future.

The Centre is committed to partnering with the Government and organisations working with children and families to navigate these emerging concerns.

Closing

The Centre recognises the challenges that come with implementing the Commission of Inquiry's 191 recommendations, from complexity to resource demands, and commends the Rockliff Government on its progress of implementation. As Tasmania's peak body for children and families, we're committed to walking alongside the Tasmanian Government to help drive these reforms forward. We're ready to continue playing an active role in making sure change happens in a timely way, and that the reforms are lasting and transformative for children, young people, and families across the state.

