



# Listening, Learning and Collaborating Through an Inclusive National Framework for Protecting Australia's Children

Valerie Braithwaite<sup>1</sup> · Mary Ivec<sup>1</sup>

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## Abstract

The National Framework for Protecting Australia's Children provides unifying policy and priorities for the 6 states and 2 territories with jurisdiction over child protection. The 2021–2030 Framework will address specific and important problems in order to achieve tangible improvements on key performance indicators. An argument is presented for adding to the Framework both principles and theoretical models to safeguard integrity in the myriad programs trialled under a public health umbrella. A public health approach will not necessarily avoid institutional pathways of oppression in child protection. Such pathways silence the voices of children, families and carers. Explicit reference is required in the Framework to principles for community engagement and to theoretical models that provide normative guidance for managing diverse harmful circumstances. Collective hope, restorative justice and responsive regulation are useful for reining in oppression, while accepting that some circumstances require the judicious use of state control.

**Keywords** National framework · Social inclusion · Child protection reform · Collective hope · Responsive regulation · Restorative justice

## Introduction

Child protection is the responsibility of 6 states and 2 territories that make up the federation of Australia. Historically, these 8 jurisdictions have been guided by different legislation and administrative procedures. Despite differences, they operate within a similar cultural milieu. Over decades, they have faced similar problems. Senior managers and child protection officials are punished politically and publicly when child deaths occur on their watch (Braithwaite, 2021). Front-line staff have high caseloads and high turn-over as they struggle to match the

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✉ Valerie Braithwaite  
Valerie.Braithwaite@anu.edu.au

<sup>1</sup> School of Regulation and Global Governance, The Australian National University, Canberra, ACT 2601, Australia

competence required to perform their roles (Lonne et al., 2013). Professionals and workers closest to families and children feel silenced by authorities who discount their contribution and knowledge (Braithwaite, 2021; Hamilton et al., 2020). Families and carers too often feel stigmatized and unfairly judged (Harris, 2012; Ivec et al., 2012), and children are not given opportunity to shape their futures in any meaningful way (Families Australia, 2020; Taylor & Ashford, 2011). This is not a peculiarly Australian story: It is the story of many western child protection systems (Beniwal, 2017; Broadhurst and Mason 2013; Burford et al., 2019; Featherstone et al., 2014; Munro, 2005; Parton, 2014; Warner, 2015).

Australia currently is preparing its second National Framework for Protecting Australia's Children, a 10-year plan developed under the auspices of the federal government and in collaboration with state and territory government and non-government stakeholders (Council of Australian Governments, 2009; Ministers for the Department of Social Services, 2020). The purpose of the Framework is to coordinate activities around priority issues and build collaboration across jurisdictions, government departments and sectors (voluntary, not-for-profits, for-profits and public). Within this context, it is timely to reflect on what we have learnt from mistakes of the past. The central argument of this article is that institutional oppression has historically limited efforts at reform and undermined the effectiveness of the 2009–2020 Framework. The new Framework must recognize sources of institutional oppression and engage with theory and practice to build collective hope and success in the coming decade.

## How Does Child Protection Work in Australia

### Standards for Intervention

Child protection services are directed to children who are judged to be at risk of physical, sexual or emotional abuse or neglect (Australian Institute of Health & Welfare, 2019). Physical abuse is defined as non-accidental harm inflicted on a child, sexual abuse refers to exposure to or involvement in sexual processes beyond the child's understanding, and emotional abuse covers both deprivation and trauma. Cultural appropriateness is inherent in interpreting these proscriptive standards of abuse, but the latitude for subjectivity of judgement increases notably with the fourth standard of neglect. Neglect refers to failures to provide children with culturally appropriate conditions for healthy physical and emotional development. As such, it is open to intervention creep when parents are not directly causing harm, but are breaking social norms for giving the child opportunity to thrive (Lonne et al., 2016; see examples in Ivec et al., 2012; Losoncz, 2013). For instance, neglect is the standard over which child protection authorities are most likely to agonise when they encounter loving families in which parents are struggling to provide food, housing and supervision, and ensure school attendance.

## Method for Notifications

Anyone concerned about a child being abused or neglected is encouraged to notify child protection authorities. It is publicised as a community responsibility.<sup>1</sup> Mandatory reporting laws apply in all jurisdictions, although who must report and the reasons and basis for such notification vary across jurisdictions. Generally, the mandatory reporting laws apply to those who have most contact with children, for example, teachers, child care workers and carers, doctors, nurses and police. Most notifications come from police, and most involve family violence (Australian Institute of Health and Welfare 2020).<sup>2</sup>

## What Happens After Notification

Notifications of child abuse or neglect can be one pathway for putting families in contact with support services if they are needed. In almost 40% of cases, more action is taken. The notification triggers an investigation (Australian Institute of Health & Welfare, 2021). Investigations look more closely at how the child is being cared for. If substantiation occurs, that is, if investigators decide there is likelihood that the child is being abused or neglected or has no suitable carer, intervention follows.

Interventions are tailored to the nature of the harm and the likelihood of further harm. Families and children may be directed to support services. A more intrusive level of intervention occurs when children are placed on care and protection orders so that authorities have greater control and will more closely monitor the child's care. If the risk is too high, authorities intervene through assumption of care orders: Children are placed in out-of-home care, often after being forcibly removed from a family. Debate continues over whether coercive control by government to ensure child safety crowds out education and support for good enough parenting within families (Lonne et al., 2016; Parton, 2014). The National Child Protection Framework and its supporting research (ARACY, 2008) encouraged greater education and support as part of a public health approach to child protection.

## Risk Management

Assessing risks in order to make a decision about whether or how to intervene has become popular across all areas of regulation. The main rationale is to concentrate resources where they are most needed to address harm and prevent further harm. Decision-making risk models such as those used by child protection authorities at face value offer the advantage of minimizing unnecessary intrusiveness into family life, but such models generate perverse outcomes. A child judged to be in a very unsafe environment may be subjected to top-of-the-line intervention, even though

<sup>1</sup> <https://aifs.gov.au/cfca/publications/cfca-resource-sheet/reporting-child-abuse-and-neglect>. Viewed 28 July 2021.

<sup>2</sup> <https://www.aihw.gov.au/reports/children-youth/australias-children/contents/justice-and-safety/child-abuse-and-neglect>. Viewed 21 June 2021.

there is a simple solution that the family agrees to implement to keep the child safe. The threat of child removal from a mother also can trigger family gameplaying and legal wrangling over who should “have the child”, with magistrates having little hope of seeing through the multiple stories and complex relationships of families who are intent on keeping the child protection statutory authority at bay. In the meantime, offering the best care possible to the child takes a back seat. At the other end of the risk scale, desperate and frustrated parents, or even community members with troublesome children as neighbours, learn quickly that exaggerating the child’s problems elicits more resources from government for addressing a problem.

Risk assessments are not without their uses, but reliance on them as a technological tool without a complete understanding of a child’s relationships, informal and family supports and living environment hampers progress in providing better outcomes for children (Munro, 2005). Jenkins et al. (2019) have begun the process in Australia of demanding more nuanced risk management models through demonstrating empirically that recurrence of child protection involvement, one commonly used risk indicator of continuing maltreatment, needs to be further refined. Their data show that repeated notifications and repeated substantiations should not be merged together because they involve different children who become involved in the system through different circumstances.

### **Most Common Substantiations**

In the Australian system,<sup>3</sup> the type of abuse or neglect most likely to be substantiated upon investigation is emotional abuse (54%), followed by neglect (22%), physical abuse (14%) and sexual abuse (9%) (Australian Institute of Health & Welfare, 2021). Sixty-seven percent of children are previous recipients of child protection services (Australian Institute of Health & Welfare, 2021). From a public health perspective, one would conclude that a 67% likelihood of recurrence of a “health problem” is disturbingly high. The argument for introducing a second National Framework rests in no small part on reducing the numbers coming into the child protection system on multiple occasions. At this stage, it is unclear whether risk models need re-calibrating, or more help needs to be provided to families, or more options are needed for care of children.

### **The Coordination and Collaboration Challenge**

Child protection has grown quickly as an industry in Australia in response to government adopting a New Public Management agenda and outsourcing not only the provision of services, but also to a considerable extent the formation of policy. As elsewhere, the mantra has been policy and practice in “the best interests of the child”. Non-government organizations and entities have been given the job of “rowing”,

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<sup>3</sup> These figures are taken from: <https://www.aihw.gov.au/reports/child-protection/child-protection-australia-2019-20/summary>, Viewed 21 June 2021.

that is, of providing services for children and families identified by child protection authorities as at-risk. Governments, presumed to be “steering”, have increasingly relied on major stakeholders and consultants in policy design and implementation (for example, ARACY, 2008; Department of Social Services, 2020; Families Australia, 2020). In practice, governance of the child protection system is dispersed across government and non-government entities, some national, some regional, others international, as well as across states and territories. The disadvantage of such a system is incoherence and confusion in response to the accountability question — who is responsible for the outcomes? The advantage is that with so many entities involved in policy design and implementation, we benefit from forced transparency on the problems we are confronting, albeit until recently without clarity on a plan for fixing them.

The National Framework for Protecting Australia’s Children aims to provide coordination around a plan shared by all stakeholders (Council of Australian Governments, 2009). The first Framework operated from 2009 to 2020. This paper addresses the necessary elements for the second National Framework, based on the successes and failures of the past decade and Australia’s institutional architecture.

## National Framework for Protecting Australia’s Children 2009–2020

“The National Framework represents an unprecedented level of collaboration between Australian, State and Territory governments and non-government organizations to protect children. Placing children’s interests firmly at the centre of everything we do.”

These were the words used in the Foreword by the Council of Australian Governments when they endorsed the National Framework on April 30, 2009.

Better coordination and collaboration were frequent recommendations in some 50 government-initiated inquiries into child protection issues over a 20-year period, inquiries that were often triggered by public outcry over the death of a child or maladministration or malpractice (see Appendix E, Australian Institute of Health & Welfare, 2018 and Lonne et al., 2013). During this century, numbers of children in care have been on an upward trajectory as have child protection budgets. Criticism continues to be levelled at child protection authorities’ competence and efficiency, along with disapproval over poor outcomes for children — too many placements and too little stability for those taken into care, poorly timed interventions to keep children safe, and too many children destined to travel the path from child protection to juvenile detention to prison. Australian inquiries routinely acknowledge resource limitations, as well as human capital challenges of high caseloads, high staff attrition, poor success in staff recruitment, lack of staff supervision and poor training (Lonne et al., 2013).

Against this background, the 2009–2020 Framework was aspirational and ambitious in three respects. First, the coordination of governments and private and public agencies involved systematic data collection and analysis, developing shared strategies for improved outcomes, and evidence collection to guide future policy. Framing these

actions were seven principles that were derived from the United Nations Convention on the Rights of the Child (Council of Australian Governments, 2009, p. 12): (1) Children have a right to grow up in an environment free of neglect and abuse; (2) Children and their families have a right to participate in decisions affecting them; (3) The safety and wellbeing of children is primarily the responsibility of their families who should be supported by their communities and governments; (4) Australian society values and works in partnership with parents, families and others with responsibility for the care of children; (5) Children's rights are upheld by systems and institutions; (6) Policies and interventions are evidence based; and (7) Improving the safety and well-being of children is a national priority. Because of disproportionate numbers of Aboriginal and Torres Strait Islander children, youth and families in the child protection and justice systems, the first National Framework underlined the importance of improving the well-being of these children.

The second way in which the National Framework represented a reset in child protection policy and practice was the adoption of a public health approach which could readily encompass children's rights, and human rights more generally. Among the strongest advocates for a public health approach has been Dorothy Scott (2015), who gave four reasons to justify a policy change: (1) Increased recognition of child maltreatment as a social problem; (2) Evidence that child maltreatment causes suffering in children and long-term harm; (3) Evidence of child protection systems being overwhelmed by too many cases, particularly complex cases; and (4) Realization that the system, as it operates, has potential to harm vulnerable children.

The public health focus was on harm prevention, shifting the balance away from punishment for parents' failings and toward early intervention and support. At a universal level, accessibility to education and health services was intended to strengthen families and improve child well-being. Targeted services were reserved for vulnerable families or for families experiencing difficulties in providing care for their children. The public health approach aspired to improve the lives of children across the community as well as provide a safety net in times of trouble. A public health approach reset the dial, with a blitz on primary prevention, with targeting of extra resources for secondary intervention, and then more intensive targeting for tertiary intervention, if the first two levels of intervention failed.

The third and most ambitious objective of the National Framework gave non-government agencies a seat at the table for developing child protection policy and a voice that previously had been lacking. An NGO Coalition led by Families Australia (Babington, 2011) fought hard for a role as equal partners with governments in designing and implementing child protection policies. The introduction of the National Framework was a triumph for those who were working alongside child protection authorities, particularly the welfare and community sectors, whose knowledge and expertise was being underutilized and undervalued (Braithwaite & Ivec, 2021; ARACY, 2008).

### **Successes and Failures of the National Framework 2009–2020**

The task of evaluating the success of the first National Framework fell to Families Australia (2020) and consultants, PwC, on behalf of the federal government's Department of Social Services (Department of Social Services, 2020).

The 2009–2020 National Framework was largely a vehicle for discovery than of achievement in improving children’s well-being. Among the successes were increased awareness of the need for reform in child protection, progress in coordinating data collection, conducting research across state/territory jurisdictions and building effective models of collaborative practice (Department of Social Services, 2020). Programs to break down silos of practice among professional groups and between government and non-government bodies have become popular in recent years (for example, see Coates, 2017; Humphreys et al., 2018; Price-Robertson et al., 2020; Venables et al., 2015). Their adoption in Australia is as likely to be the result of policy transfer from overseas (see Hood et al., 2016 and Horwath & Morrison, 2011, for example), as directly attributable to the National Framework. Even so, programs promoting collaborative competence have contributed to broader social and professional networking within the child protection community. This is likely part of the richer conversations among stakeholders that accompanied the first National Child Protection Framework, paving the way for system reform (Families Australia, 2020).

The failures of the Framework are most strikingly illustrated at the coalface of child protection practice. As documented in the Australian Institute of Health and Welfare Report (2020), there has been no improvement in the proportion of children who are safe in the care of their families. From 2015, the number and rates of children not living with parents for child protection reasons have risen.<sup>4</sup> For the 2019–2020 reporting period,<sup>5</sup> child protection services (investigation, care and protection orders or out-of-home care placements) were received by 1 in 32 Australian children who are aged between 0 and 17 years. Certain demographic groups continued to be disproportionately represented in the national statistics. For Indigenous children, 1 in approximately 6 were involved in child protection services. For non-Indigenous children, the rate approximated 1 in 48. Children from geographically remote areas and from low socio-economic areas were more likely to be substantiated child protection cases (Australian Institute of Health & Welfare, 2021).

Other failures of the first Framework noted in the evaluation studies are associated with governance (Department of Social Services, 2020). The scope of activity of the National Framework was narrowed to the state and territory child protection authorities. Child protection authorities, that is, state and territory governments, dominated in the National Forum and Working Groups as well. Political wrangling may explain why the evaluation studies noted a lack of consensus on priorities for funding and how initiatives might be better coordinated.

Political domination in the governing and decision-making bodies may also explain another shortcoming in the implementation of the first Framework. In the course of Family Australia’s (2020) consultations on the effectiveness of the first

<sup>4</sup> <https://www.aihw.gov.au/reports/child-protection/child-protection-australia-2018-19/summary>. Viewed 28 July 2021.

<sup>5</sup> <https://www.aihw.gov.au/reports/child-protection/child-protection-australia-2019-20/summary>. Viewed 28 July 2021.

Framework,<sup>6</sup> concerns were raised that the voices of children, families, carers and community support workers were still not being heard. In particular, the voices of Indigenous Australians and people from culturally and linguistically diverse backgrounds continued to be overlooked.

### **Failure to Engage at the Coal Face in the 2009–2020 National Framework**

The 2009–2020 National Framework was expected to engage children, families and communities in the prevention of child abuse and neglect, as outlined in its principles. In practice, this meant that child protection authorities would broaden their circles of consultation and decision-making for purposes of identifying problems, organizing help and achieving positive outcomes.

As the first National Framework was being implemented, a nation-wide survey was conducted of those working as intermediaries or third parties in the child protection system (Ivec et al., 2011). This study gave insight into what is interpreted as resistance on the part of authorities to reaching out to include communities, families and children in reform (see Braithwaite & Ivec, 2021 for full results).

“Third parties” was the term used for people working alongside child protection staff. They could be involved in justice (e.g. police, lawyers), health (e.g. paediatricians, nurses) or welfare delivery (e.g. service providers dealing with fostering, homelessness, domestic violence or substance misuse). Among the questions put to third parties were their views on the degree to which child protection authorities were embracing the principles of the Framework (as described earlier).

Less than a third of survey respondents saw any of the principles of the National Framework being practiced by statutory authorities (Braithwaite & Ivec, 2021). It made little difference whether the principle was child focused, emanating from a legal, human rights perspective, or relational with an emphasis on family inclusion, or promoting evidence-based practice. The third-party community was generally critical of the ways in which all these principles of the National Framework were being actioned by government authorities. These findings foreshadowed what was to become apparent later in the evaluations of the Framework: Child protection authorities were unable or unwilling to implement the Framework in a way that was consistent with the principles that underpinned it.

Third parties underlined their concerns through their accounts of how their deeper knowledge and understanding of families and children was systematically disregarded by child protection officials. They reported that child protection authorities closed rather than opened pathways for communicating with support services, carers, families or children.

Other Australian studies that have tracked efforts to break through the siloed, fortress-like culture of child protection authorities also report difficulties in collaboration. This has been documented in specific contexts, for example, with domestic violence services (Humphreys et al., 2018; Potito et al., 2009; Stewart, 2020) and mental health services (Coates, 2017).

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<sup>6</sup> <https://familiaustralia.org.au/about/beyond-2020/> Viewed 28 July 2021.



Other warning signals for Framework implementation that emerged from the third party survey were found in different views on regulatory philosophy (Braithwaite & Ivec, 2021). Regulatory philosophy refers to how authorities should go about changing behaviour that is non-compliant with society's rules or behaviour that is deemed harmful to others. Four measures of regulatory philosophy were taken in the third party survey: (1) rigid adherence to rules, which means authorities should go by the rule book when rules are broken; (2) responsive engagement with parents, which means understanding a family's situation and acting in ways that will produce better outcomes; (3) enforcement and punishment, which means favouring coercive measures for effective control; and (4) education and persuasion, which means convincing families and showing them that there are better ways of caring for their children. Most support was found for responsive engagement of parents. In this respect, third parties were well aligned with the Framework principles. But some differences in other aspects of regulatory philosophy foreshadowed tensions between important professional groups, specifically police and family support workers.

Police are important actors in the child protection system. They accompany child protection workers to ensure their safety. They work closely with child protection officers when children are involved in domestic violence incidents or criminal assaults or child slavery or child pornography. Equally important in the child protection system are family support workers. They do the heavy lifting for prevention of family breakdown. Often parenting difficulties can be overcome through networking, knowledge and support, all of which can be arranged by family support workers. In domestic violence or abuse situations, families often need legal advice and guidance as to their rights, and more basic assistance at the time such as emergency housing. Family support workers access such supports.

Given their roles, it is probably not surprising that these two vital groups — police and family support workers — experience their contributions to child protection through different regulatory lenses. Police were more inclined to endorse an enforce and punish regulatory style and rigid adherence to rules than were family support workers. Their bias was toward a law and order response. Family support workers were more inclined to favour an educate and persuade style and to engage with families responsively than were police. Their bias was toward a social welfare response. In short, these professions carried with them different allegiances to Australian child protection institutions. Police were aligned with old-style child protection involving control and coercion. Family support workers were aligned with reform that would embrace a newer and kinder style. They were attuned to social disadvantage, but they were also willing to intervene through a preventive public health approach that favoured working with families to keep children safe and well.

These differences are important sources of tension, which may explain why there were difficulties at the most senior levels of government in getting agreement on priorities for reform. The politics of law and order versus social welfare may have surfaced when decisions had to be made about resourcing prevention programs rather than traditional child protection programs. The public health approach theoretically provided space for family support workers to do their work and police to do theirs. But the public health approach could not prevent either group from noticing that

resources gained by one group would be at the expense of the other. Undoubtedly some progress toward peaceful coexistence and cooperation is being made through multi-disciplinary professional teams attending training sessions designed to help them understand each other's roles better (for example, Price-Robertson et al., 2020). But establishing collaborative working relationships among professionals does not address the resource and policy tug of war that is likely occurring at the highest levels of government.

## Current Plans for the New 2021–2030 Framework

The 2020 intergovernmental Community Services Ministers' Meeting (CSMM) communique<sup>7</sup> heralded a successor Framework that emphasized prevention and early intervention, with clear and measurable outcomes defined within the Framework (Community Services Ministers' Meeting, 2020). The new Framework will focus on supporting specific cohorts who are known to be at-risk and are considered in need of more supports: Aboriginal and Torres Strait Islanders who are over-represented in child protection systems, young people transitioning from out-of-home care to adulthood, young parents who may have been in care as children and young people who may be kinship carers. Also on the agenda are better linkages and data sharing across government departments with policies relevant to child protection (e.g. housing, education, health, welfare, employment, migration).

The 2021–2030 National Framework is aiming for greater specificity than its predecessor. In explicitly prioritizing Indigenous over-representation in the child protection system, the CSMM communique recognized the principle of “co-design and engagement with Indigenous communities, and ensuring the voice of the child is included in decision making” (Community Services Ministers' Meeting, 2020). This one statement carries forward the older Framework's broader hopes for a system that empowers children, parents and families. It does not address, however, the issue of regulatory style. Will child protection revert to a style of control and coercion or will there be genuine movement toward a public health “care” model?

One rationale given for greater inclusion of these targeted groups in service and policy design is better understanding of the difficulties encountered in navigating the service system (Department of Social Services, 2020). As important as this may be, it will not reform a system that is institutionally oppressive (Braithwaite, 2021). What has been promised so far in the new Framework falls short of the findings from Families Australia's (2020) consultations that children, parents, families and their supporters should play a greater part in making decisions — in line with the principles of the first National Framework. A similar argument is made on behalf of Indigenous children who have been removed from their families in the Family is Culture Review Report (Davis, 2019). The question that follows is why is it so difficult to give families and children greater voice in the decisions that affect them personally, and how might this objective be progressed in the new National Framework?

<sup>7</sup> <https://ministers.dss.gov.au/media-releases/5656>, Viewed 28 July 2021.

What is clear is that the Australian government, in principle, does not have an aversion to including families and children in decision-making. Recently, the Australian Government launched a National Action Plan for the Health of Children and Young People 2020–2030 (Department of Health, 2019), an initiative that is directed at building health equity and well-being among children and their families. The Action Plan addresses mental health, risky behaviours, child development and health literacy among children and their families. The document strives to empower children and focus on their needs, to empower families, to provide them with the skills and knowledge to parent well, and to strengthen workforce skills so that support services are working together to build resilience in children and families. The National Action Plan for the Health of Children and Young People 2020–2030 seems to be addressing the primary level of intervention recommended in the public health approach to child protection. The question is whether a respectful and empowering style of engagement will extend into the new 2021–2030 National Framework for Protecting Australia's Children or will old institutions of oppression prevail.

### **What More Is Needed? The Principles of Family Inclusion from the First Framework**

An abundance of research attests to the importance of children and families being involved in decisions that affect them (Buckley et al., 2011; Burford & Pennell, 1998; Harris, 2012; Holland, 2014). This is not only the case with child protection (for relevance of this point to human services more broadly, see Burford et al., 2019). At the time of writing, the difficulty that governments are having worldwide in leading their citizens through the pandemic with lockdowns and vaccinations illustrates the dangers of having disconnected segments of the population. Social exclusion and marginalisation invite backlash in the form of law breaking (Burford et al., 2019). Backlash too often leads authorities toward an enforcement and punishing regulatory style. Government takes the path of coercion and oppression to regain control and establish order. In the process, already strained resources are depleted.

For all these reasons, principles of social inclusion and involvement of families (biological, foster and adopted families) that enable authorities to draw on informal as well as formal resources are important for the new 2021–2030 Framework. According to Melton (2013) and McLeigh (2013), it is both desirable and practicable to draw on informal support to improve child protection systems. The fact that these principles were in the 2009–2020 Framework and were not satisfactorily actioned is not a reason for abandoning them. The challenge is to identify reasons for the lack of success and introduce ways of thinking and acting that break down points of obstruction.

One explanation for why child protection authorities find this kind of reform difficult is institutional oppression (Braithwaite, 2021). Iris Marion Young (1992) describes institutional oppression as something that we are all carriers of, though

often blind to how we are practicing it. She identifies five faces of oppression: (1) exploitation in which we feel compelled to act in ways that are contrary to our professional roles and ethics; (2) marginalization when our social roles are denigrated such that we are socially excluded from decision-making; (3) cultural imperialism where we dominate minority groups with ignorance and disrespect of their cultures; (4) powerlessness where we are prevented from providing help and making a difference to avoid adverse events; and (5) violence where we are silenced or incapacitated through hostility, physical or emotional, from others.

All of these faces of oppression are rife in child protection (Braithwaite, 2021). Others refer to this oppression in analogous terms such as “muscular authoritarianism” (Featherstone et al., 2014, p.2), as “an authoritarian neoliberal state” (Parton, 2014, p.12) and as “authoritarian” and “paternalistic” practice (Lonne et al., 2016, p. 192). Oppression is indirectly implicated in child protection research through more specific policy failures such as failing families in need of help and routinely removing children and fast tracking their adoption (Broadhurst and Mason 2013; Featherstone et al., 2014; Marsh et al., 2015; Parton, 2014; Quartly, Swain and Cuthbert 2013). When a culture of control and domination prevails, the effects are felt throughout the system by senior managers, child protection workers, third parties, parents, carers, children and families (Braithwaite, 2021).

Domination has even plagued the reform process. Reform has occurred at regular intervals (Scott & Swain, 2002; Tomison, 2001), but reform tends to involve the changing of the baton rather than moving forward together. Originally child rescuers handed the regulatory baton to government bureaucrats to provide a legal and supposedly rehabilitative Framework for uncared for children. Government handed the reform baton to researchers and child development experts to “diagnose” the problem. Then the baton was handed to an army of professionals and specialist providers to “cure” social harms. Next consultants and academics developed technologies to identify risk profiles to enable early intervention. The current child protection baton is held by public health, which purposefully sidesteps the polarizing and stigmatizing welfare debate through advocating for early intervention in the best interests of the child (Council of Australian Governments, 2009).

But still the contentious issue of child removals is centre stage and this is where the battle for domination takes place in Australia. The state of New South Wales has actioned the public health model through promoting a permanency case management process that will give children safety and a sense of stability and is ideally “family-led ... [and] includes ongoing conversations and observations with the child, their carers, parents, family/kin and other persons important to them” (New South Wales Government, 2019, p. 38). We have yet to see if the public health model and permanency case management policy will be actioned in such a way as to reform the practices of removal of Indigenous children from family and country. As recently as 2019, the Davis report, commissioned by the state government, reviewed continuing intergenerational trauma of child removals, which has dominated child protection policy historically in Australia, as well as in other colonial societies (Davis, 2019; Human Rights & Equal Opportunity Commission, 1997).

## A Way Forward

Family-led decision-making among Indigenous communities is the most recent commitment seen among Australian's child protection authorities.<sup>8</sup> Critics are asking for legal protections to ensure the policy is implemented, but not without pushback from government (Smit, 2020). A reasonable question to raise in this context is how can these programs be actioned in such a way that they escape the well-trodden pathways of domination and are applauded for actioning the principles of social justice and social inclusion on which hopes for reform rest. Below, three theoretical models are offered for principle-based implementation of the new National Framework for Protecting Australia's Children 2021–2030.

### Actioning Collective Hope Through the New Framework

Practically speaking, the National Framework 2009–2020 raised hopes for reform that were shared by governments, state and federal, non-government and community organizations, researchers, practitioners, carers and families. The document represented the beginnings of a collective hope process (Braithwaite, 2004), which offered cooperation, optimism and motivation to make the system better. For collective hope to be realized, three elements are necessary: (1) a shared vision with its sub-set of complementary but different goals; (2) collective efficacy in the form of a shared belief that together we can do this; and (3) institutional pathways along which collective efforts can be channelled to achieve the desired goals (Braithwaite, 2004).

First, can the child protection community collectively agree on a set of goals? The meaning of collaboration in the hope process is not so much that everyone does the same thing or even agrees on what should be done, but rather that pursuit of one goal is not undertaken in such a way as to undermine other goals that have been endorsed within the Framework as part of a broader mission. In other words, there needs to be synergy in the pursuit of a set of goals that will contribute to successful realization of the outcome of safe children raised in healthy family environments. The shared vision for the 2009–2020 Framework was to keep “Australia's children and young people safe and well” (Council of Australian Governments, 2009, p.11) which was a good start. Where things appear to have fallen apart is around the seven

<sup>8</sup> For Queensland. <https://cspm.csyw.qld.gov.au/practice-kits/safe-care-and-connection/participation-in-planning-and-decision-making/seeing-and-understanding/aboriginal-and-torres-strait-islander-family-led-d>

For Victoria. <https://www.vacca.org/page/services/children-and-families/family-support/aboriginal-family-led-decision-making>

For NSW. [https://www.facs.nsw.gov.au/\\_data/assets/pdf\\_file/0011/796133/Factsheet-Aboriginal-family-led-decision-making-AFLDM-v.Nov2020.pdf](https://www.facs.nsw.gov.au/_data/assets/pdf_file/0011/796133/Factsheet-Aboriginal-family-led-decision-making-AFLDM-v.Nov2020.pdf)

For WA. <https://www.wa.gov.au/organisation/department-of-communities/aboriginal-family-led-decision-making>

All viewed 28 July 2021.

principles to guide action. These principles imply different regulatory strategies and underlying philosophy for achieving the shared goal. The question of when a regulatory style of coercion and law enforcement should trump a regulatory style of persuasion and support has been swept under the carpet. In a competent child protection system, both regulatory styles must co-exist and be available for use. The realization of the collective hope process in the new Framework can be progressed through collecting data on how the balance between control and care is struck at different sites for intervention: One size will not fit all. This work would build on the efforts of domestic violence researchers and mental health researchers seeking a better way of working with child protection (Coates, 2017; Humphreys et al., 2018; Potito et al., 2009; Stewart, 2020).

The second element in the hope process that is necessary for success is collective efficacy. Those involved in child protection need to have confidence that they can pool their skills and knowledge and work as a team to enable better outcomes for children, parents and families. The 2011 third party survey found that those who work alongside families dealing with child protection have confidence in themselves and their peers: They work in a climate of “can-do-ness” when it comes to helping children and families. A later study confirmed this finding (Hamilton et al., 2020). Those in the system who lacked this sense of collective efficacy worked within child protection statutory authorities. They answered first to management and to their internal processes (McArthur et al., 2011). Consequently, there was less opportunity for meaningful conversations and engagement with community workers, foster carers, families and children. The new Framework can release child protection staff to become part of multidisciplinary community teams to work with families and children as equals, not dominating partners.

The third element for the realization of collective hope is the availability of institutional pathways that allow knowledge and ideas to be exchanged and debated openly. The process of developing the National Framework is in and of itself an institutional pathway, as were the subcommittees formed to further the ambitions of the Framework. They were not sufficient to achieve the collective goal of safe and well children and young adults raised in healthy family environments. Conversations for implementation of the Framework were among elites. More specifically, pathways were absent that enabled those working with families and children to exercise their collective efficacy and contribute to better outcomes in the child protection system. The emphasis of the new proposed National Framework on specific interventions suggests an awareness of a gap between deliberations among policy elites and the action that was occurring on the ground. Unless pathways are open to families, advocates, professionals and those engaged in support, be it service based (both government and non-government) or civil society more generally, and unless statutory child protection agencies welcome their contribution, change will not occur. The system will remain at war, with statutory child protection authorities protecting themselves on the one hand and, on the other hand, child and family advocates, supporters and lawyers fighting them over the unreasonableness and injustice of their decisions and processes.

## Turning Principles into Actions with Restorative Justice or Family Group Conferencing

Whether the term “restorative justice” or “family group conferencing” or “family led conference” is used for inclusive meetings to decide upon a course of action to resolve child protection concerns is less important than the principles that guide how the meeting is constituted and conducted (Burford et al., 2019). First, child protection decisions need to include all persons who are important to the child and hold information that is relevant to ensuring the child’s safety and wellbeing. Second, no voice should crowd out or silence other voices. Most particularly, the voice of the child must be listened to and engaged with genuinely with all provisions made for the child’s safety and well-being (see Gal, 2011). Third, the discussion should focus on understanding specific harms, how the harm was experienced, and collectively settling on a set of actions to resolve the harm. Commitments to action need to be followed through with further meetings and honest and clear communication. Everyone must agree to the action plan and to play their part in a timely and diligent manner.

The principles that guide the conduct of these meetings are as important as the outcomes reached. A well-established finding in child protection is that parent buy-in to any kind of intervention depends on having relationships of trust and respect with child protection workers (Holland, 2014; Kemp et al., 2014; Venables et al., 2015). A trained and independent facilitator is necessary to ensure dialogue is respectful and that the experience is one of coming together to solve a problem, not one of displacing anger in blame and stigmatization nor deflecting responsibility. An observed problem in Australian family group conferencing has been domination of the discussion and decisions by the statutory authority, which negates the basic premise of giving voice to those who have been previously silenced (Harris, 2008).

The acronym CHIME (Leamy et al., 2011) captures the benefits of a well-run restorative justice or family group conference: C for connectedness to others; H for hope for a better future; I for a self-respected identity; M for meaning in life; and E for empowerment to be listened to and shape the future. The term restorative justice has resonating power in the child protection context: Because crime [abuse and neglect] hurts, justice must heal (Braithwaite, 2014). Restorative justice provides the bridge between the accountability required by law and the healing required for future well-being. Restorative justice is widely used globally (Burford et al., 2019). It has been recommended as a beneficial paradigm shift by the United Nations in the general context of dealing with violence against children (Office of the Special Representative of the Secretary-General on Violence Against Children, 2013). In a recent evaluation in the UK, Williams (2019) points to the way in which restorative approaches connect with the child protection literature in terms of strengths-based practice. New Zealand practitioners have long been advocates of using restorative justice for child protection (Becroft, 2017).

## Responsive Regulation

Restorative justice and family group conferencing are not always suited to child protection cases. This is where responsive regulation helps. Responsive regulation, in essence, engages in “a deal” with those who are putting a child at risk. The deal involves working cooperatively to provide safety for the child and ensure future well-being, in which case authorities will not adopt intrusive and coercive measures of control. If the problem cannot be rectified cooperatively, however, authorities will escalate up what is called a regulatory pyramid, adopting more and more intrusive measures until the problem is resolved. Regulatory pyramids have many steps of increasing intrusiveness. It is up to families whether the problem is solved at the bottom of the pyramid cooperatively or at the top of the pyramid coercively. Regulatory pyramids are not the same as the triaging pyramid of the public health model which is based more on the seriousness of the problem and the risk it poses to the child. In a responsive regulatory approach, the problem does not define intrusiveness: The willingness of families and their capacity to set things right does.

When restorative justice is embedded within responsive regulation, control measures become “back up” for dialogue and collaborative problem solving (Burford et al., 2019). The central idea of responsive regulation is to use only as much intervention or intrusion as is required to fix the problem. In the child protection context, Harris (2011) has provided a model of a responsive regulatory pyramid that has three broad levels (within each, a number of levels can be inserted to suit context): informal decision-making at the base, family group conference in the middle, and court at the top. Harris has argued for increasing the number of levels of engagement for families at the bottom. For example, informal networks can be mobilized to offer help. If this does not solve the problem, informal meetings may be convened to plan a course of action, without any involvement from the child protection authorities (Harris & Wood, 2008).

Harris is critical of child protection authorities using their technologies in a race to the top. His research shows how assessment protocols dictate intervention and compliance with these strictures before families are given a chance to offer their own plan for correction. Others have similarly argued for reinvigoration of informal networks at the base of the pyramid and have seen responsive regulation as a way of navigating tensions between caring and control in child protection (Adams & Chandler, 2004; Burford & Adams, 2004; Ivec, 2013; Merkel-Holguin, 2004).

Using restorative justice conferences within a responsive regulatory Framework serves as a check on oppressive institutional practices. It is a check for ensuring people can own their problem and participate in solutions. It guards against bias toward top-down bureaucratic or professional directives for gaining “compliance”. Yet the control measures that are necessary regulatory tools for the protection of children remain in the background, known to all parties as measures that will be used should more restorative and informal problem resolution methods fail.



## Conclusion

Due largely to the social movement for reform that has rallied around the National Framework for Protecting Australia's Children, many initiatives have been launched to shift the pendulum for protecting children from policing families to helping families. It is not clear, however, that the advances that are being made are sustainable. Others have understood this struggle between care and control in political terms: Human rights, feminism, neoliberalism and racism are as relevant in Australia as they are elsewhere in the world. As we argue over political ideology, however, children continue to experience harm.

One of the main messages of this paper is that control and care go hand-in-hand in families, schools and workplaces. We look for care in all these contexts, and the judicious exercising of control when it is necessary. Skilled parents, teachers and managers are supportive and respectful of those in their charge. They intervene proportionately when necessary, sometimes getting it right, sometimes getting it wrong (micromanaging work or helicopter parenting, for example, or looking the other way and being negligent at the other end of the spectrum). When mistakes are made, skilled parents, teachers and managers engage in meaningful conversations and set things right. It is a remarkable thing that our human interpersonal capacity to regulate and care for each other is routinely extinguished or sanctioned in our child protection institutions. Depoliticizing child protection and finding workable solutions in contexts that manage the care and control balance wisely is a direction that should be possible within the broad guidelines provided for in the second National Framework.

This article makes a further contribution to the debate around the formulation of the second National Framework through arguing for principles and theoretical models that can be used to evaluate the likely success of the many programs that are constantly being invented in the flourishing child protection industry. The designers of the second Framework are understandably focused on achieving outcomes. This article is a call for them to pause. Without theory and principles to build bridges of understanding and purpose across their various programs, governments may simply be left with a hotchpotch of interventions that they can ill-afford and that perpetuate old problems of oppression. That oppression adversely impacts a swathe of people who are often doing their best in impossible roles — from government Ministers responsible for child protection to children being neglected or abused. The financial, social, human and reputational costs to all of these people are too high. The 2021–2030 National Framework for Protecting Australia's Children must put an end to statutory child protection authorities operating as impenetrable flailing fortresses. Greater determination and better pathways are needed for the promised “unprecedented level of collaboration” among children, families, family support workers, professionals, police and statutory child protection workers and their managers. *Every* and *any* opportunity for such collaborations must be woven throughout the new Framework, enabling collective hope to be transformed into actions that keep children and families safe and give them opportunity to flourish.

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**Code Availability** Not applicable.

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## References

- Adams, P., & Chandler, S. M. (2004). Responsive regulation in child welfare: Systemic challenges to mainstreaming the family group conference. *Journal of Sociology & Social Welfare*, *31*, 93–116.
- ARACY (Australian Research Alliance for Children and Youth). (2008). *Inverting the pyramid: Enhancing systems for protecting children*. Allen Consulting Group.
- Australian Institute of Health and Welfare. (2018). *Child Protection Australia: 2016–17*. Child Welfare Series No. 68. Canberra: AIHW.
- Australian Institute of Health and Welfare. (2019). *Child Protection Australia: 2017–18*. Child Welfare Series No. 70. Canberra: AIHW.
- Australian Institute of Health and Welfare. (2020). Australia's Children – Web report. Viewed 21 June 2021, <https://www.aihw.gov.au/reports/children-youth/australias-children/contents/justice-and-safety/child-abuse-and-neglect>
- Australian Institute of Health and Welfare. (2021). *Child Protection Australia 2019–20*. Child Welfare Series No. 74. Canberra: AIHW.
- Babington, B. (2011). National Framework for Protecting Australia's Children: Perspectives on progress and challenges. *Family Matters*, *89*, 11–20.
- Becroft, A. (2017). Family group conferences: Still New Zealand's gift to the world? Wellington, NZ: Office of the Children's Commissioner. <https://www.occ.org.nz/assets/Uploads/OCC-SOC-Dec-2017-Companion-Piece.pdf>
- Beniwal, R. (2017). Implicit bias in child welfare: Overcoming intent. *Connecticut Law Review*, *365*. [https://opencommons.uconn.edu/law\\_review/365](https://opencommons.uconn.edu/law_review/365)
- Braithwaite, J. (2014). Evidence for restorative justice. *Vermont Bar Journal*, *40*(2), 18–27.
- Braithwaite, V. (2004). The hope process and social inclusion. *The Annals of the American Academy of Political and Social Science*, *592*, 128–151.
- Braithwaite, V. (2021). Institutional oppression that silences child protection reform. *International Journal on Child Maltreatment: Research, Policy and Practice*, *4*(1), 49–71.
- Braithwaite, V., Harris, N., Ivec, M. (2009). Seeking to clarify child protection's regulatory principles. *Communities, Children and Families Australia*, *4*(1), 7–23.
- Braithwaite, V., & Ivec, M. (2021). National Framework for Protecting Australia's Children: Fixing problems with collective hope? Social Capital Working Paper 2, School of Regulation and Global Governance (RegNet), ANU.
- Broadhurst, K., & Mason, C. (2013). Maternal outcasts: Raising the profile of women who are vulnerable to successive, compulsory removals of their children—a plea for preventative action. *Journal of Social Welfare and Family Law*, *35*(3), 291–304.
- Buckley, H., Carr, N., & Whelan, S. (2011). “Like walking on eggshells”: Service user views and expectations of the child protection system. *Child and Family Social Work*, *16*(1), 101–110.

- Burford, G., & Adams, P. (2004). Restorative justice, responsive regulation and social work. *Journal of Sociology and Social Welfare*, 31(1), 7–26.
- Burford, G., Braithwaite, J. & Braithwaite, V.(2019). *Restorative and responsive human services*. Routledge.
- Burford, G., & Pennell, J. (1998). Family group decision making project: Outcome report, Vol. I. St. John's, Newfoundland: Memorial University.
- Coates, D. (2017). Working with families with parental mental health and/or drug and alcohol issues where there are child protection concerns: Inter-agency collaboration. *Child and Family Social Work*, 22, 1–10.
- Community Services Ministers' Meeting. (2020). Community Services Ministers' Meeting Communique 20 March 2020. Viewed 20 June 2021, <https://ministers.dss.gov.au/media-releases/5656>
- Council of Australian Governments. (2009). Protecting children is everyone's business: National Framework for Protecting Australia's Children 2009–2020 : An initiative of the Council of Australian Governments. Canberra, A.C.T : Dept. of Families, Housing, Community Services and Indigenous Affairs. Viewed 20 June 2021, [https://www.dss.gov.au/sites/default/files/documents/pac\\_annual\\_rpt\\_0.pdf](https://www.dss.gov.au/sites/default/files/documents/pac_annual_rpt_0.pdf)
- Davis, M. (2019). Family is culture: Final report. Independent Review into Aboriginal Out-Of-Home Care in NSW. Sydney: New South Wales Government. Viewed 20 June 2021, [https://www.familyculture.nsw.gov.au/\\_data/assets/pdf\\_file/0011/726329/Family-Is-Culture-Review-Report.pdf](https://www.familyculture.nsw.gov.au/_data/assets/pdf_file/0011/726329/Family-Is-Culture-Review-Report.pdf)
- Department of Health. (2019). National action plan for the health of children and young people. Canberra: Australian Government. Viewed 20 June 2021, <https://www1.health.gov.au/internet/main/publishing.nsf/Content/child-and-youth-action-plan>
- Department of Social Services. (2020). *Evaluation of the National Framework for Protecting Australia's Children 2009–2020*. Canberra: Australian Government. Viewed 20 June 2021, [https://www.dss.gov.au/sites/default/files/documents/11\\_2020/evaluation-national-framework-pwc-report-12-july-2020-updated-oct-2020.pdf](https://www.dss.gov.au/sites/default/files/documents/11_2020/evaluation-national-framework-pwc-report-12-july-2020-updated-oct-2020.pdf)
- Families Australia. (2020). Beyond 2020: Towards a successor plan for the National Framework for Protecting Australia's Children 2009–2020: Final Report. Viewed 20 June 2021 <https://familiesaustralia.org.au/wp-content/uploads/2020/08/BEYOND-2020-FINAL-NATIONAL-CONSULT-REPORT-28MAY2020-1.pdf>
- Featherstone, B., White, S., & Morris, K. (2014). *Re-imagining child protection: Towards humane social work with families*. Policy Press.
- Gal, T. (2011). *Child victims and restorative justice: A needs-rights model*. Oxford University Press.
- Hamilton, S., Cleland, D., & Braithwaite, V. (2020). 'Why can't we help protect children too?' Stigma by association among community workers in child protection and its consequences. *Community Development Journal*, 55(3), 452–472.
- Harris, N. (2008). Family group conferencing in Australia 15 years on. *Child Abuse Prevention Issues*, 27, 1–19.
- Harris, N. (2011). Does responsive regulation offer an alternative? Questioning the role of formalistic assessment in child protection investigations. *British Journal of Social Work*, 41(7), 1383–1403.
- Harris, N. (2012). Assessment: When does it help and when does it hinder? Parents' experiences of the assessment process. *Child and Family Social Work*, 17(2), 180–191.
- Harris, N., & Wood, J. (2008). Governing beyond command and control: A responsive and nodal approach to child protection. In Mathieu Deflem (ed), *Surveillance and governance: Crime control and beyond, sociology of crime, law and deviance*. Bingley: Emerald Group Publishing.
- Holland, S. (2014). Trust in the community: Understanding the relationship between formal, semi-formal and informal child safeguarding in a local neighbourhood. *British Journal of Social Work*, 44(2), 384–400.
- Hood, R., Gillespie, J., & Davies, J. (2016). A conceptual review of interprofessional expertise in child safeguarding. *Journal of Interprofessional Care*, 30(4), 493–498.
- Horwath, J., & Morrison, T. (2011). Effective inter-agency collaboration to safeguard children: Rising to the challenge through collective development. *Children and Youth Services Review*, 33, 368–375.
- Human Rights and Equal Opportunity Commission. (1997). Bringing them home: Report of the national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families. Sydney: Human Rights and Equal Opportunity Commission. Viewed 20 June 2021, <https://humanrights.gov.au/our-work/bringing-them-home-report-1997>

- Humphreys, C., Healey, L., Kirkwood, D., & Nicholson, D. (2018). Children living with domestic violence: A differential response through multi-agency collaboration. *Australian Social Work, 71*(2), 162–174.
- Ivec, M. (2013). A necessary engagement: An international review of parent and family engagement in child protection. Anglicare, Tasmania. Viewed 20 June 2021, <https://www.anglicare-tas.org.au/research/a-necessary-engagement-an-international-review-of-parent-and-family-engagement-in-child-protection/>
- Ivec, M., Braithwaite, V., & Harris, N. (2012). “Resetting the Relationship” in Indigenous Child Protection: Public hope and private reality. *Law & Policy, 34*(1), 80–103.
- Ivec, M., Braithwaite, V., & Reinhart, M. (2011). A national survey on perceptions of how child protection authorities work 2010: The perspective of third parties – Preliminary findings. Regulatory Institutions Network Occasional Paper 16, Australian National University. Viewed 20 June 2021, [https://openresearch-repository.anu.edu.au/bitstream/1885/155686/1/ROP16\\_0.pdf](https://openresearch-repository.anu.edu.au/bitstream/1885/155686/1/ROP16_0.pdf)
- Jenkins, B. Q., Tilbury, C., Hayes, H., & Mazerolle, P. (2019). Do measures of child protection recurrence obscure the differences between reporting and substantiation? *Children and Youth Services Review, 104*. <https://doi.org/10.1016/j.childyouth.2019.104391>
- Kemp, S. P., Marcenko, M. O., Lyons, S. J., & Kruzich, J. M. (2014). Strength-based practice and parental engagement in child welfare services: An empirical examination. *Children and Youth Services Review, 47*(P1), 27–35.
- Leamy, M., Bird, V., Le Boutillier, C., Williams, J., & Slade, M. (2011). A conceptual framework for personal recovery in mental health: Systematic review and narrative synthesis. *British Journal of Psychiatry, 199*, 445–452.
- Lonne, B., Harries, M., & Lantz, S. (2013). Workforce development: A pathway to reforming child protection systems in Australia. *British Journal of Social Work, 43*(8), 1630–1648.
- Lonne, B., Harries, M., Featherstone, B., & Gray, M. (2016). *Working ethically in child protection*. Routledge.
- Losoncz, I. (2013). The unintended consequences of government intervention in South Sudanese Australian families: Repairing the legitimacy of care and protection authorities among migrant communities. RegNet Research Paper No. 2013/21. Viewed 20 June 2021, <https://doi.org/10.2139/ssrn.2364246>
- Marsh, C. A., Browne, J., Taylor, J., & Davis, D. (2015). Guilty until proven innocent? - The assumption of care of a baby at birth. *Women and Birth, 28*, 65–70.
- McArthur, M., Braithwaite, V., Winkworth, G., Wilson, F., Conroy, S., Thomson, B., Ivec, M., Harris, N., & Reinhart, M. (2011). How relevant is the role of values in child protection practice? A national survey of child protection staff 2009 – Preliminary findings, Regulatory Institutions Network Occasional Paper 17. Canberra: Australian National University. Viewed 20 June 2021, [http://regnet.anu.edu.au/sites/default/files/publications/attachments/2015-05/ROP17\\_0.pdf](http://regnet.anu.edu.au/sites/default/files/publications/attachments/2015-05/ROP17_0.pdf)
- McLeigh, J. (2013). How to form alliances with families and communities. *Child Abuse and Neglect, 37S*, 17–28.
- Melton, G. (2013). ‘Programs’ aren’t enough. *Child Abuse and Neglect, 37S*, 1–7.
- Merkel-Holguin, L. (2004). Sharing power with the people: Family group conferencing as a democratic experiment. *Journal of Sociology and Social Welfare, 31*(1), 155–174.
- Ministers for the Department of Social Services. (2020). *Community Services Ministers’ Meeting Communiqué 20 March 2020*. Viewed 20 June 2021, <https://ministers.dss.gov.au/media-releases/5656>
- Munro, E. (2005). What tools do we need to improve identification of child abuse? *Child Abuse Review, 14*, 374–388.
- New South Wales Government. (2019). Permanency case management policy: Rules and practice guidance. Viewed 20 June 2021, <https://www.facs.nsw.gov.au/families/permanency-support-program/permanency-case-management-policy>
- Office of the Special Representative of the Secretary-General on Violence against Children. (2013). Promoting restorative justice for children. [https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/documents/publications/7.\\_promoting\\_restorative\\_justice.pdf](https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/documents/publications/7._promoting_restorative_justice.pdf)
- Parton, N. (2014). *The politics of child protection*. Hampshire: Palgrave MacMillan.
- Potito, C., Day, A., Carson, E., & O’Leary, P. (2009). Domestic violence and child protection: Partnerships and collaboration. *Australian Social Work, 62*(3), 369–387.
- Price-Robertson, R., Kirkwood, D., Dean, A., Hall, T., Paterson, N., & Broadley, K. (2020). Working together to keep children and families safe: Strategies for developing collaborative competence.

- Child Family Community Australia (CFCA), Paper No 53. Viewed 20 June 2021, <https://aifs.gov.au/cfca/publications/working-together-keep-children-and-families-safe>
- Quartly, M., Swain, S., & Cuthbert, D. (2013). *The Market in Babies: Stories of Australian Adoption*. Clayton, Vic.: Monash University Publishing.
- Stewart, S. L. (2020). Enacting entangled practice: Interagency collaboration in domestic and family violence work. *Violence against Women*, 26(2), 191–212.
- Scott, D. (2015). Children in Australia: Harms and hopes. *Family Matters*, 96, 14–22.
- Scott, D., & Swain, S. (2002). *Confronting cruelty: Historical perspectives on child protection in Australia*. Melbourne University Press.
- Smit, S. (2020). Aboriginal family led decision making to be trialled in WA. *National Indigenous Times*. <https://nit.com.au/aboriginal-family-led-decision-making-to-be-trialled-in-wa/>
- Taylor, S., & Ashford, A. (2011). Commentary: Child protection inquiries: Where are the voices of children and young people? *Children Australia*, 36(3), 106–108.
- Tomison, A. M. (2001). A history of child protection: Back to the future. *Family Matters*, 60, 46–57.
- Venables, J., Healy, K., & Harrison, G. (2015). From investigation to collaboration: Practitioner perspectives on the transition phase of parental agreements. *Children and Youth Services Review*, 52, 9–16.
- Warner, J. (2015). *The emotional politics of social work and child protection*. Policy Press.
- Williams, A. (2019). Family support services delivered using a restorative approach: A framework for relationship and strengths-based whole family practice. *Child and Family Social Work*, 24, 555–564.
- Young, I. M. (1992). Five faces of oppression. In T. E. Wartenberg (Ed.), *Rethinking Power* (pp. 174–195). State University of New York Press.

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