

# Submission to the Inquiry into the Child Protection System In the Northern Territory March 2010

From:  
Henry Gray

- I do not wish the contents of this submission to be treated confidentially
- I do not wish to remain anonymous
- While drawing on my experience and background as an educator, this submission is of a personal nature and is not made on behalf of my school staff or community.

## Background

I began my teaching career in 1970. My first appointment was to Warburton Ranges in Western Australia. With my family, I went back to Warburton in 1974 as Headmaster after three years in charge of a one teacher school, Gillingarra, in the Central Midlands of WA.

We moved to the Northern Territory in July 1975. My family and I were at Numbulwar until December 1978. From September 1976 until the end of 1978 I was Acting Principal at Numbulwar.

We transferred to Angurugu School on Groote Eylandt. I was Principal of Angurugu from 1979 until 1982. From 1983 to 1986 we lived in Nhulunbuy where I was Principal of Nhulunbuy Primary School.

We relocated to Darwin at the end of 1986 after I was appointed Principal of Karama School. From the beginning of 1992 I have been Principal of Leanyer School.

I am in my 41<sup>st</sup> year as a school educator.

## Introduction

Issues relating to child care and child protection seem to be compounding and growing exponentially. Over time and through the years, efforts by authority to

counter and issues of child abuse and neglect have led to the institutionalisation of rules, regulations and procedures which at best address the situation only superficially. Over the years, in fact back into the 1960s and 70s there have been a succession of enquiries and a significant number of reports have been generated. All these reports identify problems, restate the issue and make recommendations. It appears that very few of these recommendations are acted upon at least not for any length of time.

From the viewpoint of a long-term Territorian, one of the issues about this is the fact that "people come and people go". While here they become aware of issues, write or commission reports, make or accept recommendations, and then move on. Sometimes the reports and the recommendations they have made or commissioned stay alive for a short period of time; on other occasions they are shelved to gather dust almost as soon as they leave the printing press.

Occasionally, reports are made public: Often they quickly disappear from view. The nature of the Northern Territory's transitory population means they are quickly forgotten, unless held in files of the diminishing number of longer term members of the territory community. (From time to time, I have been able to offer copies of reports to people investigating issues who did not know that these earlier reports investigated the same issues!) It seems we are not very smart when it comes to recording data or at least having it available in a form that can be accessed for reference.

### Anecdotal Evidence Discounted

There is a quality of scepticism that creeps into the community whenever a report is commissioned because of the existence of earlier reports. Additionally, there is a concern that the abundant anecdotal evidence existing around the issues of child care and protection is minimised and disbelieved unless it is substantiated by costly reports that empirically confirms what is already known. What happens in this context is the introduction of delays in time between "awareness" and "systemic response". People wonder why we can't just get on with the job of dealing with the problem because the problem is already known!

### Parents and Caregivers: Prime Responsibilities Abrogated

**One of the issues that underlie the problems associated with child protection is that parents and caregivers are not held to be accountable for their actions in relation to children. Rather than stressing parental accountability, authorities seem to accept any excuse that those who have brought children into the world offer about deliberately neglecting the needs of their offspring.** There have been a significant number of instances recently (and in times past), where people who should be responsible for their children, are seemingly excused and then allowed to criticise foster caregivers, agencies and others who are trying to pick up the threads of their children's lives.

These people, with apparent impunity, go to the media criticising those to whom they have handballed responsibility for their children. I don't believe that should be allowed to happen without response!

Parents and caregivers whose neglect places children in dire straits should be visited upon! While at times it may be a matter of education with parenting skills absent because they're not understood, on other occasions that neglect is very deliberate.

### Does "Dressage" Counteract Notification Requirements?

In recent years, schools and all agencies connected with the development and welfare of children have had placed upon them a requirement that they regularly receive and understand their obligations under "Mandatory Reporting". In particular it is required that any suspicion of misconduct in relation to children, particularly sexual misconduct, should be reported. I don't have a problem with the requirement, but rather with the "frequency" of in-service to staff. Principals must undertake awareness training and staff must sign this has been done twice each year. (It used to be once a year but went to once a semester several years ago.)

Additionally, Principals must have all people who come into the school to do anything (whatever) with or around children made aware of their obligations. This can become very time-consuming and onerous as well as being unwieldy.

I understand that in the not too distant future those over 15 working with young people under the age of 18 will be required to gain clearance as to their suitability for this contact. The issue of a "Blue Card" or similar could reduce time constraints the present system places upon people, particularly if the card could be linked to agency requirements.

Will that card system work in a way that requires contractors and others who come into schools to have clearance? This would be a good thing in helping to overcome the impracticalities of the present situation confronting principals and their delegates who must obtain signatures from people entering the school that they are aware of these requirements.

School Leaders are keen to fulfil their responsibilities toward children. The cumbersome nature of present requirements, if refined, will help them to do this in a more positive and strategic manner. The Mandatory Reporting sign-off requirements presently in place are too unwieldy and need to be refined.

### Reporting to NT Families and Children

**Interaction between Government Departments and agencies involved in child protection is critically important. In an educational context the reports made by schools to NT Families and Children often introduce or confirm issues that need to be followed up. It helps for school understanding if staff members refer matters of concern to the Principal for reporting.** When this happens, the Principal is in the loop. Reports made without the Principal's knowledge can "wrongfoot" school leaders because of the surprise element. (I always undertake to report matters referred to me by staff and advise feedback will be provided if possible.)

One of the difficulties I have encountered over the years is when reports are lodged feedback is rarely offered. While appreciating issues attaching to privacy, school disclosure often brings issues to light. Not knowing how matters are progressing leaves reporting agencies in the dark.

Another confronting matter is that of parents and primary caregivers suddenly appearing at school in an accusatory frame of mind because they suspect issues have been raised to NT Families and Children by the school. To be in receipt of all facts leading to a report through the school can help. It also seems (and this is suggested to staff at my place) better that any school accountability for reporting is vested in me rather than in members of my staff; this is for the sake of their feelings of well-being and security. I think this approach is one both confidence building and reassuring for staff members. It also means staff will come and talk about matters which at times turn out to have a logical explanation - meaning reporting is not necessary.

### Interstate Enrolments and Child Protection Issues

Our school enrolls a significant number of children from interstate each year. At times children enrolled come with "baggage and background" largely unknown at the time of enrolment. Communication with and between schools separated by State and Territory boundaries is limited. Key issues of need can be hidden.

This is particularly the case when children are subject to Family Court orders that have been issued interstate. On several occasions we have found out things about care and custody matters after the enrolment has been completed. While this information may not have made a difference to whether we enrolled with children or otherwise, lack of knowledge meant we were not aware of factors about which we should have known.

Matters of this nature become compounded if Federal Police suddenly come into the school and visit upon children because there has been a breach of the Court Order issued interstate.

The above situations exacerbate issues of Child Protection and place schools with duty of care obligations into the arena of double jeopardy.

### NT Families and Children: Staffing Matters

I feel empathy for field staff responsible for managing Family and Children matters. One gets the impression that tone, harmony and morale within and between staff who are responsible for dealing with a myriad of issues is low. Turnover is high and the satisfaction people gain from working within the Department is spoken of in fairly minimal terms. People in need and deserve job satisfaction. The obligations that impact on staff within the Department seem to deny the intrinsic rewards people deserve. One gains the impression of case workers being absolutely stretched to cover increasing numbers of cases in a way that is fatiguing and morale diminishing.

This is compounded by criticism heaped upon departmental staff. This inquiry is in large part about situations of response by staff to challenges confronted.

**It seems to me that good people and some senior staff in the area are being worn to of frazzle by the inordinate demands placed upon their shoulders.**

I wonder whether staff ever gain satisfaction from completing and finishing assignments. I also wonder if responsibilities that should be placed squarely at the feet of parents and primary caregivers are heaped on the shoulders of these workers

by a defacto sleight-of-hand! Is it a case of " ... these problems are not really yours, but you can own it anyway??"

If things are going to change there needs to be a substantial rise in the conditions under which staff work and the way they feel about tasks being undertaken. **Staff retention is an absolute necessity because cases that are referred by transfer or resignation of staff from one person to the next to the next and so on are never going to be satisfactorily resolved.**

There needs to be a real focus on staff well-being. That focus needs to be ongoing. Case workers, supervisors and others at the coalface need to be appropriately recognised and rewarded. People need to feel good about the work they're doing and know that they are succeeding in their endeavours.

### Nationalising 'Families and Children'

The anomalies that can and do exist within the system are compounded by the movement of families with issues, between States and Territories. State and Territory Government responsibilities are therefore limiting when it comes to overall effectiveness. Presently, the Australian Government seems to be advocating nationalisation in a number of key areas. This is one area that could well do with nationalisation. The ability of children to fall through the cracks is phenomenologically aided by family movement and relocation - particularly when un-notified and undertaken by stealth.

Programs in place are disrupted, Court Orders relating to shared custody and guardianship (including location of domicile) are breached and so on. If nationalisation of these programs and the departments was in place things could be made a lot easier to manage. It would stand to reason that communications could involve linkage between schools and other agencies responsible in part for the management and welfare of children.

### Conclusion

There are some other matters about which I would like to speak during my Oral Presentation to the Board on Thursday, 18 March 2010. These will be best presented conversationally rather than in writing.

I would like to wish the members of the inquiry group well with this project.

Sincerely

Henry Gray

March 15<sup>th</sup> 2010