

Consultation on the Second Action Plan (National Plan to End Violence against Women and Children 2022–2032)

Kinship Alliance Australia and family violence

Kinship care is defined as family-based care within the child's extended family or friendship network, whether formal or informal in nature (UN General Assembly, 2010).

Kinship Alliance Australia <https://kinshipalliance.org.au/> is the national kinship care organisation encompassing all Australian kinship care families (including both informal and formal care arrangements). The Alliance's Purpose is to support kinship care families in need by:

- (a) providing information, advice and support services to kinship carers and children in their care, and
- (b) working to influence legislative and policy changes to ensure kinship care families are provided with necessary assistance.

This submission addresses the safety and wellbeing of the large cohort of Australian children who have been impacted by family violence to the extent that they have been moved from the care of their mothers and/or fathers to live with relatives, family friends or 'connected persons'.

The Board Secretary (writer of this submission) is a former kinship care researcher who has published and presented widely in Australia and internationally.

Background information

Census data has indicated that there are well over 100,000 children in kinship care in Australia, dwarfing the number of children in all forms of statutory out of home care. In 2024 there were 24,799 Australian children in formal kinship care, over half of all children in statutory out of home care. Over 82% of all kinship care arrangements in Australia are informal. These children are not connected with State/Territory child protection authorities, and with a small number of exceptions, do not receive care allowances. Informal kinship care includes:

1. Care arrangements made within families to protect children without intervention by child protection authorities.
2. Care arrangements where child protection authorities have been involved but have declined to formalise the arrangement as a statutory placement.
3. Care arrangements where an order has been made in the Family or Federal Court.

Kinship families are a large, vulnerable cohort of the Australian community. 80-90% of kinship carers are women, the largest group being grandmothers. Many are sole carers. Illicit drug misuse is now the most common driver of parental child abuse in Australia. Intrafamilial violence often spills over to kinship care families, and affects arrangements for children to spend time with their parents. Kinship carers also experience compromised physical and mental health and isolation from their peers. Of all the sources of stress kinship families face, financial constraints and frank poverty are the most frequently mentioned.

Informal kinship carers are often plunged into poverty by the very act of providing safety for vulnerable children. Such children and carers have little or no access to affordable services to address the trauma experienced by children, or to help manage ongoing intrafamilial conflict that frequently comes with such family care arrangements.

Children in kinship care and their caregivers are often overlooked in social policy, especially the vast majority who fall outside of statutory child protection/out of home care systems. Despite

their larger numbers, most attention to children in alternative care still accrues to foster care and residential care. Children in informal kinship care thus constitute a large, hidden group of very vulnerable children. Services to support the stability of kinship care arrangements and to facilitate children's recovery from family violence in this context are wholly inadequate.

Stability and quality of care are of utmost importance to children's recovery from family violence. Kinship care families need support to be available at critical points in their lives, including –

- when the children first arrive
- points of particular crisis or conflict within the wider family
- points where mental health or developmental problems emerge
- adolescence and emergence into early adulthood
- crises within the carers' own life such as medical/health issues.

This submission addresses specific consultation questions as relevant to children in kinship and the women who care for them.

Priority Area 1: Victim-Survivors

Key opportunities for the Second Action Plan include:

§ Build on progress towards whole of system support, response, healing and recovery to ensure victim-survivors are empowered to make informed choices, access support that meets their need over their life course and receive improved outcomes.

Consultation questions

§ What service or system responses would make the biggest difference to victim-survivors' safety, wellbeing, healing and recovery?

- Removal from home is not sufficient to ensure children's safety, wellbeing, healing and recovery. Children in kinship care have ongoing needs for protection from the perpetrators of violence.
- Children need ready access to community-based, specialised care to recover from the impact of family violence.
- Kinship carers need ready access to community-based specialised assistance to understand and respond to traumatised children.
- Carers may need specialised assistance in their own right –
 - to manage the stress of caring for traumatised children, and of personal circumstances that may include older age, caring for frail parents, spouses, or their own children in addition to the kin children.
 - In some cases, to manage the traumatic impact of adverse childhood experiences of their own that are awakened by the kinship caring task.
- Both carers and children need specialised assistance to manage intrafamilial conflict including threats of further violence, especially as it affects arrangements for children's contact with their parents. Assistance might include supportive counselling outside of children's visits with their parent/s, and/or supervision of these visits in a child and family friendly environment.

§ What current or emerging issues should the Second Action Plan address, including in relation to coercive control and technology-facilitated abuse?

There is a large, hidden population of children in informal kinship care who have experienced family violence prior to care. In some cases both these children and the women caring for them remain at risk of family violence from the previous perpetrator due to the close personal relationships involved in kinship care. These families need ready access to community-based kinship support services if they are to be protected from further violence and supported to recover.

§ What gaps remain in addressing the needs of diverse communities, including Aboriginal and Torres Strait Islander people?

Aboriginal and Torres Strait Islander people are over-represented in kinship care due to historic policies such as the Stolen Generation and dispossession of land and culture. ATSI kinship carers experience similar stresses to other kinship carers, however to a greater degree in all aspects. They care for greater numbers of children. They experience greater morbidity and mortality. ATSI kinship families are more at risk of ongoing family and network violence. Overwhelmingly, they live with greater levels of poverty.

- Aboriginal Community Controlled Organisations and Torres Strait Islander specific services need particular support to provide services to kinship care families to ensure the safety and stability of children's care arrangements, & the wellbeing of the women who care for them.
- The continuing high rate of care of Aboriginal children by non-Indigenous stranger carers jeopardises the recovery of children from family violence. It violates the Aboriginal Child Placement Principle which was put in place to promote enduring positive relationships and identity for children – central requirements for recovering from family violence. More time and effort needs to go into identifying and supporting safe care arrangements within children's extended families and communities.

Priority Area 2: Prevention and early intervention

Key opportunities for the Second Action Plan include:

§ Improve understanding of how structural drivers contribute to and reinforce victimisation and worsen the impacts of this violence.

§ Coordinate and strengthen efforts to target the risk of experiencing or using violence, such as harmful alcohol and substance use, gambling and adverse childhood experiences.

Consultation questions:

§ How can existing efforts to prevent violence be strengthened or built upon at the individual, community, organisational, institutional and societal levels?

- Harmful drug and alcohol use is the biggest driver of parental incapacity. Access to substance misuse services needs to be vastly improved. Waiting lists for such treatment need to be eliminated, allowing for intervention at the point of maximum motivation of individuals seeking treatment.
- It is important to recognise that children's safety and wellbeing are not ensured simply by removing them from their mother and/or father's care. Care arrangements break down if support is not available as needed. The two aspects of support needed are –
 - Specialised, free community-based kinship care support services
 - The alleviation of poverty generated by the care of additional children, via a specific Commonwealth benefit for children in informal kinship care. This could be achieved by

a Parliamentary Review of the Double Orphan Benefit to address the need for support for all children without parental support, as has occurred in [Ireland](#) and [New Zealand](#).

§ What emerging issues should the Second Action Plan address in relation to primary prevention and early intervention?

When informal kinship care families have the needed resources, they can provide a better caring environment than formal kinship care arrangements that necessitate statutory intrusions into family life. Providing community support as necessary is also cheaper than the systemic costs of legal action and statutory monitoring. However, the greatest risk for the wellbeing of children in informal kinship care is poverty.

The support of children in informal kinship care needs particular attention to ensure their safety and wellbeing, and to prevent them having to be removed into statutory out of home care.

Priority Area 3: Children and young people in their own right

Key opportunities for the Second Action Plan include:

§ Elevate children's and young people's expertise through meaningful engagement to inform policies and programs that support them.

§ Reform policy & practice structures to respond effectively to children's needs, rights & safety.

§ Work with families, communities, and educational (including early childhood and school) settings to recognise and respond early to prevent harm to children and young people.

§ Develop more child and youth-centred pathways from response to recovery and healing.

Consultation questions:

§ How can governments, services, education settings, families, communities and others better recognise and respond to children and young people experiencing violence or harm?

In relation to children and young people who are in alternative care due to family violence, most attention and resourcing still accrues to foster care and residential care. However most children in statutory out of home care are now in kinship care, and a much larger cohort are in informal kinship care. It is time this very vulnerable group of child victim-survivors were recognised as existing and having specific needs for support due to their particular care environment, and that their carers are supported to be able to provide warm, stable care.

- Provide financial support for the care of children in informal kinship care in order to alleviate poverty, restorative counselling services for children, and social care for their carers. These measures will do more than anything else to provide the best chance of educational remediation, positive developmental trajectories, and successful transition to prosocial adult life.
- Establish specialised, community-based kinship care services for the recovery of children who have experienced violence in their family home, and for the support and wellbeing of their caregivers to ensure stability of care.

§ How can children and young people be meaningfully involved in shaping the policies, programs and services that affect them?

Research in kinship care¹ has demonstrated that children and young people are able to articulate the problems and issues they face and what constitutes helpful responses.

- Ensure that State, Territory and National Children's Commissioners are resourced to listen carefully to children and young people in informal kinship care and act on what they say.
- Involve children and young people in every policy development process via youth committees, individual interviews and small group interviews. Ensure a congenial environment for consultation and adequate resources to report in full what they say, to analyse the content thoroughly, report it accurately, and act on the prevailing themes.

Priority Area 4: People who use violence

Key opportunities for the Second Action Plan include:

§ Address major evidence gaps in public attitudes and the institutional systems that encourage, excuse or fail to prevent and address the use of violence.

Consultation questions:

§ How can governments and services, among others, strengthen culturally safe, accessible and evidence-informed responses for a range of communities and cohorts?

A contemporary prevailing myth is that when children are placed within their extended family they are automatically rendered safe because the family is assumed to be able to protect and nurture them without additional help. Such care is often 'normalised' as 'like other families'. It is not normal, and it is not like other families. Intrafamilial conflict surrounding kinship care arrangements is common, including continuing exercise of threats or actual violence by the perpetrator of previous violence against the children. Kinship families require specialist assistance to be available to prevent or address such instances. This may include making arrangements for the safety and wellbeing of children when in contact with their mother and/or father, and similarly for the safety of their carers.

Priority Area 5: System Integration and Workforce

Key opportunities for the Second Action Plan include:

§ Strengthen support for the workforces engaged in prevention, early intervention, response and recovery, recognising the risk of vicarious trauma.

§ Build capability to deliver culturally safe, trauma- and violence-informed services for Aboriginal and Torres Strait Islander people, migrant and refugee communities, LGBTIQ+ people and people living with disability, and address systemic bias and inequities in policing and justice responses.

¹ Kiraly, M. and C. Humphreys (2013). "Perspectives From Young People about Family Contact in Kinship Care: 'Don't Push Us—Listen More'." *Australian Social Work* 66(3): 314-327.

Consultation questions:

§ What workforce capabilities, supports, or conditions are most needed to strengthen prevention, early intervention, response and recovery?

§ What supports do specialist and universal services need to provide inclusive, accessible and response services?

§ What evidence, workforce or system gaps should the Second Action Plan prioritise to strengthen implementation and improve outcomes over time?

Community-based, specialist kinship care services for the support of children who have suffered family violence and who may continue to be at such risk due to proximity to the perpetrator.

Prevention and early intervention – by intervening in threatening and violent intrafamilial relationships via interventions tailored to the particular needs of each child, carer and family.

Summary and conclusion

A large number of children who have experienced family violence are living with relatives in informal care arrangements, dwarfing the number of children in all out of home care arrangements in Australia. These children and the women who care for them are not receiving the material and social care support they need to best provide for children's wellbeing and ongoing protection because they constitute a hidden population. Informal kinship care families constitute Australia's greatest resource for enabling children's healing and recovery from family violence. An effective and economic way to augment their therapeutic potential and to obviate statutory child protection intervention would be to recognise these families and provide the support they need.

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