

Date 2 June 2008
CSCD/08/196

Productivity Commission
GPO Box 1428
Canberra City
ACT 2601

Dear Mr Fitzgerald,

Inquiry into Paid Maternity, Paternity and Parental Leave

As the Child Safety Commissioner (Victoria), I welcome the Productivity Commission's Inquiry into Paid Maternity, Paternity and Parental Leave and look forward to seeing the results of its work.

Under the *Child Wellbeing and Safety Act 2005* (Vic), the Child Safety Commissioner is charged with the following core functions;

- a) to provide advice and recommendations to the Minister about child safety issues, at the request of the Minister;
- b) to promote child friendly and child-safe practices in the Victorian community;
- c) to review and report on the administration of the Working With Children Check;
- d) to monitor Victoria's out of home care system; and
- e) to conduct inquiries into the deaths of children known to the child protection system and into other matters as referred by the Minister.

The Act also includes a set of guiding principles including the principle that "society as a whole shares responsibility for promoting the wellbeing and safety of children." This inquiry provides a great opportunity for the entire community to consider how we can contribute to supporting families and advancing the best interests of children. No doubt, many proposals will be considered by your inquiry. I do not intend in this submission to include a detailed proposal but rather seek to encourage you to;

- adopt as your guiding principle the best interest of the child; and
- ensure that all forms of parenting are included in any recommendations you develop, including foster and kinship care.

Further, as the Child Safety Commissioner has a specific function in relation to advocating for children in out of home care, I have focused my comments on those vulnerable children who do not live with their biological families.

Parenting in out of home care

There is often an assumption that parenting is connected with the birth of a child. However, parents may be any adult care-giver that performs the numerous important roles involved in parenting. Whilst the role of foster carers may be better known, a perhaps lesser known group of carers are kinship carers.

Kinship care, in both a formal and an informal capacity, is the care provided by relatives or friends when children cannot live with their biological parents. Overwhelmingly, the larger group of kinship carers are grandparents, but carers may also be adult brothers or sisters, aunts or uncles or step-relatives. There are also other types of carers, such as permanent carers, who may also take on the parenting role for infants.

As the benefits of placing infants, children and adolescents within familiar cultural, family or friendship networks are acknowledged, kinship care has become an area of considerable growth.¹ In fact formal kinship care has grown from 24% of out of home care placements in 1996 to 27% in 2000, and to 33% in 2006.²

Indeed, the Department of Human Services website indicates that under the new Children Youth and Families Act 2005, kinship care placements are the first preference when placing a child in out of home care and now comprise one third of all placements in Victoria – in 2006 approximately 1600 children lived in kinship arrangements. Of great importance though, the numbers of children living in informal kinship care arrangements is estimated as being much larger than those living in formal arrangements.

Whilst the total number of infants in care (both formally and informally) is unknown, anecdotal evidence suggests that the number of people taking parental responsibility for infants is not insignificant.

"Issues and Principles in Kinship Care 2007" (Victoria) indicated that whilst many carers displayed commitment and joy in their new parenting role, for numerous others it was also a challenge, and often drained their personal and financial resources.³ This is similarly the case for foster carers and other caregivers despite receiving payments to go towards some of the costs of raising the infant. This message was reiterated at the recent Victorian Home Based Care Conference by the carers themselves.

The following are comments taken from a report "Grandparents Raising Grandchildren", written by COTA National Seniors on the issue of kinship care and illustrate the challenges facing many carers.

"My wife eventually had to stop working as the role of parenting at our age was too demanding on her while trying to work in paid employment at the same time. This was very hard on my wife as she had returned to university as a mature age student to gain a qualification in a profession that she wanted to spend her remaining working life involved in and then had to give up her job." (Grandparent couple 58 and 55, Grandchildren 7 and 11)

"When I was first offered Joseph he was 8 months old, family and friends offered help. Joseph was born heroin addicted and continues to have ongoing academic, social and behavioural problems." (Grandmother 50, Grandchild 9)

¹ Smyth, C. and T. Eardley (2008), *Out of Home Care for Children in Australia: A Review of Literature and Policy*, SPRC Report No. 3/08, prepared for the Department of Families, Housing, Community Services and Indigenous Affairs, Social Policy Research Centre, University of New South Wales, Sydney, p. iv.

² "Issues and Principles: Kinship Care 2007", Department of Human Services, http://www.office-for-children.vic.gov.au/data/assets/pdf_file/0007/34882/issues_paper.pdf, P. 3, accessed 30 May 2008

³ Ibid

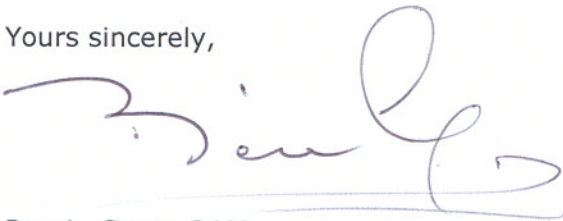
"The initial cost of providing for a 2 week old baby on an age pension, i.e. cot, stroller, car seat etc. am now having to consider buying a larger car to accommodate all the above, especially now my grandchild is coming up to a year old and the situation is likely to be long term." (Grandmother 61, Grandchild 11 months) (P. 31)

Whilst it is clear that this cohort of parents need continual support throughout the life of the child, the availability of paid parental leave for carers who, often at short notice, take on the parental responsibility for infants would definitely go towards easing the pressure on the parents. This would certainly aid in the creation of a stable, healthy home environment for the infant and is therefore undoubtedly in the infant's best interests.

For these reasons, I would strongly encourage you to ensure that your inquiry fully considers the needs of all parents, including kinship and foster carers. The 'best interests' of these particularly vulnerable children should not be forgotten.

For further information in relation to anything contained in this submission, please contact Christine Withers on 03 8601 5871.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Bernie Geary', with a horizontal line underneath.

Bernie Geary OAM
Child Safety Commissioner