



# Real-time Rights-based Recordkeeping Governance

*An Australian Research Council (ARC) Discovery Project at Monash University investigating the governance of systems to support the recordkeeping rights of people who experience childhood out-of-home care.*

## **December 2022**

Submission to:

Committee Secretary  
House of Representatives Select Committee on Workforce Australia Employment Services  
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## ParentsNext and parents with out-of-home care experiences

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This submission raises concerns about the ‘goal displacement’ of punitive welfare schemes and the potential damages done to vulnerable families with parents who have lived in out-of-home care, through the ParentsNext program (Warner & Havens, 1968).

The introduction of the Targeted Compliance Framework to the national rollout of ParentsNext and the ability of the program to suspend payments puts under-resourced care leaver parents at risk of being reported to child protection services for poverty-related neglect (Department of Employment and Workplace Relations, 2018).

Care experienced people or care leavers are individuals who have experienced child protection interventions as children and/or young people which may have included child maltreatment, court proceedings, placements in out-of-home care with family, friends, strangers and/or paid staff and forced exits from care at 18 years of age or younger (Mendes & McCurdy, 2019).

### [Perpetuating intergenerational cycles of care](#)

Care leavers may have had highly traumatic experiences with child protection and out-of-home care services as children and young people. In New South Wales, government data has indicated that care

experienced parents are 10 times more likely to have their children placed in care than the general population (NSW Government, 2018). Care experienced people may lack family and support networks others typically call on to assist with child care and provide emotional support to parents. Young parents can face additional stigma, unconscious bias, and discrimination from government and community services (Wilson & Golding, 2016). This is known as ‘surveillance bias’ in academic and policy literature (Barker et al., 2021; Dominelli et al., 2005; Purtell et al., 2021). One factor that can allow discrimination against care experienced parents’ concerns the access child protection staff have to parents’ childhood and adolescent care records, family histories and various other highly personal files (Purtell et al., 2021; Senior, 2022). The accuracy, fairness and objectivity of care system files are highly contested by many care experienced people (Senior, 2022; Wilson & Golding, 2016).

The Australian Institute of Health and Welfare (AIHW) identified a 10-year cohort of 45,000 care experienced Australians to find that 6,750 of the cohort had children at 19 years of age (AIHW, 2022). Fifteen per cent of the care leaver population claimed parenting payments compared with only three per cent of the Australian population (AIHW, 2022). It is unclear how many ParentsNext participants have lived in out-of-home care placements. What is clear is that the ParentsNext program design is inappropriate for this highly disadvantaged group.

The ParentsNext program may also contribute to increasing numbers of children being placed in care to repeat cycles of welfare reliance and early, under-resourced parenting with traumatic child protection interventions (AIHW, 2022; Purtell et al., 2021, Social Ventures Australia, 2019). In the US, Ginther and Johnson-Motoyama (2022) found that punitive welfare systems in different states were related to statistically significant increases in substantiated child neglect incidents and placements in foster care. Ginther and Johnson-Motoyama’s (2022) study found that the costs of supporting foster care placements were more than providing welfare provisions to support a family of three. This does not take into account the future costs of income support for care experienced people. In Australia, 2022 AIHW figures indicate 54 to 55 per cent of care experienced people have claimed income support between 25 and 29 years of age compared with only 14 to 16 per cent of the general Australian population (AIHW, 2022).

### Goal displacement in welfare policy

Outcomes of punitive welfare policies represent ‘goal displacement’ (Warner & Havens, 1968). ParentsNext may achieve the opposite of intended outcomes to encourage employment and independence from welfare reliance in the short, medium and longer terms (Department of Employment and Workplace Relations, 2018). ‘Goal displacement’ is common in policy and government – particularly in social services where goals such as “increased chances of employment” (Department of Employment and Workplace Relations, 2018: 13) are somewhat intangible. Intangible goals are translated into unvalidated proxy measures and indicators for the purposes of program evaluation and performance management (Warner & Havens, 1968). The goal of employment readiness is translated into completion of approved activities and sanctions are applied if the activities are not carried out. Failing to understand the position of care experienced parents

and the difficulties they may face in completing various activities decreases their employment readiness instead of increasing it.

Suspending parenting payments represents a serious threat to a family's wellbeing and a parent's ability to provide for their child's basic needs. This presents a high risk of being reported to child protection services for neglect. Fear of being treated unfairly by child protection services as someone who has their own child protection history and records is said to act as a disincentive for parents to seek assistance from government and community services (Purtell et al., 2021). Avoiding services can place a family and children at higher risk of severe poverty and hunger or ill-health for example. Such risk factors will then be recorded as evidence of a parent's capacity to care for their children properly and they may be considered an unfit parent (Purtell et al., 2021). Parents whose children are removed then lose parenting payments and may fail to demonstrate the means necessary to reunify with their children (Barker et al., 2021).

### Promoting educational attainment for children and young people in out-of-home care

Research from Sweden and the United States has linked care leaver early pregnancy and parenting directly to disengagement from education (Brannstrom et al., 2016; Brannstrom et al., 2015; Ohene & Garcia, 2020). Educational attainment would therefore appear to be a strong protective factor against long-term welfare reliance by care leavers whether becoming parents or not. Gilligan and Brady (2022) found that parenting was an influence on care leaver adults' decisions to re-engage with education, both to improve prospects for themselves and their children and through developing interests in education through their children's schooling.

### Addressing barriers to employment

The ParentsNext Evaluation Report from the Department of Employment and Workplace Relations (2018: 35) itself states that for ParentsNext participants: "Most typically, engagement in activities or appointments was hindered by what were also the participants' barriers to employment". Care leavers deal with multiple and complex barriers to accessing services, obtaining qualifications and to gaining sustainable employment. Transitions from care literature tells us that young people leaving care have for decades been some of our most vulnerable citizens left with few social, familial and community relationships following the disruptions associated with placement in care such as sibling separation (McDowall, 2015); school moves (Mendes et al., 2022); and difficulties establishing "overlapping and interlocking networks of relationships in various life domains and geographical locations, both formal and informal" (Van Breda, 2022: 13). These issues are exacerbated by placement instability and exits from care resulting in housing instability and homelessness (McDowall, 2020). There is a clear need to address the multiple and complex barriers care experienced people face to education, employment and training and social, community and economic participation. ParentsNext and other punitive welfare schemes are ineffective, inefficient and harmful in many cases with this cohort.

When young people in these situations become parents they are typically less resourced than those with stronger links to family, friends and community. They are more vulnerable as income support recipients and ParentsNext participants to payment suspensions and to child protection interventions with their own children as a result. The use of their own care records against them in assessing their parenting likely contributes to increased rates of child removal amongst care leaver parents and continuing cycles of long-term income support reliance amongst care leaver parents and eventually their children and their children's children.

### Wicked problems and wicked solutions

The issues surrounding ParentsNext and care leaver parents are complex, multidimensional, 'wicked' problems spanning all levels of government and community services (Head & Alford, 2015). Reforms to out-of-home care and transitions from care policy are rarely all encompassing and usually involve short-term programmatic responses which can complicate service delivery and evaluation.

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*Tackling wicked problems is challenging not only because of their inherent complexity but also because the mechanisms of public-sector management tend to complicate and hamstring efforts to resolve such issues. These structures and processes have evolved over time, with each new phase overlaying rather than completely eliminating its predecessor (Head & Alford, 2015: 719).*

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Several inquiries have noted the complex systemic issues at play in coordinating child safety and the provision of quality out-of-home care across government and community-based organisations. Recognising this, the Victorian Commission for Children and Young People, the Victorian Auditor-General's Office (VAGO) and the Victorian Ombudsman have all called for an independent advocate for children in care (CCYP, 2020; VAGO, 2014; Victorian Ombudsman, 2020). Our Real-time Rights-based Recordkeeping Governance project seeks to explore the role of an independent recordkeeping advocate and participatory information governance in promoting safer and more effective care systems.

To overcome care experienced parents' barriers to activities and appointments in a pre-employment program, or to education, training and employment, government needs to have more effective consultative relationships with care experienced people in advisory contexts. Australian organisations and governments are internationally advanced in the development of structures that support meaningful consultation with people with lived experience of social services, especially in relation to care experienced people (Purtell et al., 2019; Purtell et al., 2023; Vosz et al., 2020; Witnish, 2017).

Our research in the Real-time Rights-based Recordkeeping Governance project aims to contribute to improving outcomes for children, young people and adults with care experiences, bettering their

chances of reaching their potential in society and supporting their social and emotional health and wellbeing. Efficient, effective, digitally enabled and real-time participatory recordkeeping governance will more effectively enable and provide support for care leavers' positive sense of identity, connectedness to family, communities and cultures, along with dramatically improving the continuity and accountability of care systems. Our research will lead the design of digital rights-based advocacy and regulatory regimes for childhood out-of-home care, while contributing to the development of interdisciplinary and international strategic research alliances able to apply advanced knowledge to problems at the intersections of law, recordkeeping and information technology.

### Policy directions for improved outcomes

- Access to generalist, intensive, holistic supports, flexible funding arrangements and clear pathways to educational attainment are all associated with improved outcomes for care leavers including pregnancy prevention for some, and more successful parenting for others. These outcomes support the financial independence goals that government seeks to achieve for care leavers.
- Care experienced parents and care experienced people claiming income supports, as well as care experienced graduates, tradespeople and business owners are all highly qualified in advising on what works to support positive outcomes and financial independence for young people transitioning from care and the adults they become. Service and program design will be most effective and least costly when it includes the perspectives of service users' lived experience of our social support systems.
- Government and statutory recordkeeping practices are not necessarily objective, accurate or fair and can have adverse effects on care experienced people throughout their lives. Participatory recordkeeping governance processes need to be developed to ensure that care leavers are not disadvantaged in their educational experiences, through income support requirements and obligations or because of their care histories, particularly in relation to child protection involvement with their own children.

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