

A DIFFERENTIAL RESPONSE MODEL FOR CHILD PROTECTION IN NEW ZEALAND: SUPPORTING MORE TIMELY AND EFFECTIVE RESPONSES TO NOTIFICATIONS

Steve Waldegrave¹

Fiona Coy

Department of Child, Youth and Family Services

Abstract

In 2005 Parliament will consider amendments to the Children, Young Persons and Their Families (CYP&F) Act 1989. The amendments enable the introduction of a *differential response model* under which the Department of Child, Youth and Family Services (CYF) can respond to different reports of abuse, neglect or insecurity of care in a range of different ways. This article describes the policy rationale and intent of these changes. It then describes how the new system is intended to operate, and draws on international experience to predict some of the likely benefits and challenges of the new system. The likely challenges of a differential response model include resourcing the system, and CYF social workers accurately deciding whether a case requires investigation or other action. The likely benefits include a greater ability to keep children safe by targeting CYF investigative resources more effectively and responding more appropriately to different kinds of notifications. The Differential Response Model should also enhance CYF's ability to meet the broader welfare needs of its clients by supporting more assessment and service delivery partnerships with community service providers. Ultimately, the Differential Response Model should result in more timely, appropriate and effective services for CYF clients.

INTRODUCTION

In 1989 the Children, Young Persons and Their Families (CYP&F) Act was introduced. Under section 15 of the new Act, any person was explicitly allowed to report physical, emotional or sexual abuse, ill-treatment or deprivation to the police or a social worker. Under section 17 the social worker or police officer receiving the report would have to "investigate" (or arrange for an investigation) as soon as practicable.

1 Acknowledgements

Thanks to Maarten Quivooy, Stewart Bartlett and Graham Parker for their valuable contributions to the policy development in this area, which have informed this article. Thanks also to Craig Smith for providing access to vital resources, and to Arati Waldegrave for her editing.

A Differential Response Model for Child Protection in New Zealand:
Supporting More Timely and Effective Responses to Notifications

At the time of the CYP&F Act's inception, government's response to matters of care and protection was embedded in its work to promote broader child and family welfare. An "investigation" was interpreted broadly as *any appropriate response* to the report (whether that report was considered a report under section 15 of the CYP&F Act or not²).

However, public, media and judicial pressure over time has led the Department of Child, Youth and Family Services (CYF) to interpret the concept of an "investigation" more narrowly. Now, an "investigation" tends to be more specifically understood (and has been codified in CYF social worker guidelines) as a full enquiry with the aim of establishing whether harm has taken place or is likely to in the future.

As the number of reports of alleged child abuse, neglect and insecurity of care have increased over time, and as CYF has increasingly sought to respond with a full investigation, the Department's ability to meet the demand for investigations has diminished. This situation appears to have contributed to severe budget pressures, variable service quality and a clear perception that the Department could no longer effectively deliver quality social work services to clients.

In 2003 Ministers initiated a Baseline Review which identified that the Department needed to stabilise, learn from its experience and improve its service delivery. However, over the six months following the review, the number of reports (or "notifications") CYF received increased by around 29% over the upper range predicted by the review. This threatened the very stability the review had sought to promote. The Department and its Minister needed to quickly explore ways to meet the greater-than-expected demand while implementing the Baseline Review recommendations.

In response to their concerns about CYF's ability to meet the burgeoning demand for investigations, a number of influential non-governmental organisations (NGOs) told the Minister that they saw a potentially greater role for themselves in assisting CYF. This proved to be an important catalyst for change. On 17 March 2004 the Cabinet Social Development Committee directed the Ministry of Social Development³ and CYF to consider, and report back by 1 September 2004 on:

- whether sections 15 and 17 of the CYP&F Act should be amended to allow a more flexible CYF response to notifications
- whether amendments were appropriate to enable NGOs to carry out certain statutory care and protection functions on behalf of government.

2 Non-section 15 was a category of intake that was assumed not to involve abuse or neglect.

3 The Ministry of Social Development was directed to be involved in this work because of its formal role in making any necessary changes to the Children, Young Persons and their Families Act 1989.

Steve Waldegrave, Fiona Coy

In response, CYF and Ministry of Social Development officials analysed the care and protection systems in a number of overseas jurisdictions. They found that in none of the overseas jurisdictions studied did the care and protection agencies seek to respond to reports uniformly with a full social work investigation. Instead, overseas agencies provided what was often known as a “differential response” – a response that varied depending on the *kind* of report. For example, responses to reports of neglect often differed from responses that concerned sexual abuse.

In 2005 Parliament is scheduled to amend the CYP&F Act – a change that will underpin and support the introduction of a differential response model in New Zealand. This article explores the policy rationale and intent of these changes. It also draws on international experience to predict some of the likely benefits and challenges of the new system.

“CARE AND PROTECTION INVESTIGATION”: AN EVOLVING CONCEPT

When the CYP&F Act was originally enacted in 1989, it provided a single explicit option for the police or a CYF social worker to respond to reports of abuse or neglect made under section 15 of the Act. The Act, in section 17 (1), stated:

Where any Social Worker or member of the Police receives a report pursuant to section 15 of this Act relating to a child or young person, that Social Worker or member of the Police *shall, as soon as practicable after receiving the report, undertake or arrange for the undertaking of such investigation as may be necessary or desirable into the matters contained in the report* and shall, as soon as practicable after the investigation has commenced, consult with a Care and Protection Resource Panel in relation to the investigation. [emphasis added]

The term “investigation” was not defined in the Act, so it was left to those who worked under the Act to define and operationalise the concept. During the first few years after the Act’s introduction an “investigation” was loosely understood to be the range of activities that a social worker undertakes in response to a notification under section 15. This included, for example, seeking more information, referring the client to another (e.g. NGO) organisation for services, or deciding that no further action was necessary.

This broad interpretation of “investigation” meant that the Department was able to respond in a variety of ways to notifications. For example, when a full investigation was needed (which could lead to a prosecution), CYF and the Police were able to collaborate. On the other hand, when more appropriate, CYF was able to undertake activities designed to preserve and support the family. Both the full enquiry designed to ensure the future safety of the child or young person and the more support-focused

A Differential Response Model for Child Protection in New Zealand:
Supporting More Timely and Effective Responses to Notifications

activity fell under the overarching concept of an “investigation”. Furthermore, the “safety-focused” activity and the “child and family welfare” activity were seen to be complementary.

However, in New Zealand, as overseas, a number of key contextual developments changed this situation significantly over the 1990s. These included:

- a growth in public awareness of child abuse, resulting in a significant increase in the reporting of suspected abuse and consequent demand for care and protection services
- an increase in the complexity of problems faced by children and their families with care and protection issues
- an increased focus by the media and public on child safety rather than broader child welfare
- the development of influential research and practice paradigms in the social work and related professions that focused on protection and risk assessment.

These changes have contributed to increasingly risk-averse child protection services in New Zealand and similar jurisdictions. As part of this tendency towards risk aversion, the interpretation of an “investigation” under section 17 of the Act has narrowed over time. This has been further reinforced by a number of judicial decisions.⁴ Ultimately, this trend led CYF to develop, and put in its social work guidelines, a tightly specified and much narrower definition of what an “investigation” involves.

A social work investigation is now understood as being a “systematic enquiry” with a number of prescribed steps (see Appendix 1) to ensure the immediate and ongoing safety of the child or young person.

CHANGES TO CYF PROCESSES AND PRACTICE OVER TIME

Over the 1990s, in New Zealand as in a number of overseas jurisdictions,⁵ the decision to conduct a full care and protection investigation became the dominant response to notifications. Since 1998 CYF has used a centralised call centre to receive and process notifications. This, along with the new computer recording that systematised decision-making for intake, has made processing notifications consistent but has also subtly further limited the options for responding to them.

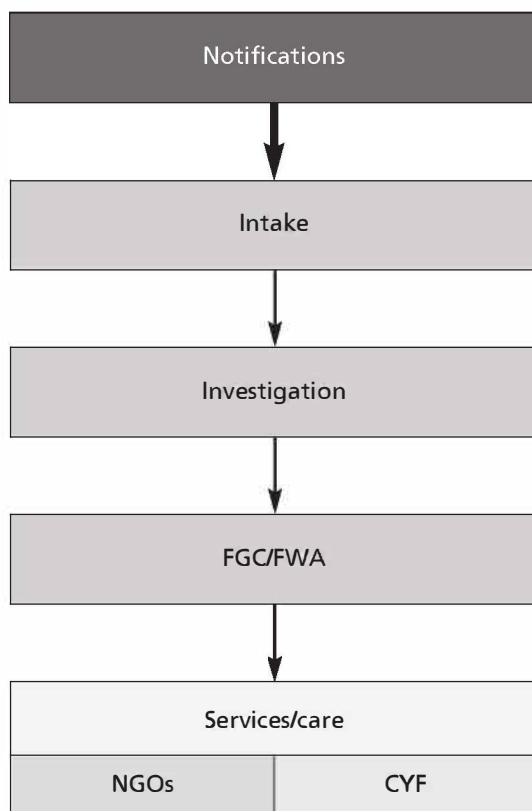
4 For example, in *H v District Court at Whangarei* (1993) 11 FRNZ 424, Blanchard J described the purpose of section 17 as being “to ensure that a prompt and proper investigation is made and the findings of that investigation are appropriately reported so that action can be taken to rectify the situation revealed by the investigation.”

5 For example, in the United Kingdom, “social workers albeit in small numbers, have been concerned over several decades to maintain adequate preventive service in the face of a growing child protection ‘industry’” (Platt, 2001).

Steve Waldegrave, Fiona Coy

Figure 1 provides a simplified illustration of the care and protection process as it operates currently. Usually the Department receives notifications (via the call centre) and investigates as a matter of course.⁶ After investigation, where further intervention is required a Family/Whānau Agreement (FWA) or a Family Group Conference (FGC) (with or without Court action) follows to address the issues identified during the investigation. CYF itself and/or other organisations, including approved NGOs, can provide services to meet identified needs as part of the FWA or FGC/Court plan.

Figure 1 A Simplified Model of the CYF Service Process (2004)



⁶ Over time the Department has investigated around 85% of notifications received at intake, and the vast majority of cases not investigated were closed immediately.

THE NEED TO INTRODUCE A DIFFERENTIAL RESPONSE TO NOTIFICATIONS

Investigation as a Means to Access Supportive Services for Families

The process described above shows the FGC (or informal FWA) to be the primary decision-point at which the Department provides or purchases services to help meet identified needs or resolve identified issues. Clients proceed to FGC if the investigation has found a substantial care and protection concern (e.g. abuse, including physical, sexual and emotional; neglect; behavioural or relationship problem; suicide or self-harming).

As at February 2005 only around 30% of notifications to CYF were deemed to require further intervention (or services) following an investigation. For those clients where there was no finding (around 58% of cases) the case was usually closed. This means the vast majority of CYF clients currently receive an investigation and little follow-up service (e.g. counselling or other supportive service).

The low rate of service provision post-investigation is arguably of significant concern, since this is the stage where government takes steps to improve the situation identified via the investigation. If the investigation leads to no further action, then it is questionable that any real value is achieved, either in terms of the effective use of resources or in terms of help to children, young people and families.⁷ This observation led officials to consider whether CYF could provide more effective support to children and families notified but for whom an investigation may not be needed. This in turn led to consideration of whether a more flexible approach for responding to notifications might better serve some CYF clients. Such an approach would focus on assessment and follow-up service provision to assist children and their families.

Investigation and Good Social Work Practice

Situations of high risk of harm to a child or young person and certain types of abuse (e.g. sexual abuse) clearly warrant a social work investigation. However, many of the notifications CYF receives do not fall into this category. For example, reports of neglect (sometimes not easily distinguished from situations of high stress or poverty), relationship difficulties and child behavioural issues often do not warrant an investigation.

⁷ This said, of course some investigations are necessary in order to determine that no further action is required.

Steve Waldegrave, Fiona Coy

In many instances of neglect an investigation is not only unlikely to be helpful, but it may also fail to identify key features of the problem at hand because of the singular focus on establishing whether deliberate acts of abuse have occurred. The findings of the CYF Criticality Review Project (2002:5) support the conclusion that CYF's response to some types of notifications has been less successful than possibly it could have been, with 28% of cases in the less urgent population being re-notified within two years.

Investigations can have traumatic effects on families, generating extreme anxiety and uncertainty for children and families (Department of Health [London] 2005). In situations where the risk of abuse or neglect of the child is low, the rationale for investigating is significantly weaker. Furthermore, risking the loss of engagement of families through an unnecessary, unproductive and expensive investigative process reduces the potential for families to be active participants in change⁸.

MacLeod and Nelson (2000) have found that intensive family preservation programmes that use empowerment/strengths-based approaches and provide social support are most likely to succeed in cases of high need but low risk of immediate harm. Families are more likely to be identified appropriately for these types of programmes through a needs assessment rather than an investigation.

Investigation and Demand Management

Not only is it arguably inappropriate from a good practice perspective for CYF to undertake an investigation for every notification received, but it has also become an increasingly ambitious task in light of increasing demand. As notifications to CYF have outstripped social worker time, CYF has developed a prioritisation system so that it can focus resources on the most urgent notifications first.

CYF developed the "criticality matrix" to rank cases according to the urgency of response needed. Ranking notifications received has very effectively ensured that the most apparently urgent cases receive service first. However, less urgent cases (such as many family functioning, neglect and behavioural problem cases) either face a significant wait or receive no service at all. This is a significant concern since as Farran (2002) notes, while not appearing urgent, such cases nevertheless still have the potential for significant long-term harm to children and young people.

A systemic change within CYF that promotes a different response to low-risk, high-need cases should therefore help CYF to become more effective. This improved

⁸ This is also contrary to the engagement required for an effective FGC and may be reflected in the static numbers of FGCs compared to increased numbers of investigations over recent years.

effectiveness should reduce repeat reports of harm to CYF, ultimately decreasing the demand for its services.

WHAT IS THE ALTERNATIVE TO AN INVESTIGATION FOR ALL NOTIFICATIONS?

Analysis of care and protection systems in comparable jurisdictions (South Australia, Queensland, Western Australia, Victoria, the United Kingdom, United States and Canada⁹) has revealed that most endorse some alternative to a social work investigation for certain notifications. Responding differently to different types of notifications appears to have become a part of international best practice. This approach is known as providing a “differential response” to notifications.

In Canada, parts of Australia and parts of the United States and the United Kingdom, explicit differential response models operate. These systems openly mandate alternatives to a full social work investigation for some cases. In the United Kingdom, for example, local authorities must “enquire” when they have good cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such “enquiries” are tantamount to investigating in order to assess whether harm has taken place and is likely to again. Where the circumstances do not meet that “enquiry” threshold, and “where authorities believe it is necessary to do so”, they are obliged to conduct an appraisal of the family’s broader welfare needs.¹⁰

Evidence from the United Kingdom suggests that introducing a differential response model has considerable benefits. For example, Platt (2001:147) comments that, in the United Kingdom, the introduction of a differential response model “gives grounds for cautious optimism ... the outcomes for the children appeared satisfactory and the child protection issues were resolved in an acceptable manner. The balance of parent’/carer’s opinions was positive.”

In Canada, the Alberta Response Model provides an investigative track for high-risk families and an alternative assessment track for less serious cases. In situations where the family is assessed as not needing a “child protection” investigation, the family can access services on a voluntary basis. Families are assigned to a stream based on an assessment of risk and the family’s willingness to engage. The system has helped more families in need receive support from community-based programmes before a crisis is reached and has consequently reduced the child protection caseload (Alberta Children’s Services 2003).

⁹ Appendix 2 provides additional information on the legislation governing responses to notifications in the Australian jurisdictions.

¹⁰ There is no specific obligation to meet the needs identified in any such appraisal and the courts recognise that resource availability is a relevant factor in determining whether resources can be directed to a specific case.

Steve Waldegrave, Fiona Coy

In Missouri and Florida, evaluations of differential response models have found positive benefits. These include, for example, that more families engage with voluntary community-based services, reducing notifications to Child Protection Services. They have also found that the investigations that are undertaken are completed more efficiently and effectively than in the past (Kluger et al. 2000).

INTRODUCING A DIFFERENTIAL RESPONSE SYSTEM FOR NEW ZEALAND

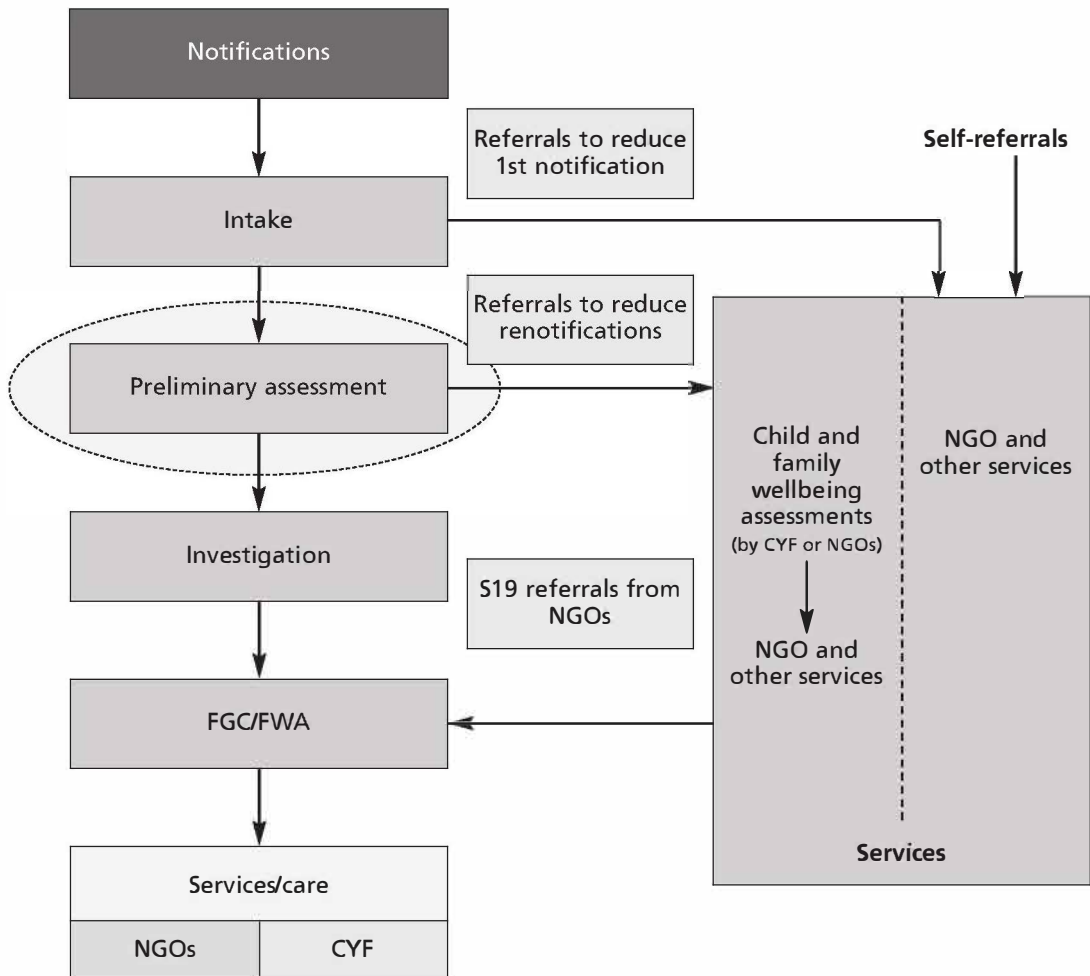
In September 2004 CYF and the Ministry of Social Development reported back to the Cabinet Social Development Committee recommending amendments to the CYP&F Act. The amendments support the introduction of a differential response model in New Zealand. The first of these is to introduce the concept of a “preliminary assessment”, which CYF will undertake for all reports received under section 15. The aim of this preliminary assessment is to provide CYF social workers with an explicit decision-making point regarding the appropriate response to a notification.

The “preliminary assessment”, as illustrated in Figure 2, helps to clarify that an investigation is not the only appropriate response to notifications. A preliminary assessment will lead to the following options for response:

- a child and family assessment
- an investigation
- referral to other organisations (including NGOs) or departments for the provision of services
- any other action to give effect to the objects of the CYP&F Act
- a decision that no further action is required, where appropriate.

A Differential Response Model for Child Protection in New Zealand:
Supporting More Timely and Effective Responses to Notifications

Figure 2 Simplified Proposed Differential Response System for New Zealand



A child and family assessment differs from a social work investigation in several ways. Child and family assessments:

- focus on identifying the support needs of the child, young person and their family, and any services they may require to improve or restore their wellbeing
- do not involve systematically collecting further information as evidence for potential court cases
- may be undertaken on behalf of CYF by approved organisations, including NGOs
- do not involve the exercise of coercive powers
- do not require consultation with a Care and Protection Resource Panel.

Steve Waldegrave, Fiona Coy

Unlike investigations, child and family assessments do not seek to determine whether a child or young person has been abused or neglected. However, child and family assessors will need to remain alert to possible indicators of abuse or neglect. According to the CYP&F Act amendments, if at any stage of the process, harm to the child or young person is suspected or alleged, the case must be referred back for further assessment to decide the appropriate course of action.

THE CHALLENGES FOR IMPLEMENTING A CYF DIFFERENTIAL RESPONSE SYSTEM

Changing the Culture

Over recent years CYF, like most care and protection agencies in similar jurisdictions, has increasingly focused almost exclusively on assessing risk and protecting children and young people from immediate harm. Consequently, Connolly (2004a:28) observes:

There is potential for an established practice culture to undermine the implementation of a differential response intake system. A paradigm shift is necessary if workers are to move from the "interventionist approach" to one that can respond to alternative family-centred practices.

International experience suggests that placing more focus on family-centred practice will take time. Platt (2001:139), for example, observes that in the United Kingdom, the assumption that social workers could "simply switch their time from child protection to family support was somewhat over-ambitious". It will take time for CYF to adapt to the preliminary assessment process and reduce the amount of investigative work it undertakes in favour of work on the child and family assessment.

CYF staff will need encouragement and support to make the decision not to investigate in some cases. Such a change will not be easy because it is arguably at odds with current societal (or at least media) expectations that the Department investigate every notification. Parton and Mathews (2001) observe that it is unreasonable to expect social workers to re-focus their practice towards family support activities if this contradicts the dominant views of wider society. In order for the differential response model to operate to its potential, social workers will need to be strongly supported by CYF management even when (in light of new information) clients appear to have been diverted into the wrong service stream.

Deciding How to Respond Optimally to Notifications

CYF social workers will face a significant challenge in successfully deciding whether a case requires investigation or other action. There will be instances in which clients will be assessed as requiring an investigation when a child and family assessment is more

A Differential Response Model for Child Protection in New Zealand:
Supporting More Timely and Effective Responses to Notifications

appropriate and vice versa. The key to mitigating the risks to children, young people and families in such cases will be CYF's ability to "self-correct" when new information emerges. To facilitate this, clients should be able to flow easily from one service stream to another (or be in both simultaneously).

Accurately Identifying Needs

Once a decision has been made that a child and family assessment is appropriate, the next challenge is to accurately identify the needs of the clients. In the United Kingdom, the Framework for Assessment of Children in Need and their Families has been developed. Experience gained from using this tool may usefully inform the development of a similar tool in New Zealand. CYF will still have a challenge in ensuring that the social work workforce is trained and supported in the use of such tools and that these tools become integrated into usual social work practice.

Meeting the Identified Needs

Differential response models usually seek to keep "low-risk families" engaged in a supportive environment that seeks to meet their needs while usefully enabling monitoring of the situation. Tomison (1995) notes that family support services in Victoria, for example, have been very successful in identifying families at risk before they reach the statutory threshold for protective intervention. However, a differential response does not guarantee that any needs identified are necessarily met. It is possible to identify needs through a child and family assessment (as through an investigation) and provide little or no service response to meet the needs. In order to address identified needs, services must be explicitly purchased or provided with that aim in mind.

In Western Australia there appears to have been a rapid retreat from a differential response model in the face of comments from child protection experts that the system failed to deliver real benefits for clients. The system in Western Australia differentiates between "child maltreatment allegations" (CMAs) and "child concern reports" (CCRs). The former (CMAs) would be the kind of cases that under the new differential response model in New Zealand would be responded to with an investigation, and the latter (CCRs) with a child and family assessment.

McCallum and Eades (2001) observe the following in Western Australia:

- Very few resources were provided to actually meet the needs of CCRs (families in low-risk but high-need situations), with these cases instead effectively ending up on a waiting list.
- Aboriginal families are disproportionately represented in the CCR population and therefore the CCR classification appears to legitimise less, or no, provision of services for many Aboriginal children and their families.

Steve Waldegrave, Fiona Coy

- A high proportion of CCRs repeat as a CCR or CMA.
- As a result of the move to a differential response model, more families have ended up receiving less or no more service than before.

From this they conclude that the differential response model in Western Australia has not focused on the prevention of further abuse and neglect. Instead, it has simply been “one way to attempt to meet demand in the absence of sufficient resources” (McCallum and Eades 2001:270).

The experience in Western Australia raises a fundamental question for New Zealand to consider when it attempts to implement a differential response model: how will the system ensure that those who receive a child and family assessment have access to services? This is a particularly pertinent question in light of existing anecdotal evidence that under the current New Zealand system some clients do not receive the services they need for a range of reasons, including lack of service availability.

The investigative and the new “child and family assessment” streams will need to be resourced adequately if the differential response model is to reach its potential. In the United Kingdom, recent research has confirmed that “a certain retrenchment into child protection procedures has taken place ... necessitated, perhaps, by political pressures and resourcing difficulties” (Platt 2001:147).

The part CYF needs to play in this is to quantify and effectively cost the welfare needs identified via the new system. The Department will also need to explore opportunities to use its existing resources more efficiently and effectively to help meet the needs identified through the differential response model. Current work to review the use of approximately \$94 million of non-departmental funding CYF currently administers offers one such opportunity.

CYF should also explore the opportunities for accessing needed services for clients from its partner agencies in the health, education, justice, family support and income maintenance sectors. The current location of Family Support Services within the Ministry of Social Development’s Family and Community Services (FACS) will contribute to decisions about the funding framework and mechanisms which are likely to offer opportunities for CYF to access supportive services for its clients.

In summary, if differential responses is to be effective as a policy and practice change, CYF must identify the needs of its clients and do everything in its power to see that those needs are met. To achieve this, CYF will ideally:

- seek additional funding, where necessary
- make resource allocation decisions that prioritise meeting the identified needs
- be as efficient and cost-effective as possible

A Differential Response Model for Child Protection in New Zealand:
Supporting More Timely and Effective Responses to Notifications

- negotiate services for clients with other (e.g. justice, health and education) sector agencies, where appropriate.

AN EVOLVING CYF RELATIONSHIP WITH NGO SERVICE PROVIDERS

One of the key ways the new differential response model should enable a more timely response to notifications of child abuse, neglect and insecurity of care is by expanding the overall social work workforce available to respond to notifications.

The non-government sector provides a much wider pool of social work resource than is available through government alone. This is a step towards a closer relationship that includes more comprehensive, outcomes-focused service provision. Moving to a differential response model should therefore signal a closer relationship between CYF and NGO service providers. As Connolly (2004a:41) notes:

Invariably, the success of a differential model relies upon the creation and development of strong community support agencies that are willing and able to become partners with the state to protect the interests of children. However, collaborations are not always easy to establish and maintain.

NGOs are already able to provide services before notification: under a Family/Whānau Agreement, following a Family Group Conference, or after a child comes into care. The planned legislative changes provide ways for NGOs to engage in the care and protection process even more. One key way will be for approved NGOs to undertake child and family assessments on behalf of the Department. NGOs may also provide longer-term services that support families following a child and family assessment.

The success or otherwise of such arrangements will depend on the capacity of NGOs to provide the services needed and the ability of CYF to adequately support service provision. Consequently, there may be a need to build the capability and capacity of the community sector to meet any additional demand for their services.

HOW WILL WE KNOW IF THE DIFFERENTIAL RESPONSE MODEL HAS BEEN SUCCESSFUL?

The aim of introducing the differential response model is clear: more timely, appropriate and effective services that respond to the identified needs of CYF clients and ultimately reduce the recurrence of harm. The change should result in families making earlier and better use of community-based services. Over time, fewer children and young people should require child protection services.

Steve Waldegrave, Fiona Coy

If the differential response model is implemented as intended, we might, for example, expect to see:

- a decrease in the number of investigations and an increase in the number of child and family assessments
- an increase in the involvement of CYF staff in engaging and providing services that respond to identified needs following child and family assessments
- the development of large-scale partnerships between CYF and NGO providers to provide services that respond to the identified needs of CYF clients.

CYF will evaluate the differential response model as it is implemented. As part of this, measures of success will need to be developed. These might include, for example, an expectation that over the longer term the Department might expect to see:

- a decrease in the number of renotifications (and in particular, those that concern neglect and low-level abuse) to CYF over time
- an improvement in the timeliness of response to clients in situations of neglect, low-level abuse or facing other barriers to proper care (e.g. child behavioural issues)
- an increase in the level of (particularly voluntary) parent engagement and satisfaction with the process
- an increase in the number of families receiving community-based programmes that address their needs.

CONCLUSION

In 2005 changes to the Children, Young Persons and Their Families Act 1989 will introduce a differential response model. These changes are intended to promote more effective and timely service for CYF clients by enabling the Department to respond more flexibly to different types of notifications and help meet the care and protection needs identified.

The changes should signal a move towards more support for children, young people and families in situations of low risk but high need. Having multiple explicit options for responding at intake should help CYF to respond more appropriately to different kinds of notifications than it can at present. The new “preliminary assessment” process being introduced should identify some notifications that need investigating, others that need a family support response, and others again that need both (or some other response).

CYF faces a number of challenges as it strives to build the tools, structures and institutional understanding needed and seeks the necessary resources to operate the new system. One of these is having the organisational courage to support decisions by social workers not to investigate some notifications. Another is to ensure that all efforts are made to meet the needs identified. To do this, CYF will need to develop strong, trusting and effective service partnerships with both its government and NGO partners.

A Differential Response Model for Child Protection in New Zealand:
Supporting More Timely and Effective Responses to Notifications

While CYF will face significant challenges in introducing differential responses, it can do so in the knowledge that the change is consistent with international best practice and should ultimately lead to more timely, appropriate and effective services that protect and meet the needs of New Zealand children and young people and their families.

APPENDIX 1

The key features of a formal social work investigation are:

- systematically gathering further information to determine whether or not harm to the child or young person has occurred and is likely to recur
- deciding if emergency action (e.g. filing for warrants) is necessary in order to remove the child or young person from immediate harm
- engaging with Police according to the Child Abuse Team/Sexual Abuse Team (CAT/SAT) protocol if sexual or serious physical abuse is alleged or suspected
- sighting the child/family/caregiver to establish the immediate safety of the child or young person
- interviewing, informing, consulting family/whānau, Care and Protection Resource Panel, Police, public health nurse, doctor, teacher, and others as necessary to establish the immediate safety of the child or young person
- involving two or more social workers in the investigation
- consulting with a CYF solicitor and/or cultural adviser, when necessary.

APPENDIX 2

The legislation in South Australia says that an investigation *may* be undertaken after receiving a notification of alleged harm to a child or young person. Whether or not a given notification receives an investigation or any response at all depends entirely on policy and operational decisions. By contrast, in Queensland, there is a legal requirement that the Department of Families *take action* of some description in response to an allegation of abuse or neglect. However, what form that action may take is again a matter of policy and practice discretion.

While the legislation in Victoria requires that all notifications be investigated, an “investigation” is not legislatively defined (as is the case in New Zealand). However, unlike New Zealand, Community Care (the Victorian equivalent of CYF) manages the demand for its services by “fully investigating” (involving sighting the child or young person concerned) only around 35% of notifications.¹¹ One justification provided in Victoria for this approach is that the 65% of cases that are not fully investigated are primarily low-level abuse and neglect cases.

11 Community Care used to “fully investigate” 50% of notifications, but the threshold was raised in light of demand pressures. As one interviewee observed, “it’s not necessarily right for the state to intervene just because someone made a phone call”.

Steve Waldegrave, Fiona Coy

Western Australia is the only jurisdiction of those considered where an “investigation” of sorts is required for all notifications. However, unlike New Zealand, in Western Australia a distinction is made between investigations into a “child maltreatment allegation” where serious maltreatment is suspected, and investigations into a more generic “child concern report”.

REFERENCES

- Alberta Children’s Services (2003) *Alberta Response Model: Transforming Outcomes for Children and Youth*, unpublished manuscript.
- Cabinet Social Development Committee (2004) “Children, Young Persons, and Their Families Amendment Bill” Minute of Decision, SDC Min (04) 5/1.
- Connolly, Marie (2004a) *Child and Family Welfare: Statutory Response to Children at Risk*, Te Awatea Press, University of Canterbury, Christchurch.
- Connolly, Marie (2004b) *Literature Synthesis: CYPF Act Amendment and Legal Issues Work*, unpublished, Wellington.
- Department of Child Youth and Family Services (2002) *Criticality Review: Report to the Minister of Social Development and Employment*, Report 2002/380 ed, unpublished, Wellington.
- Department of Health [London] (1995) *Child Protection: Messages From Research*, HMSO, London.
- Department of Social Welfare (1989) *Report of the Department of Social Welfare for the Year Ended 31 March 1989*, Department of Social Welfare, Wellington.
- Farran, D.C. (2002) “The importance of experience for the human brain: Why intervention is so important in risk situations” *Children’s Issues*, 6(2):7-11.
- Kluger, M.P., G. Alexander and P.A. Curtis (2000) *What Works in Child Welfare*, CWLA Press, Washington, D.C.
- MacLeod, J. and G. Nelson (2000) “Programs for the promotion of family wellness and the prevention of child maltreatment: A meta-analytic review” *Child Abuse & Neglect*, 24(9):1127-49.
- McCallum, S. and D. Eades (2001) “Response to ‘New Directions’ in child protection and family support in Western Australia: A policy initiative to re-focus child welfare practice” *Child and Family Social Work*, 6:269-274.
- Parton, Nigel and Richard Mathews (2001) “New Directions in child protection and family support in Western Australia: A policy initiative to re-focus child welfare practice” *Child and Family Social Work*, 6(2): 97-113.
- Platt, D. (2001) “Refocusing Children’s Services: Evaluation of an initial assessment process” *Child and Family Social Work*, 6:139-48.
- Tomison, A.M. (1995) *Spotlight on Child Neglect National Child Protection*, Australian Institute of Family Studies, Melbourne.