

1. About the Author (Practitioner Perspective)

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My work has involved interviewing children alleging abuse, working alongside police and child protection, and supporting protective parents navigating legal systems. This submission draws on de-identified composite practice cases and frontline experience.

2. Key Concern: Fragmented Systems Are Failing Children

Children and families experiencing abuse and family violence are required to navigate three separate systems: child protection, domestic and family violence courts, and family law. These systems operate under different legislation, thresholds, evidentiary standards, and professional cultures. In practice, this fragmentation leads to:

- Inconsistent and conflicting court orders affecting children’s daily safety
- Risk information not being shared between courts and agencies
- Children being interviewed multiple times by different professionals
- No single system holding responsibility for the child’s holistic safety
- Delays in therapeutic support while legal matters proceed

From a practitioner perspective, fragmentation is not a procedural inconvenience — it creates cumulative risk and predictable harm for children and protective caregivers.

3. Practice-Based Case Example (De-identified Composite)

In a composite case reflecting common practice patterns:

A mother fled family violence and obtained a protection order through the Magistrates Court. The father commenced family law proceedings seeking unsupervised contact. A child later disclosed witnessing serious violence, prompting a report to child protection. The child protection response was brief and closed, deferring to family law. The family court interpreted child protection’s lack of involvement as low risk and progressed contact arrangements. The children’s emotional wellbeing deteriorated while waiting months for therapeutic support due to service shortages and concerns about counselling notes being subpoenaed in court.

Each system technically “did its job,” yet no system ensured the children were safe, supported, or heard.

4. Impacts on Children and Families

Fragmented justice and service systems create foreseeable harms:

- **Retraumatization:** Children repeatedly recount traumatic experiences to multiple professionals.
- **Silencing of children:** Children are rarely consulted meaningfully in domestic and family violence proceedings despite being directly affected.
- **Therapeutic harm:** Counselling records are often subpoenaed, undermining children's trust in therapeutic spaces.
- **Risk minimisation:** Protective parents' concerns are dismissed when they cannot meet adversarial evidentiary thresholds.
- **Service delays:** Children wait months for mental health support during critical developmental periods.

These harms are not incidental; they are structural features of fragmented systems.

5. Ethical Burden on Practitioners

Frontline practitioners are placed in untenable positions:

- Expected to practise in trauma-informed ways within systems that retraumatise children.
- Supporting children whose disclosures may later be used as legal "evidence" in adversarial disputes.
- Witnessing cumulative harm without authority to change system design.

This contributes to moral distress, burnout, and workforce instability, which in turn undermines continuity of care for children.

6. Systemic Gaps Identified

From frontline practice, key gaps include:

- No integrated child safety pathway across legal and service systems
- Poor information sharing between child protection, family law, and DFV systems
- No embedded therapeutic response within court processes
- Child participation that is largely symbolic rather than meaningful
- Diffuse accountability for children's overall safety and recovery

7. What Works Better: Integrated Child-Focused Models

International evidence shows that integrated child-centred justice models improve safety and wellbeing outcomes. These models:

- Minimise repeated interviewing
- Co-ordinate legal, child protection, and therapeutic responses

- Embed trauma-informed practice within legal processes
- Centre the child's voice in a safe and supported way

Australia already has partial foundations for this approach (e.g., specialist DFV courts, co-location initiatives), demonstrating feasibility. The Child Protection Centre for Australia has very recently undertaken a Policy Briefing about the value of implementing a Barnahus (or similar) model in Australia - this evidence is very convincing for a significant structural reform for children's safety at federal and state levels.

8. Recommendations to the Inquiry

1. Pilot an integrated child-centred model

Trial a one-door, multidisciplinary child safety model in high-risk cases to reduce fragmentation and improve outcomes, based on the international success of the Barnahus and Child Advocacy Centre models.

2. Establish integrated child safety pathways

Create formal mechanisms for information sharing and coordinated risk management across child protection, family law, and DFV systems.

3. Reduce repeated child interviewing

Embed specialist child interviewers and shared assessment processes across jurisdictions.

4. Embed therapeutic supports in legal processes

Ensure children involved in legal proceedings receive timely, trauma-informed counselling that is coordinated through court processes.

5. Strengthen meaningful child participation

Mandate developmentally appropriate mechanisms for children's voices to inform decisions affecting their safety.

9. Closing Statement

Fragmented justice systems do not merely complicate processes; they create predictable harm for children exposed to violence, abuse, and high-conflict separation. Children experience their lives as a whole, not as separate legal jurisdictions. Child safety reform must therefore focus on system design, not only policy intent. Integrated, child-centred responses are both achievable and necessary if Australia is to genuinely uphold children's safety, wellbeing, and rights.