

Safeguarding principles for residential care and youth justice

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Safeguarding young people in residential out-of-home care (OOHC) and youth justice from child sexual abuse and other forms of harm is an important role for all staff working in residential care and youth justice.

Children and young people in residential care and youth justice environments have experienced trauma. They have been harmed, are at risk of harm, or have harmed others. They have been removed from the care of their parents and are living outside of the family structure. In many instances the decision for them to be in residential care is a Court decision, and this is the case in all instances for youth justice detention.

This is a challenging context not only for children and young people but also for staff and workers charged with providing safe environments. In this Practice to Research Issue #26 we outline ways to better look after the children in residential care and youth justice settings by drawing on principles from the ACU [Safeguarding Children Capability Framework](#).

The Framework draws on research by the ACU Institute of Child Protection Studies and the 2017 Royal Commission into Institutional Responses to Child Sexual Abuse. It also aligns with:

- [National Principles for Child Safe Organisations](#)
- [Child Safe Standards \(VIC\)](#)
- [Child and Youth Protection Services Practice Standards \(ACT\)](#)
- [National Standards for Out-of-Home Care](#)
- [Principles of Youth Justice in Australia](#).

All Australian jurisdictions have pre-employment screening procedures such as Police Checks and Working with Children checks. Some states and territories also have reportable conduct schemes (ACT, NSW, VIC). Organisations are well aware of these procedures in addition to ongoing suitability assessment of staff and mandatory reporting. But beyond this, organisations also need to explore principles that can drive child-safe practice in the challenging context of youth justice and residential OOHC.

The hard facts: 2017-18

Children in residential care

- 2638 Australian children were living in residential care as of June 2018, that is 6% of all out-of-home placements
- They are likely to be older, school-aged children with a history of multiple placement changes and general instability
- A small cohort of young people in residential care are in specialist therapeutic residential care
- Aboriginal and Torres Strait Islander children are over presented in OOH services including residential care

Children in youth justice

On an average day 5,513 young people across Australia were under youth justice supervision. Of these:

- 84% were aged 10–17
- Most are males: 83% of non-Indigenous and 80% of Indigenous
- 83% were supervised in the community
- 18% were in detention

'Cross-over' children

- 'Cross-over' refers to children and young people who have experiences in both child protection and youth justice systems
- Young people who had received child protection services were 9 times more likely than the general population to have also been under youth justice supervision
- Indigenous Australians were 17 times more likely than non-Indigenous Australians to have received both child protection services and youth justice supervision (Source: AIHW, 2019a, b)

Principles to guide practice

To guide best practice for safeguarding children in residential care and the youth justice system, a risk management framework that respects rights, recognises individual circumstances and context including trauma is recommended. Such a framework includes proactive steps to address situational opportunities to prevent harm or abuse.

The risks to children, and systemic failures, for children in youth justice services are well known (see Northern Territory Royal Commission into Detention, Care and Protection Systems and ABC media reports on detention and abuse of children and young people in adult facilities in Queensland).

A commitment to meaningful and sustainable reform can be informed by principles that are based on good practice, promote child-safe organisations and are framed in terms of the skills, knowledge and behaviours that support and empower children and young people.

Read on to learn about the six principles that address how your organisation can create a child-safe place, and how practitioners can strengthen relationships with children and young people.

Who are the children and young people in residential and youth justice care?

Residential out-of-home care:

This option is often seen as a last resort after family-based care has been attempted or when family-like placement is unfeasible, for example for children with complex needs. It is also used to keep large sibling groups together. Children with specific health and mental health conditions and disabilities are overrepresented in the residential care system. Children and young people in residential care may have also been exposed to multiple early traumas.

Youth justice supervision or detention:

In Australia, young people who are charged with, or have been proven guilty of, criminal offences may be supervised by state and territory youth justice agencies. Typically supervision may take place either in the community or in detention facilities.

(Source: AIHW, 2019)

Notes

- There is no breakdown of data on the number of Indigenous children and young people in residential care.
- Even if possible, some children and young people may choose not to return home and remain in residential care because of the abuse and neglect in their homes.

Principle 1: Understand the nature of abuse and risk factors

Characteristics of children and young people with increased risk of child sexual abuse

Certain characteristics may increase victims' vulnerability and increase the risk of sexual abuse:

- pre-adolescent females aged 8-13
- boys are also frequently abused
- children with a disability
- children with previous experience of maltreatment such as physical or emotional abuse, neglect or family violence
- children from socially disadvantaged backgrounds.

Other risks are family dysfunction, parenting skills, mental health, drug/alcohol issues (Irenyi et al., 2006; Quadara et al., 2015). Given their histories, young people in both residential care and youth justice services are likely to have multiple risk factors.

Characteristics of offenders

While offenders are typically male, women can also offend sexually. Offenders may have a history of abuse psychopathology and drug and alcohol problems. Personality characteristics, for example charming but deviant attitudes, enable them to engage in grooming behaviour that de-sensitises the child and young person. Grooming includes giving gifts, creating a sense of trust and intimacy, touching inappropriately, and keeping secrets (Irenyi et al., 2006).

Institutions caring for children and young people who are unable to remain with their family have a tremendous responsibility. This is particularly challenging when there is a high rate of sexual victimisation of adolescents in institutional care (Allroggen et al., 2017). A significant proportion of all abuse is from peers (30–60%) and these young people need to be carefully managed and supported (Grant et al., 2006; Higgins et al., 2016). Young people with concerning sexualised behaviour—for example abusive behaviour toward their own family members or other young people—present a high risk of abusing other children when they are in the care of a residential home.

Characteristics of the environment

There are risks inherent in a physical environment that are affected by the layout, building design, or other features of the facility that would make it easier for grooming behaviour to go undetected, or for abuse to occur. These features include locations within the residence and youth justice facility that are isolated, poorly supervised, or obstructed from surveillance such as bedrooms and bathrooms and change rooms.

There may be external locations where the risk of abuse is high, such as the local pool, parks and shopping centres (Higgins & Morley, 2018). These characteristics increase opportunities to offend.

Day-to-day activities that may increase the risk of offending:

- regular activities that require children to have unsupervised time with adults, such as medical procedures, music lessons, counselling sessions
- mobile phones and social media that potential abusers can use for grooming (Higgins & Morley, 2018).

Resource: Working with adolescents who display problem sexual behaviours

[Adolescents with sexually abusive behaviours and their families: Best interests case practice model](#) (Victorian Government, 2012) provides an overview of issues and practice tools.

Principle 2: Foster child-safe organisational cultures and governances

To foster a culture and governance processes that are child safe, an organisation needs to move from a 'reporting' culture to a 'responding' culture. The aim is to foster an organisational culture where all adults take an active role in identifying and responding to risks to children's safety (Irenyi et al., 2006).

A whole-of-organisation approach is needed to keeping children safe, with mechanisms that support—and respond appropriately to—disclosure of all forms of inappropriate behavior, not just sexual abuse or grooming. Some of the practical steps can include:

- creating agreed definitions of child sexual abuse
- publishing a statement about the consequences of offending
- creating and publishing clear policies and procedures that are victim-centred (with regular training, review, monitoring and evaluation)
- modelling behavior from staff and workers that demonstrates how to set boundaries and raise concerns
- responding appropriately to disclosure of abuse
- addressing the consequences of offending
- offering education programs for workers, children and families
- providing education on the long-term impacts of sexual assault (Higgins et al., 2016).

Addressing risks embedded in organisational culture

Power imbalance. In residential and youth justice centres, staff stand in for parents who are unavailable or incapable of caring safely for their children. This specific situation gives staff a high degree of power over children and young people in their care and has the risk of enabling abuse of authority and intimidation of children in their care. A situational crime prevention approach – that includes reducing the appeal of the crime and the vulnerability of the child – can address this issue (see Principle 3 for more details).

Lack of support for safe expression and reporting: There is a higher risk of child sexual abuse occurring with 'closed' institutions where secrecy and non-disclosure are the norm compared with 'open' institutions (Quadara et al., 2015). Institutions with high levels of authority and hierarchical power structures are more likely to support or excuse inappropriate behaviours – these conditions make it more difficult for children and young people to recognise abusive behaviour, to speak up and seek help (Moore & Higgins, 2019). It is important to encourage openness through an emotionally safe environment that enables children and young people to disclose abuse or their concerns about the behaviour of others (Higgins et al., 2016).

Entrenched sexist beliefs. Stereotypical gender ideology, for example, the tendency to blame girls for not defending themselves, or dismissing aggressive male behaviour as 'boys will be boys' should be challenged and addressed. Empower children and young people to speak about incidents where they have been made to feel uncomfortable (by peers or adults), and encourage them to report abuse or concerning behaviour.

Tip: Creating a positive culture

Services with policies that create a positive culture that is child-friendly, transparent and respectful reduce the attractiveness of the organisation to would-be perpetrators (Higgins et al., 2016).

Tip: Addressing peer-to-peer violence

Have a code of conduct that makes explicit what kind of behaviour is acceptable and what is not acceptable.

Principle 2 (cont.)

Cultural competence in relation to Aboriginal and Torres Strait Islander children

Aboriginal and Torres Strait Islander children are overrepresented in OOHC and therefore likely to be also overrepresented in residential care and youth justice. In addition to the harm from permanent separation from their families, they are at serious risk of disconnecting from their own cultures and communities (Family Matters, 2019).

There are numerous complex historical and cultural reasons for overrepresentation of children in care, including structural racism that views Indigenous social norms such as language and customs as inferior to non-Indigenous norms (Gatwiri et al., 2019). Failure to acknowledge past injustices and dispossession also plays a role. The duration of programs is another factor that affects outcomes – programs that are 12–18 months long have better outcomes than those of very short or extended durations (Closing the Gap Clearinghouse, 2013).

Cultural competency practice involves engaging with children and young people, building trust, integrating cultural practices into daily interactions, and promoting connection to the child's community, language and customs.

Programs and activities that promote this level of engagement include: community involvement, positive role models including Indigenous Elders or facilitators; offering school, cultural activities, and sport and recreation within the service; and culturally sensitive assessment of the complex needs of offenders with referrals to suitable services (Stewart et al., 2014; SA Guardian for Children and Young People, 2015).

Resource to help support cultural safety for Aboriginal and Torres Strait Islander children

VACCA [Child's Voice](#) developed specifically for Aboriginal children with talking tips and guidance for engaging with Aboriginal children. It is an adaptation of the ACU [Keeping Kids Central](#) toolkit developed in partnership with the ACT Government.

Principle 3: Implement risk-management strategies in residential care or youth justice services

A key element in safeguarding children and young people could be to adopt a situational crime prevention approach and apply it specifically to prevent child sexual abuse. This approach adopts risk-management strategies. It aims to:

- increase the level of difficulty for someone to offend
- remove excuses for the harm of children
- reduce the appeal of the crime
- reduce the vulnerability of the child.

Situational crime prevention

Situation crime prevention strategies focus on changing the physical or organisational environment. The purpose is to create safer environments so that it is riskier to commit the crime, and less rewarding. These strategies can be applied in different settings. Residential homes and youth justice centres each have their own particular set of characteristics—staff mix, client mix, culture, governance, physical setting—which create different opportunities and enablers for abuse to take place.

A situational crime prevention approach allows an organisation to identify the safety risks specific to their service and address them before they cause harm.

Implementing a situational crime prevention approach

- Manage situational risks such as low supervision of adult-child interactions, and early signs of grooming behaviours (Higgins et al., 2016). (See Principle 1, section on Characteristics of the environment for more information.)
- Provide training on the kind of behaviours that are acceptable/unacceptable.
- Develop a code of conduct and support staff with supervision and guidance.
- Educate staff on what to do when a child discloses sexual abuse, how to report sexual abuse, and how to respond to the child's needs when disclosure is made.
- Provide staff with appropriate information about concerning behaviour, and develop a management plan so that staff know how to respond appropriately.

Tip: Communicating expectations

The Life Without Barriers guide *We Put Children First* is a good example of how to communicate clear rules about what your institution expects of adult-child and peer-peer relationships.

Tip: Four steps to help an organisation identify risks and strategies

1. Bring together multiple stakeholders (workers, managers, children and young people, partners) and brainstorm to identify existing risks, including management, workers and children and young people.
2. Develop affordable effective and do-able solutions to those risks – focus on five risks at a time.
3. Prioritise solutions to risks (e.g. less challenging vs more challenging)
4. Develop an implementation plan – leadership by staff and administration is key.

(Adapted from Kaufman et al., 2019)

Principle 4: Create ways for children and young people to participate meaningfully

Creating a culture where children have a voice about what happens to them is important. Admittedly, it is highly likely that children and young people in residential care and youth justice centres don't want to be there, so asking them about their views of the organisation and how they feel needs to be handled with sensitivity and awareness of that difficulty. Creating safe and engaging environments helps establish trust and openness.

Empowering children by giving them a voice in residential care and youth justice centres will give them some sense of control over their lives and directly affect their wellbeing (Kaufman et al., 2016). It is likely that providing children with 'a voice' in decision-making will also encourage them to express their concerns about a potentially abusive situation.

There are a number of tools workers can use to talk to children and young people about what makes them feel safe and unsafe, including mind mapping activities, worry matrixes to rank risks, and action grids for responding to concerns (see Moore, 2017 for more information about these tools). You can also engage children and young people in more informal decision making, such as casual chats and youth radio, where they can voice their concerns.

Tips: How to engage children and young people

- Just ask! The more times these discussions are initiated, the easier it will be for everyone.
- Talk to children and young people about things other than safety and show them that you take their views seriously and act on them.
- Create young people's reference/advisory groups to identify potential harms and develop strategies; this increases the likelihood of strategies being used and improves confidence.
- Invite peers and people who have successfully protected themselves or dealt with situations to talk to children and young people.
- Conduct anonymous surveys or suggestion boxes to avoid concerns about how adults and their peers might act if they raise their safety concerns publicly. (Adapted from Moore, 2017)

Other resources

- [AUSPELD Understanding Learning Difficulties](#): for professionals supporting children with learning difficulties or specific learning disorders
- [Australian Childhood Foundation](#): 9 Plain English Principles of Trauma Informed Care
- [Berry Street](#): resources and training on trauma-informed care for children
- [Bravehearts](#): Ditto's Keeping Safe principles about personal safety and how to prevent sexual abuse, including topics on private body parts, good and bad feelings, secrets, trust, saying no, and seeking help
- [Child Wise](#): a range of resources including Yarning Up about Child Sexual Abuse written for aboriginal parents and carers to help prevent child abuse, and 'Wise Up' to Child Sexual Abuse to help parents, carers and professionals who work with children to learn about child sexual abuse
- [SCOPE](#): Access and inclusion resources
- [Therapeutic Residential Care Alliance](#): an online site to collaborate and share best practice
- [Victorian Government](#): information guides on working with children with learning difficulties

Principle 5: Deliver prevention education

Educating workers is another pillar of safeguarding. Workers in residential care and youth justice services can play an important role in educating children and young people on topics about respectful relationships, the mechanics of sex, inappropriate or sexualised behaviour, and how to prevent sexual abuse.

Respectful relationships

Young people in residential and youth justice care sometimes have problematic sexual behaviours and display unacceptable behaviours. Workers often turn a blind eye to these behaviours and tolerate them assuming that this is 'par for the course' when working with groups of young people (Moore & Higgins, 2019). However, children benefit when workers set clear boundaries about what is acceptable, foster behaviour that enables young people to support each other (Moore et al., 2019) and model respectful behaviour themselves. Adults who respect and value children and young people create opportunities to teach them to respect and value others.

Sexuality education

Sex education is an effective protective factor in preventing child abuse. Children and young people need to be aware of their bodies and understand normal human sexual development and reproductive functions. They also need to be aware of the issues of consent, control, manipulation, respect, and boundary violations that are important aspects of respectful relationships. This knowledge can help them talk in an informed way when the behaviour of others makes them feel uncomfortable or when they need to seek help (Smyth et al., 2018).

To provide that knowledge, staff in residential care and youth justice centres need to know about typical sexual development and be able to talk about sexuality, relationships, safety, and help-seeking in developmentally appropriate and safe ways (Higgins & Moore, 2019).

Resources on sexuality and sex education

[Problem sexual behaviours and sexually abusive behaviours in Australian children and young people](#): AIFS literature review of behaviours, and of frameworks that inform legal and therapeutic interventions

[National Child Traumatic Stress Network](#): booklet about sexual development in children and how to talk to them about sexual issues and body safety

[Raising Children Network](#): website provides many articles on how to talk to children and teenagers about sexual development

[TRUE Traffic Lights® App](#): traffic light colour codes help adults identify, understand and respond to children and young people's sexual behaviours

[TRUE tip sheet](#): communicating about sexuality with children with positive messages about sexuality

Resources to help address safety of particular groups of children and young people

VACCA [Child's Voice](#) developed specifically for Aboriginal children with talking tips and guidance for engaging with Aboriginal children.

Tip sheet on the [safety of children from culturally and linguistically diverse backgrounds](#) by the Victorian Commission for Children and Young People.

[SoSAFE!](#) accredited training program by Sexual Health and Family Planning ACT for adults who work with children with disability.

Principle 6: Provide responsive care and support

An organisation with well-developed policies and safety plans on child-safe practice and risk management can support workers to respond to instances of child abuse and support the victims.

Trauma-informed approach

Youth justice and residential care services are highly likely to be working with children and young people traumatised by earlier life experiences, including exposure to multiple forms of child maltreatment (Cashmore, 2011; Hodgdon et al., 2018). These experiences often happen together and are interrelated: sexual abuse, physical abuse, psychological maltreatment, neglect and exposure to domestic and family violence including intergenerational trauma.

Two trauma-informed evidence-based program models have been evaluated in residential care: the [Sanctuary Model website](#) (Bloom, 1997) and [Children and Residential Experiences](#) (CARE). Both are supported with “promising research evidence” (CEBC, 2017) and have guidelines on creating a safe place for children and young people.

Sometimes institutions use restrictive practice such as restraint and seclusion. Evidence shows that restrictive practice can re-traumatise people with past experiences of trauma and impede the development of trusting relationships (Victorian Government, 2013). Unfortunately, children and young people are most at risk of being subject to restrictive practices. Engaging in these practices with no legislated or regulatory frameworks is criminal behavior (deprivation of liberty, kidnapping, assault).

The use of restrictive practice is inconsistent with being an inclusive community that respects and upholds everyone’s rights (ACT Government, 2018; Forest et al., 2018).

Tips: Helping children recover from trauma

Recognise the signs of trauma in children of different ages:

- young children tend to cry, eat poorly and lose weight, and have nightmares
- older children tend to feel depressed, develop self-harming behaviours, and display risky sexual behaviour (SAMHSA, 2019)

Focus on what has happened to a person rather than what is wrong with a person (Wall et al., 2016).

[Click here for a full list of references](#)

Summary of principles

Children and young people in residential care and youth justice settings can be safeguarded from abuse when the organisations and people charged with their care adopt these measures (Kaufman et al., 2016):

- Listen to children and young people and engage them in the development of policy that affects their safety.
- Manage resources and staffing to prevent staff from feeling overwhelmed by large caseloads.
- Implement situational crime prevention strategies that disclose abuse and limit opportunities for it to happen.
- Strengthen organisational support for implementing child-centred trauma-informed practices.
- Offer training to workers on how to talk to children and young people about sexuality and respectful relationships.
- Train workers and children and young people on how to recognise early signs of abuse such as grooming behaviours, how to recognise and report abuse, and how to serve children with a prior history of victimisation and perpetration.

About the Institute of Child Protection Studies

The Institute of Child Protection Studies (ICPS) at the Australian Catholic University aims to enhance outcomes for children, young people and families through quality research, evaluation, training and community education.

ICPS research strengths include promoting children's participation, strengthening service systems and informing practice, and supporting child-safe communities.

The ICPS Research to Practice Series is supported by a grant from the ACT Community Services Directorate. The grant assists to enhance outcomes for children, young people and families through enhancing the skills and practice of the workforce, increasing awareness in the community, and contributing to evidence-based policy outcomes.

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The Institute of Child Protection Studies has offices in Canberra and Melbourne, and staff also working from Sydney and Brisbane.

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