



AASW
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**Australian Association
of Social Workers**

*Submission to the Royal
Commission into Institutional
Responses to Child Sexual Abuse
Submission to the Consultation Paper:
Redress and Civil Litigation*

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Introduction: Who We Are

The Australian Association of Social Workers (AASW) is the professional representative body for social workers and the social work profession in Australia, with more than 8,000 voluntary members nationwide. As social work is currently a self-regulating profession the AASW has the responsibility to promote the social work profession, set the education and practice standards and regulate the professional conduct of social workers who choose to be members.

The AASW is the professional body responsible for the development and review of the profession's 'Code of Ethics and Practice Standards'; it is also the accrediting body for all degree level social work programs. The AASW is affiliated to the International Federation of Social Workers.

As part of the AASW's goal to strengthen the regulation of the social work profession in Australia, a legally protected collective trade mark is now available for use by eligible accredited members.

Our Submission

The AASW welcomes the opportunity to respond to the consultation paper: *Redress and civil litigation*. The focus of this commentary is Chapter 5: 'Counselling and psychological care'.

Responses

5.1 Introduction

The AASW notes and agrees with introductory comments that survivors of institutional sexual abuse have needs above and beyond those routinely experienced by children placed in care, considerable though these are. The AASW commends the recommendation for the funding through redress of additional complementary specialist services offering counselling and psychological support to survivors of institutional sexual abuse.

5.2 The Impact of Child Sexual Abuse

The AASW concurs with the argument that the effects of child sexual abuse affect survivors in multiple life domains and has both immediate and long-term implications for the victim. It agrees also with the assertion (p. 109) that:

There are numerous factors at play in the individual, interpersonal and societal level that will affect the severity of each survivor's trauma and psychological needs.

Social workers routinely consider the relationship between biological, psychological, social, cultural and spiritual factors and how they impact on a person's health, wellbeing and development. They recognise the need for interventions that both assist people, as individuals, families and communities, to engage in the world to their full capacity, and which address cultural and structural barriers to their full participation.

5.2.1 How counselling and psychological care can help

The AASW notes the concerns expressed by survivors and other stakeholders (p. 110) about the potentially damaging impact of counselling if not undertaken by skilled practitioners. To safeguard service recipients, to be eligible to become Accredited Social Workers (ASW) practitioners are required to meet the AASW's stringent requirements for continued professional development and professional supervision. Additional specialist mental health knowledge, updated annually, is required for eligibility to be licensed as an Accredited Mental Health Social Worker (AMHSW).

5.3 Principles for Counselling and Psychological Care

The AASW is in full agreement with the principles for counselling and psychological care identified in the consultation paper:

1. That the time-frame for the emergence and/or re-emergence of trauma resulting from institutional sexual abuse cannot be 'neatly' bounded; instead counselling should be available throughout a survivor's life, in response to continuous and/or episodic need,
2. Survivors should be allowed flexibility and choice to address their particular, and changing, needs and circumstances throughout the life course,
3. Service options should recognise the differences in need, level of trauma and responses of survivors,
4. Psychological care should be provided by practitioners with the right skills to work with complex trauma, and
5. Suitable ongoing assessment and review.

The AASW notes the critical importance of highly developed assessment and engagement skills to ensure that survivors' needs are properly identified and addressed. These skills are core aspects of the professional education received by social workers. In addition, AASW Code of ethics and Practice standards align closely with Kezelman and Stavropoulos' 'trauma-informed service framework' (p. 115). The social work profession is deeply committed to principles of safety, trustworthiness, choice, collaboration and empowerment; it is embedded in principles of social justice and anti-discriminatory practice; and it recognises the need for responsive, inclusive and accountable practice based on strong collegial relationships with all stakeholders.

5.4 Current Services and Service Gaps

5.4.1 Mainstream services

The AASW notes the recognition given (p. 117) to the Better Access Initiative and Access to Allied Professional Services program as particularly useful services for survivors of institutional sexual abuse. Reference is made to the services provided by registered psychologists; it is important to note that currently 1,837 Accredited Mental Health Social Workers also provide services under these health care initiatives.

5.4.2 Specialist services

The AASW recognises the need for specialist services as identified in the consultation paper and recognises the need for adequate funding for such services. In particular, it advocates the need for such services in regional and remote areas of Australia. The AASW particularly recognises the need for redress services that are targeted at Aboriginal and Torres Strait Islander people. The intergenerational trauma caused by forced separation and institutional care of previous generations continues to impact Aboriginal children; they are vastly overrepresented in out-of-home care, and are, as a consequence, at elevated risk of future institutional abuse, including sexual assault.

5.4.3 Service gaps and limitations

The AASW agrees with the service gaps and limitations identified in the consultation paper. In particular it notes the identified gaps in expertise.

5.5 Principles for Supporting Counselling and Psychological Care through Redress

5.5.1 Provide funding not services

The AASW agrees with the recommendation that redress should provide funding to supplement existing services and that the primary focus should be on remedying gaps in expertise, geographical spread and cultural appropriateness of services.

5.5.2 Funding as needed by survivors

The AASW agrees with the recommendation that survivors should have access to appropriate funded services as required throughout the life-course. However, this recommendation would benefit from further clarification. As written, it is unclear whether survivors will have access to funding for services paid directly to the service provider, and/or whether service providers will be funded for programs to which survivors have priority access (with or without exemption to a fee for service). Either interpretation is also reliant on the availability of appropriate – if unforeseen – service availability.

5.5.3 Institutions to fund where possible

The AASW agrees with the principle that institutions should fund where possible, but argues strongly that survivors should not be detrimentally impacted where this is not the case, but should have equal access to services.

5.6 Options for Service Provision and Funding

The AASW agrees to the suggestion for substantially expanding Medicare funded services, but argues strongly that the de facto involvement of Accredited Mental Health Social Workers (AMHSW) be explicitly acknowledged and incorporated in funding arrangements. Similarly, the AASW argues that AMHSWs be formally included in any stand-alone Australian Government scheme.

Submitted for and on behalf of the Australian Association of Social workers Ltd

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