

PRACTICE GUIDE

Collaborative Assessment and Planning Framework

Harm statements

What is harm?

Harm is the detrimental effect of parental abuse (actions) or neglect (inactions) on a child's wellbeing (Tilbury, Osmond, Wilson and Clark, 2007). Within Child Safety's statutory context, significant harm is referred to (*Child Protection Act 1999*, section 10). Significant harm is substantial or serious harm, more than transitory in nature, and able to be observed in the child's presentation, functioning or behaviour.

Research tells us that '...the best guide to future behaviour is past behaviour' (Munro 2008, p77). A clear and detailed understanding of harm experienced by a child within their family is critical to predict the likelihood, type and severity of possible future harm (described by **worry statements** in the Collaborative Assessment and Planning Framework).

When to write a harm statement

A harm statement focusses on the past, or what is known to date, and can assist at different points on the child protection continuum. Harm statements outline the physical, emotional and psychological impacts of abuse and neglect for children in plain language.

Prior to an investigation and assessment, harm statements could be used to outline the alleged parental actions or inactions and impact on the child that requires further assessment.

Where the outcome of an investigation and assessment is that **harm has been substantiated** (substantiated—child in need of protection, substantiated—child not in need of protection, substantiated—ongoing intervention continues), harm statements assist everyone to understand the actions or inactions of the parent and what has been experienced by the child.

If **no actual harm has been experienced**, but **risk of harm** has been identified, then and the harm box is **left blank**. The actions or inactions of the parent that form the basis of the future risk of harm are documented as complicating factors and should have corresponding worry statements. Child Safety is involved with the family on the basis of these worries and the child having no parent able or willing to protect them from the future harm.

Once a case is opened for a child in need of protection, the harm statement will reflect the substantiated harms that led to Child Safety being involved. If further harm is substantiated while the case is open, this should be added to the harm statement.

Harm statements and Structured Decision Making

The SDM safety assessment is the assessment Child Safety uses to guide assessment of whether the child is in significant and imminent danger.

When an immediate harm indicator is selected in the safety assessment, and the particular harm has already occurred, this should be reflected in a harm statement. If the immediate harm indicator selected refers to a **risk of harm** that may occur in the immediate future, for instance, "The

physical living conditions are hazardous AND pose an immediate threat”, this should be recorded as a complicating factor and a worry statement is then developed.

How to write a harm statement

Harm statements must respond to the three harm types outlined in the *Child Protection Act 1999* (physical, emotional and psychological). Each abuse and harm type should have its own harm statement. That is, if a number of different abuse types have led to the same type of harm a separate harm statement should be recorded to reflect each of the parent actions or inactions types, for example, sexual abuse behaviours could result in physical harm (write a harm statement), neglectful behaviours could result in physical harm (write a harm statement), emotional abuse could result in physical harm (write a harm statement), and physical actions could result in physical harm (write a harm statement). *Tip: don't confuse abuse types (what the parent does or doesn't do – physical abuse, emotional abuse, sexual abuse or neglect) with harm types (what the child experiences) and record a separate harm statement for each.*

A harm statement includes:

- what Child Safety or others know
- what the parents did or didn't do, in clearly stated behavioural terms, and in what circumstances or context this happened, and
- the impact of this on the child.

Harm statements should be written in plain language that is behaviourally specific and easily understood by the family. Do not use jargon or words that don't have clear shared meanings, for example *domestic violence* means very different things to different people while hitting, spitting and punching are more clearly understood.

The most successful harm statements are jointly developed with the family and reflect the family's language. While harm statements may be developed initially by Child Safety, it may be possible to jointly construct harm statements with the family over time (for example, using the parent's or child's language and/or including alternative views).

It is important to ensure however, that what is known about the past and what has happened to the child does not become lost or watered down in an attempt to engage the family. Children and families are more likely to engage if Child Safety clearly states the impacts for the child and is honest, transparent and respectful. “We must talk very clearly with the family about the past, about harm to the child, the neglect, the maltreatment” (Turnell, 2009) to develop safe solutions for the future.

Tip: *Harm statements can be direct but still reflect different views for example: “Child Safety is aware that on three occasions over the last year, Simon (Dad) has gone to the casino and lost a lot of money, drunk a lot of alcohol and then touched Selena (his daughter) on the vagina and put his finger in her vagina. Selena reports this made her feel scared, sad, bad, unsafe and confused. Simon and Sharon (mum) say that dad never did touch Selena”.*

Examples of Harm Statements

Example of alleged significant harm (prior to an investigation and assessment) harm statement

- It was reported to Child Safety on 7 September that the parents, Amy and Jason are injecting speed every day and spending more than \$500 a day on drugs. Because they now have no money the parents are not buying food, not feeding Shanaya (7 years), Jake (5

years) and Poppy (18months), which is leaving the children hungry and asking the neighbours for food every afternoon.

Example of a harm statement from a finalised investigation and assessment - significant harm has been experienced by the child and there is unacceptable risk of significant harm as the child does not have a parent able and willing to protect them.

- Maria told Child Safety that she has been disciplining Aran (age 5) and Asnee (age 4) by pinching them on the forearm and hitting them around the head with her hand. Maria said that on 6 September she used a cane to whip Aran about the legs. Aran and Asnee both have a number of bruises of different ages from the pinching and Aran has a 6 cm long bruise on the back of his right leg from the whip. Both boys say that the hitting about the head gives them a loud noise in their ears and a bad headache. Aran says he is very scared of his mum and does not want to go home from school.

Example of an investigation and Assessment where no harm is substantiated, but a child has been assessed as being in need of protection - no actual harm has occurred but there is unacceptable risk of significant harm as the child (or unborn) does not have a parent able and willing to protect them.

In this instance **no actual harm has been experienced by the child**. There is likelihood that the child will be significantly harmed in the future (after birth for an unborn for example). **No harm statement will be written in the CAP tool, the harm box will be left blank**. Parental actions, inactions, issues, circumstances or conditions that contribute to the future risk of harm will be documented as complicating factors. The complicating factors that contribute to future risk will be reflected in the future risk worry statement. As an example:

- A parent is reported to Child Safety after having been pulled over by Police at 2am in the morning while driving with a blood alcohol level of .23. Mother was driving erratically and was at risk of an accident. Two infant children are asleep in the vehicle. Grandmother is contacted and will collect the children. This is mother's second drink driving offence with the children in the car.
- The complicating factors are the mother's alcohol addiction and her repeated driving with the children in the car. These complicating factors would then form the basis of a worry statement in relation to what Child Safety is worried will happen to harm the children in the future if nothing changes.

Example of an ongoing intervention harm statement (open intervention with parental agreement case or with a child protection order)

- Dave and his doctor told Child Safety that Dave has paranoid schizophrenia and sometimes he gets 'wobbly', doesn't take his medication and can't get out of bed which means there is no one to feed or take care of Rachel.
- While Rachel (age 4) was at Dave's (Dad) house for an unsupervised family contact visit, Dave got angry when the visit was nearing an end and barricaded himself and Rachel into the house. The police were called and they had to negotiate with Dave to open the door, which left Rachel confused, scared and terrified that someone would get shot.

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