



Child protection

Sometimes perceptions of parents with learning difficulties can influence the experience of these families within the child protection and care systems. This Practice Point provides suggestions about best-practice assessment and planning methods with families where a parent has learning difficulties. The aim of this information is to reduce the unusually high rates of these families represented in the court system.

Adapted from a website article developed by the Australian Family and Disability Studies Research Collaboration (2004). *In Practice: Child Protection*. Available at:
<http://www.afdsr.org/parents/practice/protection.php>



What we know

Australian and international research suggests that parents with learning difficulties are involved in protective services and the Courts at unusually high rates. Also, their children are more likely than any others to be placed in long term foster or residential care.

The influence of our attitudes

Our attitudes towards parents with learning difficulties can affect an individual's ability to parent. Our attitudes may also affect the outcomes of Court proceedings. Some **unhelpful attitudes** are:

- That learning difficulties inevitably result in parenting incompetence. That parenting deficiencies are unalterable. That children of people with learning difficulties will surely be harmed. *(Research has shown that when support and education is matched to their learning needs, parents with learning difficulties can learn, retain, and use appropriate parenting skills).*
- That parents' problems are always due to their learning difficulties. *(In fact parenting difficulties may be influenced more by poverty, poor housing, social isolation, harassment, and the lack of appropriate support services).*
- That parenting competence is determined by intellectual ability, as measured by intelligence quotient (IQ). *(This assumption goes against the strong evidence showing that intellectual ability is not an adequate predictor of parenting capacity. Learning difficulties are not an impossible barrier to learning).*

The influence of our systems

The adversarial processes of the child protection and Court systems can impact on an individual's ability to parent and can impact on the outcomes of Court proceedings. Some **unhelpful processes and systems** include:

- Constraints on child protection workers who lack the time, training and resources to adequately support parents with learning difficulties.
- The need for parent compliance with the processes of the court.
- The reliance on risk assessments without any theoretical or empirical basis for their use.



Healthy Start

A national strategy for children of parents with learning difficulties

- The need for parent compliance with imposed rehabilitation plans.
- Legal representatives have a limited understanding of learning difficulties.
- Court proceedings often not explained to the parent in way they can understand.
- The court environment can be alienating and disempowering to parents with learning difficulties.

What we can do

- Give parents with learning difficulties access to skills training that is specifically tailored to them. Contrary to popular belief, research shows that parents with learning difficulties are capable of learning new skills and unlearning negative patterns of behaviour if these exist.
- Advocate for more appropriate proactive services to support parents and children.
- Evaluate alternatives to court intervention, such as family group conferencing and dispute resolution.
- Lobby for adequate legal aid funding to allow parents with learning difficulties access to the best possible representation.
- Review the court environment and its procedures to ensure accessibility by people with learning difficulties. Accessibility is required under the Commonwealth Disability Discrimination Act 1992 and the various state and territory Anti-Discrimination Acts.
- Review the use of assessment practices that rely heavily on IQ tests.
- Develop guidelines on the limitations of assessments which only aim to diagnose difficulties.
- Use assessment methods that measure actual parenting behaviour.
- Identify the supports parents need for future learning.
- Ensure that professionals involved in child protection proceedings become familiar with research demonstrating that learning difficulties do not predict parenting competence. Nor are learning difficulties an



impossible barrier to learning. We can encourage professionals to examine their own beliefs and assumptions in this area.

- Promote the participation of parents with learning difficulties in all aspects of court proceedings. For example, have an independent third party acting as a support person, or develop video and plain English resources that explain the court process and empower these parents.
- Challenge the negative assumptions about parents with learning difficulties at every opportunity.
- Confront the political and social structures that create social disadvantage. This social disadvantage typically leads to children being removed from parents with learning difficulties because of presumed parenting incapacity.

Want to know more?

To find other publications about child protection for parents with learning difficulties, go to the Article Search page at www.healthystart.net.au, enter the phrase “child protection” into the ‘Search all fields’ box and click Search.

Download the [Best practice in Parenting Education: Understanding and Supporting Parents with Learning Difficulties](#) paper.