

Submission

Submission on the Protection of Australian Young People from Intentional Self-Harm and Suicidal Behaviour

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Matthew Keeley Director
Evelyn Smith Legal Intern
National Children's and Youth Law Centre

Executive Summary

The most recent data from 2012 demonstrates that suicide was the leading cause of death among Australian children and young people aged 15 to 24.¹ The National Children's and Youth Law Centre (NCYLC) observes the need for reformed practices to prevent self-harming and suicidal behaviour among children and young people in Australia and welcomes the opportunity to make a submission to the National Children's Commissioner regarding this important issue.

NCYLC does not explicitly market or advertise itself as a service for young people experiencing self-harm or suicidal ideation. Nevertheless, some young people do inform NCYLC about their experiences of these issues.

This submission arises from such information and data. Specifically, NCYLC comments on self-harming and suicidal behaviour in Australian youth based on reported data from its LawMail service.

NCYLC recommends a multidimensional approach which addresses this issue in Australian homes, schools, police departments, mental health and social services, and healthcare providers by 1) strengthening protective factors and enhancing support networks for at-risk youth; 2) lending greater urgency to warning signs of self-harming and suicidal behaviour; 3) educating young people about their rights of confidentiality and encouraging help-seeking behaviour; and 4) improving the visibility, availability and quality of care for self-harming and suicidal young people who seek help.

National Children's and Youth Law Centre

NCYLC is the only Australian national community legal centre for children and young people. NCYLC promotes the rights and interests of Australian children and young people through advocacy, information and education. Since its inception in 1993, NCYLC has made hundreds of public submissions on law and policy affecting children and young people and handled thousands of inquiries from young people through its LawMail service. NCYLC seeks to increase access by children and young people to legal assistance and to improve the legal status of children and young people in Australia.

NCYLC provides information and advice to children and young people primarily through the following services:

- a) **Lawstuff** (www.lawstuff.org.au) – a website that provides general legal information and referral options on a wide range of issues relevant to children and young people. Lawstuff receives over 500,000 visitors per year.
- b) **LawMail** (www.lawstuff.org/lawstuff/lawmail) – a confidential legal advice and information service that allows children under the age of 18 years from all over Australia to seek legal advice, referrals and information via email. Queries received through this service are classified by subject matter, urgency and jurisdiction, allowing NCYLC to identify issues that suggest the potential for self-harming or suicidal behaviour; examples include leaving home, depression and family violence. These are subsequently treated with added care. Inquiries which mention self-harming or suicidal behaviour are immediately classified as "Critical." Critical cases are given maximum priority and are ordinarily discussed, researched and responded to within 24 hours. NCYLC contacts and prepares the nearest support centres to accommodate any self-harming young person that reaches out to our service; contact information for these centres is then sent to the distressed young people, along with referrals for support services and explanations of the relevant state and federal laws involved in their case.

¹ Australian Bureau of Statistics, Causes of Death, Australia, 2012, Catalogue Number 3303.0 (2014), table 1.3, line 40. At <http://www.abs.gov.au/ausstats/abs@.nsf/detailpage/3303.02012?opendocument> (viewed 11 June 2014).

The UN Convention on the Rights of the Child

NCYLC believes that universally accepted human rights standards provide a clear normative framework to assess laws and policies with respect to children and young people.² The Convention provides a universally accepted rights-based framework for addressing the treatment of children. The Convention has been adopted and ratified by Australia³ and is now the most widely ratified international instrument. Rights contained in the Convention are interdependent and indivisible.⁴

The rights contained in the Convention should be used as the foundation and benchmark for addressing the issues raised by the prevalence of self-harming and suicidal behaviour among Australian children and young people. The relevant rights and provisions include:

- a) Article 2(1): Children shall enjoy rights under the CROC free from discrimination of any kind, irrespective of their or their parent's or legal guardian's status;
- b) Article 2(2): In all actions concerning children, the best interests of the child shall be primary consideration;
- c) Article 3(3): States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision;
- d) Article 6(1): States Parties recognize that every child has the inherent right to life; and
- e) Article 6(2): States Parties shall ensure to the maximum extent possible the survival and development of the child; and
- f) Article 12(1): States parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Methodology

Data has been collected from confidential inquiries of young people and their caregivers made through NCYLC's LawMail service between January 2013 and June 2014. Data has been compiled by searching all queries between January 2013 and June 2014 whose classification or query text contained relevant search terms. These included "self-harm, suicide, suicidal, cutting," and Critical cases of "leaving home." Queries were then examined for salient issues involved, previous assistance sought, gender, age and location.

Analysis

1. Why children and young people engage in intentional self-harm and suicidal behaviour

Through NCYLC's LawMail service, we have observed that **bullying** and **domestic violence** are the most frequently reported reasons or relationship to self-harm and suicidal behaviour in Australian children and young

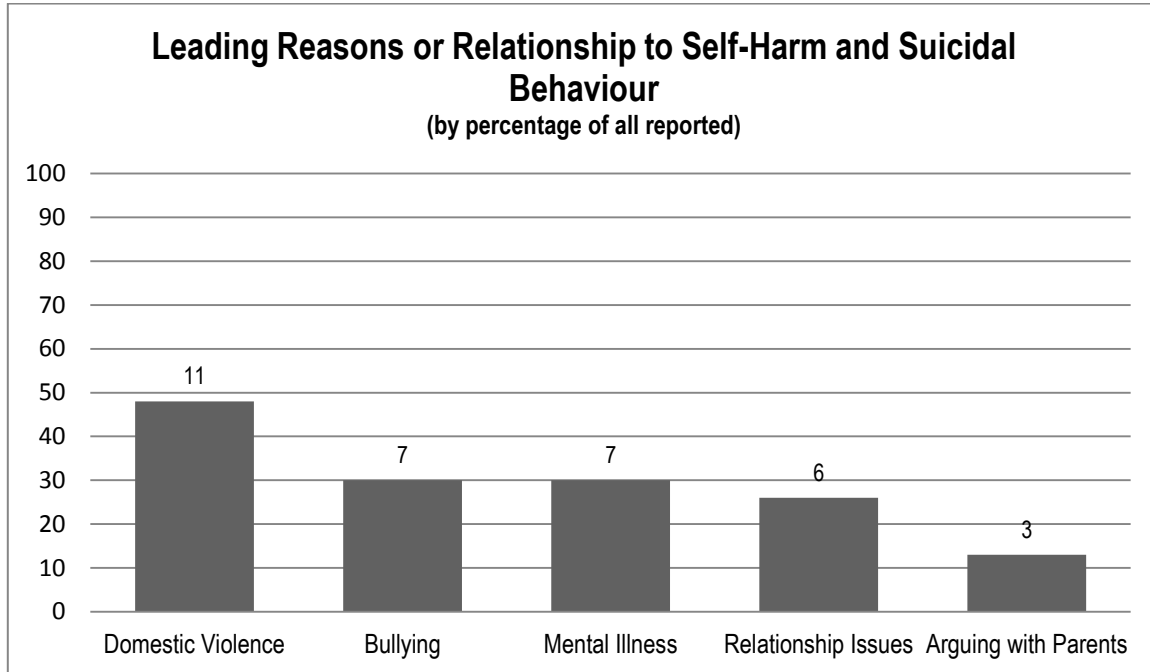
² J Tobin, "Beyond the Supermarket Shelf: Using a Rights Based Approach to Address Children's Health Needs"(2006) 14 International Journal of Children's Rights 275, 279.

³ 17 December 1990.

⁴ G Monahan & L Young, J Tobin (eds), Children and the Law in Australia (2008), ch 2, "The Development of Children's Rights,"39.

people. Other leading reasons cited by young people using our service include arguing with parents, relationship problems, and mental illnesses, most notably Anorexia nervosa and anxiety.

Figure 1



n = 23; female = 18; male = 5

Note: Does not add up to 100% because some were reported concurrently;

Bullying was the most cited cause for self-harm and suicidal behaviour among boys who contacted us (60%) and third-most cited amongst girls (22%). Traditional bullying and cyberbullying were closely correlated, with cyberbullying reported in 80% of traditional bullying cases. All cases of bullying amongst girls featured cyberbullying.

All reported suicide attempts to our service in the last 18 months were from young people experiencing domestic violence; this speaks to the powerful impact of domestic violence when compared with other contributors to suicidal behaviour. Domestic violence was cited in 56% of our queries from self-harming and suicidal girls as a contributing factor to their self-harming behaviour, and all cases of Anorexia nervosa featured domestic violence. Domestic violence was the most cited cause for self-harm and suicidal behaviour among girls, who were nearly three times as likely to report it as self-harming boys (*cf.* boys at 20%).

Females were much more likely than males to cite romantic relationships as factors in their self-harming and suicidal behaviour. Parental disapproval of the desire to leave home to live with a boyfriend was cited as a contributing factor to self-harming and suicidal feelings by 22% of girls, and abuse by a boyfriend by 4%. By contrast, although over a fifth of young men sought to leave home, none mentioned a desire to live with a partner.

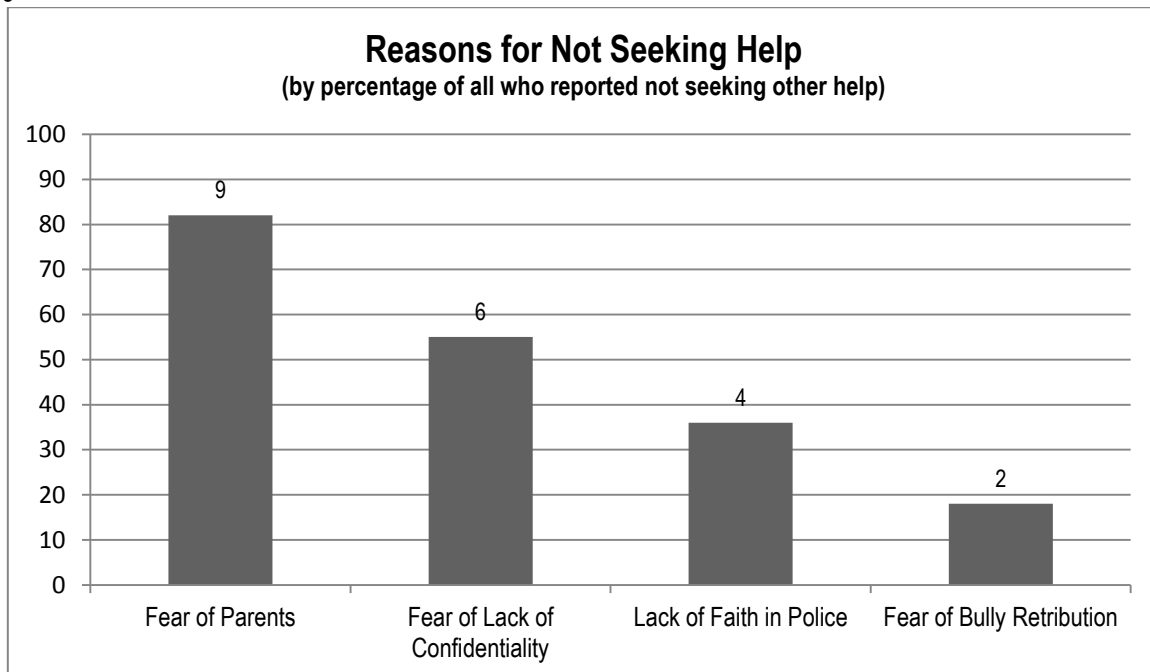
2. The barriers which prevent children and young people from seeking help

Existing support structures may be ineffective for self-harming and suicidal young people. Young people reported to us that fears for confidentiality and retribution from antagonists deterred them from seeking help.

Those that did report seeking help most often utilized support services, police, and mental health professionals, but on the whole did not find them to be of assistance.

NCYLC has observed that nearly half (48%) of all self-harming and suicidal young people did not disclose this behaviour to care providers, chiefly for fear of being reported to parents and other authorities. The most commonly-cited reason for not seeking help was the fear of parents (82% of those who reported not seeking help). The majority of these were cases of domestic violence. The second-most cited was concern about lack of confidentiality, which was reported in 55% of cases in which young people did not seek help. Confidentiality was an especially pressing concern for young people who did not seek help for fear of their parents; two thirds cited the fear that care providers would report their self-harming and suicidal behaviour to their parents, which they believed would only compound their problems. Victims of bullying were the most likely to have already come forward to seek help (67%). Fear of retribution from bullies was the most common reason cited by bullying victims who had not sought help.

Figure 2

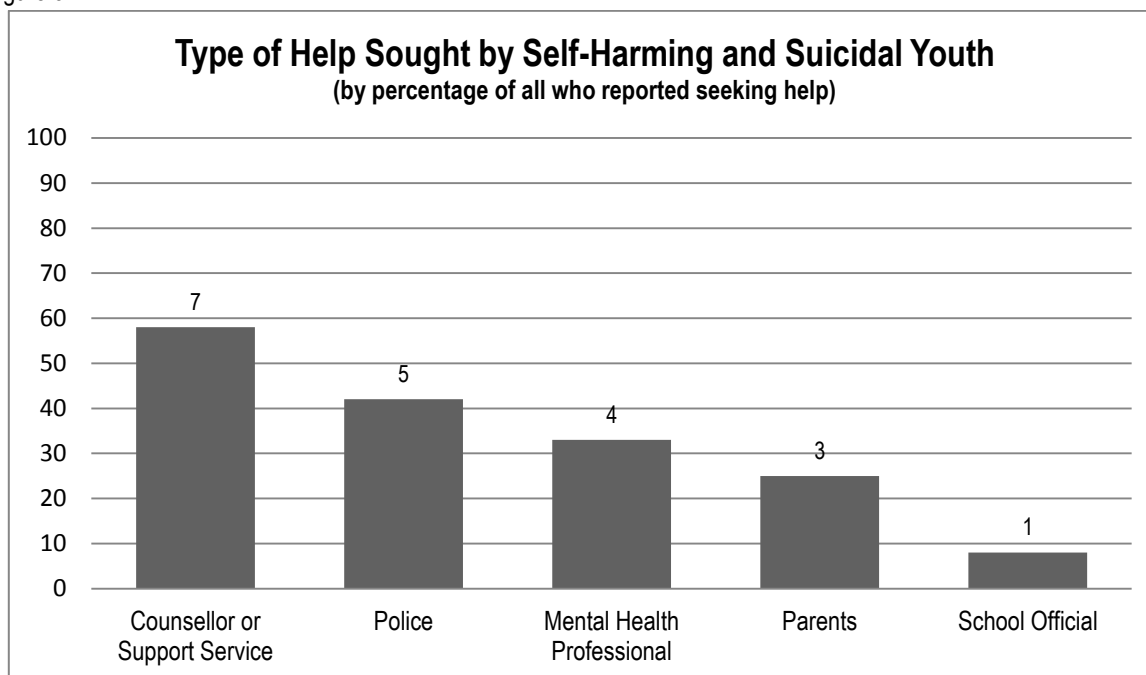


n = 11

Note: Does not add up to 100% because some were reported concurrently

Most young people (52%) who reported self-harming and suicidal behaviour to NCYLC had already sought help elsewhere. The majority of these (58%) had previously spoken to counsellors and other support services, most notably Lifeline and Headspace. Psychologists and/or psychiatrists were already utilized by 26% of all young people who contacted us. In cases of domestic violence and cyberbullying, the police were the most likely service to be contacted for support, and were previously contacted by 45% of all youth who had sought help.

Figure 3



n = 12

Note: Does not add up to 100% because some were reported concurrently

On the whole, young people were very dissatisfied with the help they received before contacting NCYLC. In cases of bullying, school officials did little or nothing to address problems, leading two thirds of young people who experienced in-school bullying to withdraw from the schools where it occurred. None of the five respondents who contacted the police found them to be of assistance. In cases of cyberbullying young people reported that police were dismissive of their problems. In cases of domestic violence, young people reported that the police sided with their parents, resulting in the escalation of verbal and physical abuse once they left. All of the four individuals who reported that they would not seek help from police in the future had previously sought police assistance.

3. The benefit of a national child death and injury database, and a national reporting function

A national child death and injury database and reporting function will strengthen efforts to prevent self-harming and suicidal behaviour in Australian youth by enabling care providers to identify and address issues and risk factors that suggest the potential for self-harming and suicidal behaviour before they escalate. NCYLC has experienced these benefits through its LawMail service, which utilizes a national database and reporting function. LawMail is a nationwide online legal service which automatically adds all inquiries to a national database, allowing NCYLC to draw on recorded past experience to offer optimum legal advice to young people and their caregivers. The centre uses the national database to tailor its responses to individual clients by reflecting on past correlations between issues and risk factors. Furthermore, this data allows NCYLC to provide location and issue-specific referrals and recommendations which take into account relevant state and federal laws. By noting gender, age, location, ethnicity and issues in its classifications, NCYLC is able to develop paradigms for better serving future children and young people in need of legal assistance throughout Australia.

4. The types of programs and practices that effectively target and support children and young people who are engaging in the range of intentional self-harm and suicidal behaviours. Submissions about specific groups are encouraged, including children and young people who are Aboriginal and Torres Strait Islanders, those who are living in regional and remote communities, those who are gender variant and sexually diverse, those from culturally diverse backgrounds, those living with disabilities, and refugee children and young people seeking asylum. De-identified case studies are welcome

NCYLC observes that young people from disadvantaged and diverse communities are disproportionately affected by self-harming and suicidal behaviour. These trends among children tend to correspond with national trends among all age groups from these communities, which often face greater prevalence of major risk factors for self-harming and suicidal behaviour, including depression, illegal drug use, leaving home and social isolation from peers and family. NCYLC recognizes that ethnicity, locale, sexual orientation and gender identity do not in themselves create elevated risks of self-harming and suicidal behaviour. Rather, experiences of disparate treatment and socioeconomic hardship incite and exacerbate risk factors which lead to self-harm and suicidal behaviour.

NCYLC can particularly speak to the difficulties reported by self-harming and suicidal same-sex attracted (SSA) young people through its LawMail service. SSA youth report elevated risk factors for self-harming and suicidal behaviour due to the absence of support from their families much more often than their heterosexual peers. Homelessness, leaving home, illegal drug use, and living in foster care are determinative risk factors that are substantially more widespread among SSA young people, who experience family rejection with alarming frequency.

5. The role, management and utilisation of digital technologies and media in preventing and responding to intentional self-harm and suicidal behaviour among children and young people

NCYLC recognizes the importance of digital technologies and media in addressing intentional self-harm and suicidal behaviour in young people. These are important for 1) the maintenance of databases (See above 3) and 2) the provision of assistance via the internet. Statistical data indicates that at least 96% of Australian teens access the internet.⁵ Teen internet users spend, on average, over an hour and a half online per day.⁶ Self-harming and suicidal young people tell us that they feel particularly comfortable seeking help online through our LawMail service because of the anonymity which it confers. This resolves the confidentiality concerns which deter many from seeking help in person (See above 2). It is critical that self-harm and suicide prevention strategies incorporate digital technologies to reach the maximum number of at-risk youth through the internet.

6. Recommendations

⁵ Australian Bureau of Statistics, Australian Social Trends June 2011, Australia, Catalogue No. 4102.0 (2011), page 2. At [http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/LookupAttach/4102.0Publication29.06.117/\\$File/41020_Childrendigital_Jun2011.pdf](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/LookupAttach/4102.0Publication29.06.117/$File/41020_Childrendigital_Jun2011.pdf) (viewed 17 June 2014).

⁶ Id.

- 1) NCYLC recommends strengthening protective factors and enhancing support networks for at-risk youth. This includes prioritizing anti-bullying campaigns in schools, involving young people in group activities which will reduce social isolation, and encouraging help-seeking behaviour by providing safe spaces for young people to confidentially speak with adults about their difficulties in school and at home.
- 2) NCYLC recommends educating young people about their rights to confidentiality from care providers in order to encourage help-seeking behaviour in self-harming and suicidal young people.
- 3) NCYLC recommends lending greater urgency to warning signs of self-harming and suicidal behaviour, such as depression, anxiety, and the desire to leave home. NCYLC additionally recommends improving the visibility, availability and quality of care for self-harming and suicidal young people who seek help.
- 4) NCYLC recommends the creation of a national child death and injury database and national reporting function to better prevent intentional self-harm and suicidal behaviour in Australian children.
- 5) NCYLC recommends greater partnership between mainstream suicide prevention services and cultural organizations from at-risk communities in the development of programs, research, and policies aimed at preventing self-harming and suicidal behaviour among Australian children and young people. The expertise of cultural organizations in dealing with risk factors faced by their constituents coupled with the expertise of mainstream health service providers in issues of self-harm and suicide will help to maximize the effectiveness of generic and targeted programs in preventing self-harm and suicidal behaviour among diverse youth.
- 6) NCYLC recommends enhancing inclusivity of SSA children in the family unit through targeted social services and resources for family members of SSA children and young people.