



## **Policy Platform: Young People in Care** Youth Coalition of the ACT

The Youth Coalition recognises that in the vast majority of cases, families are best placed and most appropriate to ensure the care and protection of young people. As such, there is a need for increased resources to be put into early intervention and prevention initiatives that aim to support families. These initiatives need to be evidence-based and evaluated, and in line with the *National Standards for Out of Home Care*, as developed by the Department of Families, Housing, Community Services and Indigenous Affairs. Some families need more assistance to raise happy, healthy children. In some cases, statutory services are required where children and young people need to be protected from physical abuse, sexual abuse, emotional abuse, neglect or domestic violence.<sup>1</sup>

The rate of children nationally in out of home care has increased from 6.3 to 7.7 per 1,000 between 2008 and 2012.<sup>2</sup> In 2012, 40962 young people were the subject of care and protection orders across Australia.<sup>3</sup> The rate of Aboriginal and Torres Strait Islander children on care and protection orders is 10 times the rate of non-Indigenous children.<sup>4</sup> This gap has been continuing to widen since 2008.<sup>5</sup> In the ACT the number of children admitted to child protection orders decreased by 12% between 2011 and 2012.<sup>6</sup> In 2012 in the ACT, 719 children aged 0-17 were on care and protection orders,<sup>7</sup> 566 of which were in Out of Home Care.<sup>8</sup> The ACT rate of Aboriginal and Torres Strait Islander children in out of home care is 12.8 that of non-Aboriginal and Torres Strait Islander children.<sup>9</sup>

There have also recently been links made between child abuse and neglect, homelessness and criminal activity. Young people with a child protection history enter juvenile justice supervision at a younger age, and may be at greater risk of being homeless than children who have never been abused or neglected.<sup>10</sup>

Research highlights the need for children to have stable and secure attachments, as a sense of security, stability, continuity and social support are strong predictors of better long-term outcomes after leaving care.<sup>11</sup> In situations where young people do come into contact with care and protection services, the Youth Coalition recognises there needs to be additional support provided towards transition from and exiting care. The continued over-representation of Aboriginal and Torres Strait Islander young people also needs to be immediately addressed.

Young people placed in statutory care who are unable to return to reside permanently with their birth family, should have the opportunity of living permanently with another family. These arrangements are best secured, when possible by a permanent court order such as Enduring Parental Responsibility Orders, Family Court Orders or Open Adoption orders. Importantly these orders allow the young person to exit statutory care and for their carers to assume full and permanent responsibility as the young person's parents or Guardians and thus ensure a normalised life experience for the young person.

In 2012 the ACT Government released its response to the Public Advocate's review into case files of children in out of home care. The ACT Government agreed to provide substantial funding towards the out of home care system and additional workers for the care and protection system.

Increased support to families is one of the most significant ways in which the care and protection of young people is best secured. Research indicates the effectiveness of early intervention and prevention in both reducing the costs of young people becoming involved in the child protection system and, more importantly, increasing the health, wellbeing and happiness of young people. As a result, more resources must be invested in both short and long term support for families.

Early intervention needs to be backed up by long-term supports for vulnerable families. Such support needs to be provided, particularly for those involved in statutory systems, because needs of vulnerable families become more acute at key developmental transitions. In this regard these families and young people need ongoing supports across the childhood and adolescent years. The Youth Coalition acknowledges the work of the Child and Family Centres and their part in supporting vulnerable families, as well as the ACT Government's 'Listening to Families' project.

While the focus for the care and protection of young people should be through early intervention and prevention, the need for a functioning care and protection system at a government level is necessary. In situations where young people are involved in Care and Protection Services, the focus should be on the wellbeing and best interests of the young people concerned, as highlighted by Article 3 of the *Convention on the Rights of the Child* and the principles in the *ACT Children and Young People's Act 2008*. In order for the wellbeing of young people to be given the highest priority, the Youth Coalition believes that the *Charter of Rights for Young People in Care*<sup>12</sup> needs to be reviewed through an evaluation process conducted across the ACT.

The care and protection system must ensure that young people are treated with dignity, offered all possible supports and that they are meaningfully involved in decisions that affect their lives. We believe that this is most effectively achieved through the ongoing monitoring role of the Office of the Public Advocate and the independence of the ACT Commissioner for Children and Young People.

In recognising the diversity of young people involved in the care and protection system, the Youth Coalition believes that while some young people may be highly independent and able to transition easily out of the system, this is not the case for others. Times of transition should be viewed as key opportunities to develop living skills. The Youth Coalition supports the development of the Youth Support and Transitions team, which works with young people up to the age of 25 who are exiting care.

As the above statistics illustrate, Aboriginal and Torres Strait Islander young people are over-represented in Care and Protection Services. This over representation suggests a lack of full provision of family support to Aboriginal and Torres Strait Islander families. The lack of Aboriginal and Torres Strait Islander foster carers and workers in the care and protection system are also of concern and need to be addressed together with the community in order for young people to be afforded the highest possible level of care.

It is also important to recognise that some young people involved in Care and Protection Orders will disengage from existing services, and become a silent minority

who do not have regular contact with statutory bodies or non government agencies. For this group of young people, assertive outreach models and other non-traditional approaches that are evidence based and evaluated must be considered as a priority for the ACT.

In recent years two significant initiatives changed the landscape of the youth sector. These include the implementation of the Children, Youth and Family Services Program, which combined youth and family support services, and the significant reforms in youth housing and homelessness services. Other areas where the ACT Government is currently driving a significant change agenda across key areas of service to young people and their families include: youth justice; care and protection; and education. It is vital that the workforce of the out of home care sector be appropriately linked and connected with other sectors, and supported to acquire the skill-sets required to work with children and young people involved in the system, and respond to their unique individual circumstances.

### **Commitments**

1. Advocating for a substantial increase in the resources provided for early intervention and prevention programs for families.
2. Advocating for the Charter of Rights for Young People in Care to be fully evaluated and updated.
3. Advocating for increased collaboration between government and non-government stakeholders in the care and protection system.
4. Advocating for the issue of Aboriginal and Torres Strait Islander over-representation in care to be addressed thoroughly both locally and nationally as a priority issue.
5. Advocating for practical support programs for young people transitioning out of care, such as the expansion of the Transition to Independent Living Allowance.
6. Advocating for the active involvement of young people in designing, planning, implementing and evaluating youth policy and service delivery frameworks for care and protection.
7. Advocating for the active and supported participation of young people in their individual care planning and case management around child protection.

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<sup>1</sup> FAHCSIA (2011) An Outline of National Standards for Out of Home Care: A Priority Project under the National Framework for Protecting Australia's Children 2009-2020. Australian Government, Canberra.

<sup>2</sup> Australian Institute of Health and Welfare (2013) Child Protection Australia: 2011-12 Australian Government, Canberra, p. 44 <online> <http://aihw.gov.au/publication-detail?id=60129542755>.

<sup>3</sup> Australian Institute of Health and Welfare (2013) Child Protection Australia: 2011-12 Australian Government, Canberra, p. 25 <online> <http://aihw.gov.au/publication-detail?id=60129542755>.

<sup>4</sup> Australian Institute of Health and Welfare (2013) Child Protection Australia: 2011-12 Australian Government, Canberra, p. 34 <online> <http://aihw.gov.au/publication-detail?id=60129542755>.

<sup>5</sup> Australian Institute of Health and Welfare (2013) Child Protection Australia: 2011-12 Australian Government, Canberra, p. 35 <online> <http://aihw.gov.au/publication-detail?id=60129542755>.

<sup>6</sup> Australian Institute of Health and Welfare (2013) Child Protection Australia: 2011-12 Australian Government, Canberra, p. 33 <online> <http://aihw.gov.au/publication-detail?id=60129542755>.

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- <sup>7</sup> Australian Institute of Health and Welfare (2013) Child Protection Australia: 2011-12 Australian Government, Canberra, p. 32 <online> <http://aihw.gov.au/publication-detail/?id=60129542755>.
- <sup>8</sup> Australian Institute of Health and Welfare (2013) Child Protection Australia: 2011-12 Australian Government, Canberra, p. 41 <online> <http://aihw.gov.au/publication-detail/?id=60129542755>.
- <sup>9</sup> Australian Institute of Health and Welfare (2013) Child Protection Australia: 2011-12 Australian Government, Canberra, p. 42 <online> <http://aihw.gov.au/publication-detail/?id=60129542755>.
- <sup>10</sup> AIHW (2012) Children and young people at risk of social exclusion: Links between homelessness, child protection and juvenile justice. Australian Government, Canberra.
- <sup>11</sup> FAHCSIA (2011) An Outline of National Standards for Out of Home Care: A Priority Project under the National Framework for Protecting Australia's Children 2009-2020. Australian Government, Canberra.
- <sup>12</sup> ACT Government (2009) Charter of Rights for Children and Young People in Out of Home Care in the ACT, Canberra. <Online> <http://www.dhcs.act.gov.au> Accessed 3 December 2012.