



October 2016

QUESTIONS ON NOTICE

INQUIRY INTO CHILD PROTECTION





Prepared by Jacqui McKenzie, Policy and Advocacy Manager

Contact person: Katie Acheson, CEO,

Youth Action NSW

Suite 401, Level 4, 52-58 William St, Woolloomooloo NSW 2011

Website: youthaction.org.au

About Youth Action

Youth Action is the peak organisation representing young people and youth services in NSW. Our work helps build the capacity of young people, youth workers and youth services, and we advocate for positive change on issues affecting these groups.

It is the role of Youth Action to:

1. Respond to social and political agendas relating to young people and the youth service sector.
2. Provide proactive leadership and advocacy to shape the agenda on issues affecting young people and youth services.
3. Collaborate on issues that affect young people and youth workers.
4. Promote a positive profile in the media and the community of young people and youth services.
5. Build capacity for young people to speak out and take action on issues that affect them.
6. Enhance the capacity of the youth services sector to provide high quality services.
7. Ensure Youth Action's organisational development, efficiency, effectiveness and good governance.

Submission: Inquiry into Child Protection

Youth Action & Policy Association (NSW)
youthaction.org.au

Questions on Notice

Would you be of the view that this inquiry would need to maybe think about that plus-18 resourcing and what that would look at, and do you have any models where it is working well?

It is well established that leaving care is an area that needs significant improvement and has been highlighted by the CREATE Foundation in particular and most recently in their 2016 report card. We support the CREATE Foundation's recommendation to this inquiry that statutory responsibility to young people is extended to 25 years of age, commensurate with Signatory Action 2.1.4 of the National Framework for Protecting Australia's Children 2009-2010 (Commonwealth of Australia, 2009). This could be achieved through, as suggested by CREATE, amending Section 3 of the Children and Young Persons (Care and Protection) Act 1988 which currently defines "young person" as a person who is aged 16 to 18 years, to 25 years.

As it currently stands, support for young people in care stops once they reach the age of 18. This is line that recognises chronological and biological age, rather than an individual's experience. It is also not reflective of broader trends in community of transitions to adulthood, such as young people leaving home later, taking longer to find full time work, and more.

Youth Action is of the opinion that support for 'leaving care' should begin early and extend to at least 21, if not longer. This doesn't necessarily mean that a young person stays under parental responsibility to the Minister, although for some it might be relevant, but that they receive sufficient support to be successfully independent.

The model referred to in verbal evidence in Scotland is called 'Staying Put' whereby a young person is entitled to care and support beyond the leaving care age. This was recognised through both legislative change that extended statutory responsibility, and a focus on cultural change. It is based on the premise of an individuals 'readiness' to leave care and the poor outcomes

associated with forcing a person to leave before they are ready, but goes beyond the skills required to exit care to recognise the central role of consistent and positive relationships. There are a number of indicators and outcomes linked to the concept of 'readiness'. Key changes as a result of the model include giving young people the option to choose to remain in foster care until the age of 21, as well as enshrining in legislation their right to aftercare support to age 26.

Ohio Fostering Connections provides another example of where support has been extended beyond 18.

In reference to those who have fallen into the 'gaps' as well discussed in Youth Action's submission, we further highlight the need for support for transitions for these young people who have not had received the support available to those in statutory care.

Supplementary Questions

Youth Action has provided information below based on current information, but to provide the depth of response as appears is desired by the Inquiry would require further resources and capacity. We have a strong desire to continue to work closely with governments to explore these very important issues further, in whatever capacity we can.

As such, please find responses below.

What resources are required to address the tension between the needs of children and young people?

As per our submission, a lack of overarching strategy has not been achieved but in its place there are important but piecemeal responses to young people. This would need to be a first port of call in approaching resources, in order to avoid further piecemeal reactions.

Submission: Inquiry into Child Protection

Youth Action & Policy Association (NSW)
youthaction.org.au



A great amount of work was conducted to inform the NSW government regarding young people at risk. An initial report was written in 2012, titled 'Better Outcomes for Vulnerable Teens' (which was released in 2014 as a much changed 'Better Lives for Vulnerable Teenagers' report) as was the beginnings of working towards an overarching strategy regarding a systems response to young people at risk in NSW. We understand the initial version was quite well received, but not progressed, and the public version was much changed and not as comprehensive. Although Youth Action does not have access to the initial report, this might be an important document for the committee to access with regard to resourcing, and recommend it be tabled as part of the work of the inquiry.

Youth Action would be very happy to continue to work with governments to further inform government specific work such as modelling and resource planning around programs such as a continued focus on building research and evidence regarding programs for this cohort, as has been progressed for children.

How has the government failed to address the Wood Inquiry recommendations regarding young people and adolescents? (page 11 of submission)

The Woods report referred to children and young people together, apart from certain leaving care recommendations, however some might argue that while we may have seen some progress for children, this hasn't necessarily been the case for young people.

Youth Actions own submission did not provide a comprehensive review of progress made for young people against the Wood Inquiry recommendations as we do not consider it our role, but suggested that reporting against milestone inquiries such as Woods is important, provides accountability, could highlight how far the system has come, and where we need to continue to go.

Submission: Inquiry into Child Protection

Youth Action & Policy Association (NSW)
youthaction.org.au

We also pointed to the myriad of reports alongside Woods work and since Woods work that had made similar remarks which very strongly suggest that government has failed in its protection response to young people in particular.

Are there enough resources in the system to adequately address young people ‘falling through the gap’ as outlined in your submission? (page 11 of submission)

No. Recommendation 4 of our submission called for an increase level of funding to both the Department of Family and Community Services and the non-government sector to work with young people who require crisis and intensive support.

How does this gap ‘play out’? i.e. what is the process by which a child becomes a neglected young person? Elaborate on the ‘refuge to refuge’ example. (page 26 of submission)

We agree that this is an important piece of work that requires further exploration with young people who are best placed to share their experience of systemic neglect, and would be best conducted by an external youth research organisation in partnership with government.

In our experience, however, there are a number of pathways through which a young person moves into or experiences this gap. What is apparent and most pertinent is that they do not receive a response from statutory agencies, if they do, options for them are limited and sometimes not a better environment, and when a statutory intervention cannot be provided then the current services system does not get the support it needs to do this well.

A ‘process’, if any, is one of missed opportunities. Young people at risk are less likely to get a statutory protection response. They are reported and reported and reported again. As they are at risk of significant harm, their exposure to harm either continues, and escalates, or young people leave the risky situation. However, just because a young person has left a risky context

Submission: Inquiry into Child Protection

Youth Action & Policy Association (NSW)
youthaction.org.au

does not mean that they are in a better environment. Sometimes, where possible, the service system steps in and either tries to support the young person, or perhaps a young person (having left a risky situation) is in a refuge, or many other worse situations. Yet, at this point in time, where an environment has become so bad that a young person has left, they are often in crisis, with significant trauma. The services that step in when the statutory system aren't often geared to deliver services to young people at this level, but might be geared to deliver early intervention. Even with the skillset to work with such young people, the resources available to them might not be sufficient without it being intentional. Without an appropriate response from the statutory system or without resourcing for the service system to do this work there is a gap in support for young people who need it.

We could also further interpret that as a result young people's needs are not addressed, they continue to be exposed to abuse and neglect, are not provided with the intervention needed and as such cycle through 'crisis' – sometimes literally through crisis refuge to crisis refuge.

Is the government doing enough to support Child Protection Adolescent Teams? (page 27 of submission)

Is there a view that there is a need to expand the use of these teams?

How do these compare/relate to the 'Street Teams' that were disbanded in Cabramatta and Kings Cross?

There is little publically available information regarding the Child Protection Adolescent Teams. Responses from the sector in our survey regarding Child Protection Adolescent Teams were brief, and we cannot, as much as we'd like to be able, provide further information to the inquiry without additional time and resourcing.



Submission: Inquiry into Child Protection

Youth Action & Policy Association (NSW)

youthaction.org.au