

Submission Response

from

Youth Affairs Network of Queensland (YANQ)

Child Protection Reform Strategy

Discussion Paper

March 1999

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ABOUT THE YOUTH AFFAIRS NETWORK OF QUEENSLAND

The Youth Affairs Network of Queensland (YANQ) Inc. is the peak community youth affairs organisation in Queensland. Representing approximately 400 individuals and organisations from Queensland's youth sector, we promote the interests and well being of young people across the state. YANQ advocates for and with young people, especially disadvantaged young people, to government and the community. Further, YANQ encourages and participates in the development of policies, programs, projects and research that are responsive to the needs of young people.

YANQ also supports and promotes cultural diversity in Queensland. As such, YANQ in partnership and collaboration with the non-English speaking background (NESB) Youth issues Network (NESBYIN), have continued to sustain the NESB Policy and Network Officer position for the previous four years as well as the YANQ Policy and Network Officer.

INTRODUCTION

YANQ welcomes the opportunity to input into the Child Protection Reform Strategy Discussion Paper – March 1999.

Preparation for this response included consultation with YANQ membership consisting of a specific consultation session held at the YANQ offices where interested members were invited to attend in order to discuss their responses to the Discussion Paper. Further, over recent months YANQ staff including the Policy and Network Officer and NESB Policy and Network Officer undertook visits to a number of regions across Queensland. These regional visits afforded opportunities to discuss aspects of the Discussion Paper with regional members.

YANQ would like to acknowledge all members who contributed to this response, in particular Youth Emergency Services, Youth Advocacy Centre, Project Micah and Young Mothers for Young Women.

RESPONSE

Much of this response hinges on the following definitions provided in the *Child Protection Act 1999*.

Extract from Part 3 – Division 1 – Key Terms

Who is a ‘child’

8. A “child” is an individual under 18 years.

What is ‘harm’

9.(1) ‘Harm’, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.

(2) It is immaterial how the harm is caused.

(3) Harm can be caused by –

- (a) physical, psychological or emotional abuse or neglect; or
- (b) sexual abuse or exploitation.

Who is a ‘child in need of protection’

9. A ‘child in need of protection’ is a child who –

- (a) has suffered harm, is suffering harm, or is at unacceptable risk of suffering harm; and
- (b) does not have a parent able and willing to protect the child from the harm.

The definitions from the Act are critical in legitimising the involvement of the community youth sector in discussions regarding the Child Protection Reform Strategy. Programs funded to work within the youth sector are generally contracted to provide services to young people in a range of age categories. The range is usually between 10 – 25 years, with service agreements generally specifying the particular age range e.g. 10 – 16 years, 16 – 25 years, 12 – 25 years, dependant upon the program funding an organisation receives.

Given that YANQ’ s membership is drawn from many of these community based organisations in the youth sector we have ongoing opportunities to liaise with workers working directly with young people who fall within the age range relevant to the *Act*.

It is not surprising then that a response from a representative from one of our member organisations (funded under the Supported Accommodation Assistance Program, SAAP)

recently stated, “**If there is someone in our shelter there are child protection issues**”.

Much of the community youth sector believes that there has not been adequate opportunity to respond to issues raised in the Discussion Paper as many representatives from organisations who work with young people including under 18's have not have had access to the Discussion Paper or scheduled consultations. For example, many of the SAAP services are not adequately resourced to staff their agencies during office hours of 9.00am – 5.00pm, preferring to allocate resources to after hours when there are fewer alternative services for young people to access e.g. education and training. For those SAAP services with the 'luxury' of staffing their services during the day, there is usually only one worker on shift who is responsible for all the accommodated young people, referrals, advocacy work, crises, follow up work etc. There is a wealth of expertise from these organisations and others who work with young people in community based agencies, however, due to resourcing constraints it is difficult for them to participate in processes such as that which has been adopted by this Strategy.

For future reference it may be worth considering linking into existing forums, rather than stipulating consultation times for workers to attend. Linking training to the related issues such as changes to the *Act* and what this then means 'on the ground' may also assist participation.

Statistics from one crisis accommodation service consulted by YANQ showed that 30% of young people accommodated were 'young people in care'. Statistics from a medium term accommodation service showed that approximately 60% of young people accommodated were 'young people in care'. Discussions re these statistics highlighted a number of issues including:

- **resourcing** for community based organisations
- **coordination** by the Department of Families Youth and Community Care.

One service representative stated that although 30% of the young people accessing their service were subject to a Departmental order, during a three year period only one case conference had been requested.

Our understanding is that Family Support Officers (FSO) have the primary responsibility for young people under the care of the Department, however, much of the responsibility is falling to workers in community based organisations funded by programs such as SAAP and FCASP.

Community based organisations are also receiving referrals from Departmental officers, on behalf of under 15 year olds, for accommodation. The community sector is not resourced to accept these referrals and in most instances do not have the mandate to work with under 15's as per the SAAP Act. Members have related incidences of young people, unable to access a crisis accommodation service due to lack of beds, being 'put up' in motels. The appropriateness of this course of action is questionable and begs enquiry, including further research into where future resources need to go. There are also issues with this of accountability and questions relating to whether decisions have been made base on principles of best practice. Worth highlighting is

- the **inadequate crisis accommodation beds** available to young people.

Many community based youth programs are funded to work with the most disadvantaged, marginalised young people in our communities, many of whom have had contact with the Department. This highlights one further issue:

- **Recognition and adequate resourcing of the range of youth programs** that are currently working with young people who have child protection issues. Examples include:
 - SAAP
 - FCASP
 - CISP
 - YACCA (Youth and Community Combined Action)
 - YSC (Youth Support Coordinators)
 - Rural Youth Workers

With regard the range and mix of services needed in an enhanced child protection system, YANQ considers that at this time equivalent resources are required across the three areas of prevention, family support and child protection intervention. Effective family support such as that provided by the Early Intervention Service (EIS) is resource intensive as are intervention services. If the Department is truly committed to prevention then at this point in time services working in the area of prevention need a significant injection of funds.

There are concerns from the community youth sector that existing funds will be reallocated with insufficient research and consultation to determine 'what works'.

- **research** is needed to explore models of service delivery that 'work' across the three service types.
- The community sector needs to be funded to undertake **research**.
- Need to undertake qualitative and quantitative research, including **Action Research**. (see Putting Families In The Picture, 1999 –Prime Ministerial Youth Homeless Taskforce Report)

Members of YANQ believe that distribution of resources across the three service types needs to be equal and resourced to at least the current level allocated to child protection intervention services, that is an allocation of approximately three times the current allocation for the total Queensland child protection budget 1998 –99.

- Extra funds must be allocated to both prevention and family support services.

As recently released by QCOSS in the report *People and Places – a profile of growing disadvantage in Queensland, 1999*, poverty in Queensland has risen steadily from 1981-82 to 1995-96, with poverty rates almost doubling in that period. Community service agencies in Queensland are struggling to meet the needs of people who are seeking assistance with Queensland spending the lowest amount per capita on welfare of any state or territory in Australia. Given the high correlation with poverty and family

stress it is critical that an immediate increase of funds is allocated to child protection work currently being done in the community youth sector.

Practice Issues - Young Parents

Young people who are parents have issues in common with families and with young people. This may seem obvious at first glance but at a practice level does the Department have a framework for working with these young people, a framework that addresses their 'parentability'? Parentability would look at issues such as poverty, homelessness, violence, unemployment etc.

There needs to be distinct strategies for responding to young parents, responses such as advocacy and providing clear information regarding their rights as parents. Strategies are required that include providing information to young parents about decisions that have been made about them.

Many young mothers don't understand why they don't have their child/ren. Certainly, the decision made may be the correct decision but these young women need information as to why they don't have their child in clear 'youth friendly' language. Often there is very little recorded regarding decisions to remove a child from family and this does not assist requests for clear information. Practice needs to assist young parents to understand the decision made.

New models need to be investigated with regard to the Departments commitment to preventing family fragmentation at all costs, even if that means not living together. The Department needs to facilitate processes for developing/facilitating ongoing relationships. The Forde enquiry (circa 1998) has shown clearly that family relationships are critical, needing support and opportunities for growth.

Workers in the community working with young mothers have witnessed an overresponse to issues concerning criminal responsibility. There is a gender bias in this regard with young mothers more often than not charged with 'failing to protect' even when there is a male assuming the father role in the household. There is a need for specialist responses in this area. There is a need to respond to issues such as poverty, violence, homelessness and unemployment.

Innovative models are being used overseas whereby foster placements are available for both mother and child. They may not necessarily live in the same house but in close proximity so that both may be supported in the parent/child relationship.

With regard crisis intervention there are an enormous lack of accommodation facilities available for young people as highlighted earlier. The availability of trained staff working from a clear consistent framework in these facilities is also an issue. These staff need appropriate, quality training and professional supervision.

In the future if the Department is to be acknowledged as an entity that supports and resources families, then associated responses need to be appropriate. The fact remains

that 15 year olds are hard to place. Many who ring with issues not deemed crisis, don't get a service. If the Department is truly going to be involved in preventative work there needs to be adequate resourcing to do this - provision of information, effective referrals and appropriate services.

Work with young parents has shown that one of the most vulnerable groups of young parents are those who are 21 – 25 years having their second or third child. The Department needs to review what the term 'young' means. Responses from some members have indicated that the entry point needs to be up to 25 years so that there is a capacity to follow and support young parents until their children enter the school system.

Given the transient nature of many young people, Brisbane needs a resource centre that has the capacity to outreach to young parents. The Department also needs the ability to be able to 'second' child protection workers. This would assist statutory workers to work with non-statutory workers in a community agency setting on joint strategies so that there is a consistency of response and an added advantage that young people may not constantly have to change workers.

If the Department is going to move from a charity model – how is this going to be done? For example, substance misuse issues and incarceration need to be viewed as health issues, not judged from a criminal or moral perspective. A more equitable response is required. Departmental officers need training and professional supervision to enable them to work with young people who may be living with these issues. If young people are met with a criminalistic/moralistic response there is little chance that they will disclose further to child protection workers. Young people fear reprisals if they disclose addiction and other issues. They may also feel that they are being judged. It is critical to work from a holistic framework which incorporates support of the whole family in order to prevent family fragmentation.

Respite program options need to be made available as a prevention measure, not just a crisis option. There is an enormous lack of family residential programs for all service types including prevention. Residential components in the community are essential, particularly to support and assess young parent's and their ability to parent, language skill development, behaviour management and risk of harm. A service such as St Mary's Support and Accommodation Service has the capacity to provide this type of service if adequately resourced. The Department should contribute to costs of assessment as well as facilitating opportunities for training to workers in this area ensuring that all workers practice from a consistent framework.

It is critical that services model to young parents the type of behaviours that young parents themselves are being judged on, particularly with regard standards of care. Many services, however are not resourced adequately to model these standards. For example, too often the provision of childcare to young parents attending programs is inadequate, with this relating directly to insufficient funds. 'Some of the SAAP environments currently offered to children, particularly in generalist night shelters, are not conducive to children's needs' (DFYCC, 1998, p.16 in *Evaluation of Supported Accommodation Assistance Program In Queensland, Executive Summary*)

Inadequate resourcing also results in one worker approaches to working with young parents. There is a high correlation of history of sexual abuse with young mothers. It is critical that these young women have the opportunity to work with different workers who

can model different responses, albeit within a consistent framework, however services rarely have this luxury.

Services such as Kids Helpline and Parent Line need to have the capacity to make accurate referrals. It is not unusual for a young parent to end up with ten to fifteen numbers to call for referred service, however all calls result in being told that there are no vacancies or 'ring back in the Year 2000'. This happens. It is not unusual to be unable to get through on these help lines and when one does there are often very large waiting times – up to and longer than 1 hour. If these types of services are only providing information then they are providing a limited service. There needs to be an assessment component with coordination of information and referral. An optimum service would have information on vacancies for the referral services ensuring the capacity for accurate referrals to be made.

There is an even greater gap in the indigenous community. One source spoke of visiting an Aboriginal elder who was looking to find a service to assist a young person who was 'getting in trouble and on the streets'. She had twenty business cards in front of her from agencies, all of whom were unable to help her – now. Not one of these services was available to address immediate needs.

Young People from Culturally Diverse Backgrounds

Over-representation of **Aboriginal and Torres Strait Islander young people** in the child protection system has been acknowledged in the Discussion Paper and some strategies embedded in the legislation (Chapter 1, Part 2, s.6 *Child Protection Act 1999*).

It is critical that issues for Aboriginal and Islander young people are dealt with in conjunction with members of the community to whom the child belongs and that specialist workers and agencies are made available to those involved. Increased resources are needed particularly in rural and remote areas where sole workers are attempting to provide the range of services required by the community. One example of this is the YACCA worker in Murgon/Cherbourg who is funded to work with 10 – 16 year olds, however, to appropriately and effectively work with her community she must work with the **whole** community. This is bigger than a one worker job.

The Discussion paper does not address issues for **young people from Non-English Speaking Backgrounds**. There is a lack of understanding and dearth of services with regard to appropriate responses for NESB young people. However, research and expertise does exist in this area.

Government departments have developed policies to ensure that government agencies provide services that have regard to the right of all Australians to equality of access and opportunity, and the removal of barriers of race, ethnicity, culture, religion, language, gender or place of birth. This places an obligation on the Department and it's workers to ensure that all young people and their families who become involved in the Child Protection system are able to participate in all aspects of it. This necessitates identifying the barriers that exist preventing young people and their families from 'participating'.

- Need to develop a **strategy to address issues for NESB young people** who come in contact with the Child Protection system.

Other Issues raised during consultations:

- Concerns have been raised by members regarding the skill level of **departmental Youth Workers** (replacing Adolescent Resource Workers, ARW's). Given the worker classification and the resultant level of pay it is not surprising that these workers do not have high grade youth work skills. However, these workers often spend periods of time one on one with vulnerable young people with little supervision and limited training. Certainly there is a need for greater opportunities for respite for caregivers, and a program such as these detached youth workers has merit. However, until such time as there is recognition of the skill level required and appropriate remuneration for workers young people will continue to receive an inadequate response.
- Concern was raised that there is approximately 25 % of **children in care with a disability**. Lack of support and resources for families with young people who have a disability is a causal factor of the numbers in care. More resources need to be allocated to families for respite, sibling support, counselling, medical costs, support services and programs. This would assist with the strain on these families of parenting children with disabilities and work towards the prevention of fragmentation of families.
- Finally, there was concern regarding the **increase in notifications** and this increase being seen purely as an outcome of community awareness raising. It is important to highlight that this increase in notifications may also be a direct outcome of under resourced programs, insufficient emphasis on prevention and increasingly punitive Commonwealth policies such as the Common Youth Allowance - there seems to be a distinct lack of recognition of the impact of **systemic neglect**. – who/what categorises NEGLECT?

