Government of South Australia

Office of the Guardian
for Children and Young People

Response to Office for Youth

SA Vulnerable Youth Framework

August 2012

1. Introduction

1.1   Among other statutory functions, the Guardian for Children and Young People acts as an advocate for the interests of children and young people under the guardianship, or in the custody, of the Minister for Education and Child Development. The Guardian also advocates for young people in youth training centres and promotes good information sharing among agencies to protect the safety of children and young people. It is in this capacity that the following submission is made.

1.2   This submission is prepared on the basis of the Office's experience in advocating for children and young people, monitoring the provision of services, talking with young people about their experiences and with other experts in the provision of care and services.

1.3   The Office of the Guardian (GCYP) welcomes the proposal to develop a Vulnerable Youth Framework to help ensure that vulnerable young people receive the support and services they need. Thank you for the opportunity to comment on the development of the framework.

1.4   This response will provide general comments about the proposed framework followed by comments specific to the key elements in the consultation paper.

2. General

2.1   The significance of guidance to, and promotion of, government and non-government service providers in taking responsibility for assisting young people at risk cannot be overstated. **What we hope never to hear is the phrase "this is not my job" or "she is not one of ours"**.

2.2   The framework has the **potential to inspire action** that reduces risk for young people and engages young people in problem-solving and taking initiative. In order to realise that potential, agencies (and employees in those agencies) have to be able to see themselves in the document. For this reason the framework **should be accompanied by strategy and examples**.

2.3   The proposal is to "improve the **coordination of existing effort** to ensure an across government approach that makes the best use of current capacity." It is not clear why this is important. **How do we know that this is a problem now?** Vulnerable young people may be made more vulnerable by lack of engagement *or* service gaps *or* no one agency taking responsibility *or* programs that are not individualised. If lack of coordination is the source of heightened vulnerability, some examples and analysis would illustrate this well and underscore why coordination is at the core of the framework. (See case study Ralph)

2.4   If the analysis, or the implementation of the framework, demonstrates that there are service gaps *or* communication gaps *or* worker training required, then there is a case for additional funding. It is unfortunate to preface the development of the

framework with the condition of no additional funding. The proposed Foundation for Children and Young People (*Every Chance for Every Child*) could be the source of funding for initiatives that fill service gaps. Equally, **a strategy may have additional resource requirements** that government may want to commit to. The Victorian Framework, on which the SA Framework will be modelled, resulted in additional funding for key strategies, including an additional $22 million over four years for 55 youth workers to assist young people at risk of entering the youth justice system.

2.5   Many, if not most, of the services that vulnerable young people make use of are delivered by the non-government sector. **A stronger framework and strategy would include local government and non-government organisations** in its development and implementation. The expectation of coordination among services could be extended to them, but only if they are parties to the framework.

2.6   The framework can be underpinned by several important planks, that is, **instruction on pro-active information sharing and a common approach to assessment of risk.** The first of these is in place already, with government agencies and many non-government organisations having adopted the *Information Sharing Guidelines for Promoting the Safety and Wellbeing of Children, Young People and Their Families*. There has been some work done on common assessments for children and young people at risk in the context of the *National Framework for Protecting Australia's Children*.

2.7   The Victorian framework was an initiative of the previous government. The advice received by this Office on its impact to date indicates that it is not now actively promoted but that the framework is basically sound. There are no plans for evaluation of its impact. In order to shore up the sustainability of a similar framework here it will need 'champions' within and outside government and **demonstration of its impact sooner rather than later**.

Case study: Ralph

'Ralph', 17, is in the youth training centre awaiting trial for a violent offence. He has been admitted to the training centres on 16 other occasions, the first when he was 11 years old. Mental health services first had contact with Ralph when he was just seven. The family has moved around the state and once moved interstate for a few months. He has not attended school since Year 9, and before that his attendance was interrupted by frequent moves.

The service history for Ralph and his family is long and there has been considerable effort to provide services, but rarely has engagement lasted more than a few weeks. Ralph has been referred to many programs since he was seven but the referrals appeared to be in the hope that they would work. No feedback from his contact with the agencies was recorded. There were at least three case files for Ralph but none had summaries of his mental health or reference to information shared with the other agencies.

When Ralph presents at the youth training centre for another period of remand or custodial sentence, the staff have no instruction or information about what has happened to Ralph while in the community. His behaviour is increasingly violent, much of it directed at himself. Centre management are considering whether they should grant his wish to move to an adult prison when he turns 18 in a few months time.

3. Definition of vulnerability

3.1 **If a definition is required**, and it is arguable that it is not, then it needs to speak to those who are outside the agencies providing services to vulnerable young people, that is, the general public. The Victorian definition is unnecessarily complicated. Simply put it says: **People who because of their young age and circumstances are at risk of harm and disadvantage**.

3.2 In discussion of vulnerability it would be beneficial to make a direct link to risk assessments that emphasise adults and peers who directly influence the young person and to the timely exchange of information about those people as well as the young person.

4. Target age

4.1 The appeal of reducing the age range for young people to 10 years of age is understandable but it **confuses early intervention with redefining 'youth' or 'young people'**. An alternative is to talk of children in their 'middle years' (8-11) and the flexibility for agencies in addressing the needs of this group, as an early intervention measure. If there is to be a re-definition of the age range for a framework for young people it may be better to separate the 12-15 years olds (and services/programs for them) from the 16-24 year olds.

4.2 Early intervention is critical to reducing risk and vulnerability but it can be done instead by flexibility in contracts for services (4.1) and by programs **strengthening their interactions and relationships with child and family services**.

4.3 For some time, advocates for children and young people have argued that Australia should follow international convention in **lifting the age of criminal responsibility** to 12 or 14 years of age, from its low age of 10. For this reason, among others, it may be unwise to have a youth strategy that lowers the age range.

5. Risk and protective factors

5.1 The use of a model to demonstrate layers of vulnerability aids in understanding where services and programs are pitched at, and distinguishing between the universal and targeted programs. The aim of the framework is **presumably to move young people away from the high risk end**, either through prevention of escalation or intervention to remedy risk. The framework could be explicit about this so that services had to demonstrate outcomes of reducing risk.

5.2   The framework could also say where the major effort is going to be. For example, it is not a framework that provides direction for universal services, such as recreational, social and cultural activities except to ensure inclusivity and information sharing when young people are thought to be at risk. Instead the emphasis is on services and programs targeted at young people who are highly vulnerable or at risk of problems escalating to put them at high risk. In other words, does the framework **aim to ensure that services target the most vulnerable young people**?

5.3   The **danger though with over-emphasising the most vulnerable young people** is that, in a tight fiscal environment, the only programs or agencies funded are those that provide crisis services. The perverse result of this is that young people have to be in crisis before receiving services. Far better is to expect that providers of services have to demonstrate that they prevent risk from escalating and that they take an active responsibility for young people at high risk.

5.4   In the high risk group, out of home care is listed as a risk factor. **In and of itself, out of home care is *not* a risk factor.** Indeed, young people who are in care and the adults who support them are intent on making it as secure and safe (and normal) as possible. A disproportionate number may have multiple high-risk behaviours in their adolescence but it is harmful to label all out of home care experience as a high risk factor.

Case study: Karyl

'Karyl', 12, is a Narangga girl who has been in care since she was six years old. Karyl is described as affectionate and funny, with a keen interest in music. Almost two years ago, her long-term foster family asked for her to be moved because of violence towards the other children. They still have contact with Karyl on every second weekend. Karyl moved to an emergency placement, looked after by workers on shift. Referrals were made to three agencies for a family-based placement.

The past 23 months has seen Karyl moved five times, but with most of that time in the emergency arrangement. She has been excluded from five schools, but has been more settled at the most recent school and only suspended on one occasion.

Unfortunately her violent behaviour has escalated in this time and she has spent a short time in the training centre. The alternative care agencies say she is now more difficult to accommodate with a family and that residential care may be the only option.

6. Governance and implementation

6.1   The consultation paper does not **canvass options for the leadership and governance arrangements**. The Office for Youth has lead the development of the framework to its consultation stage but it is not clear whether this is intended to continue or whether the commitment to implementation will be across key portfolios and inclusive of the non-government sector.

6.2   Successful promotion, monitoring and **reporting on impact will require both a monitoring body and data tracking**. It would be good to have baseline data established early which is capable of tracking over time. Similarly it would be good to know approximately how many young people are likely to be in the four categories of vulnerability and where they are located.

6.3   As said in 2.7 above, demonstrating outcomes will be critical to the sustainability and impact of the framework. Will there be capacity to assist organisations and programs to demonstrate the outcomes of their work and to measure the outcomes? Has a common database been considered?

7. Service quality and innovation

7.1   To accompany guiding principles the framework may want to **introduce agreed standards for service provision** so that the public have confidence that the principles are carried through in action. Many, if not all, of these may already be demonstrated in other quality assurance systems and would not require additional work to determine quality service provision to vulnerable young people.

7.2   Likewise, the development of the framework is an **opportunity to address issues in workforce development** so that expectations about skills and knowledge of youth workers and others are more commonly understood.

7.3   The framework could also identify how **innovation in services and programs will be encouraged**, supported, evaluated and shared.

8. Final remarks

8.1   It is good to see the discussion about vulnerable young people move to a proposed framework. If the framework includes strategies it will point to further work to be done in areas of greatest need. Critical to its success will be statements about what difference a framework will make and how.

8.2   The framework cannot be all things to all people and some of the suggestions in this response will fall in the 'out of scope' category. However, an accompanying strategy could flag the intention to address these as part of implementation.

8.3   The final framework should be **written in plain English and with a glossary** for terms that cannot be avoided. This will enable young people and others with an interest in what is happening to young people but not working in the area to better understand what the parties to the framework are setting out to do.