

2011-12  
*in*  
*review*

*Office of the Guardian  
for Children  
and Young People*

*a year of  
promise*



*2011-12 in Review* is excerpts from the Guardian for Children and Young People's latest Annual Report.



**Government  
of South Australia**

Copies of *2011-12 in Review* can be downloaded from the Office's website.

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# 1

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If there is one word to describe the past year, it is *promise*. One of the key planks of the new leadership in government is *every chance for every child*. It is a powerful vision. It promises equality of opportunity and the best possible life for children and young people.

The vision means lifting the bar for all children (every chance) and narrowing the gap among children (every child). There is excitement about the ambition and the challenge, particularly in those who care deeply about children and young people who have been harmed or who struggle to keep up. The task now is to harness that energy and experience in a program of service improvement and reform.

***In child protection, we know that we cannot just do more of the same.***



The day to day work of the Guardian's Office is largely directed to children who have been removed from their immediate family because of abuse or neglect. Decisions to remove a child from their immediate family are *never* taken lightly and the Youth Court will determine whether this is the right decision. At the end of 2011-12 there were 2,544 children and young people under guardianship of the Minister and most of them will remain under guardianship until they reach their age of majority at 18. This is an increase of 5.6 per cent in 12 months and a 31 per cent increase in the past five years.

In and of itself, this is not necessarily bad news. If we had done everything we could to help the families and if we could be sure that the children would not be further harmed by moving parental responsibilities to the state, then the rise is a sign of good public policy and practice. However, I fear that this is not always the case.

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We can do better by children in state care, but we can also do more to assist families who are in crisis and chronic need. Most of our activity is advocating for these changes and we are among many who do so.

Progress is being made. A new program to support high-need families with the care of their infants, linked to other family programs, is to commence in the northern suburbs of Adelaide in 2013. The promotion and monitoring of national out of home care standards has commenced and South Australia's expenditure on out of home care has increased 49 per cent since 2007-08.

While expenditure *alone* is not a good indicator of how well or how poorly we are looking after children in need of protection, it is important. Both skills *and* budgets are essential to our capacity to meet goals in child protection and wellbeing. And some of the present weaknesses can be traced back decades to decisions about limiting expenditure.

The slide in expenditure on child protection and family services dates back to the mid-1990s and we have struggled to make up ground since. Compared with national averages, South Australia spends a little over half in child protection per child and just one-fifth in intensive family support services. The picture is different in out of home care expenditure which now almost matches the national average.

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*If we are to make the most of the opportunity, we have to be bold.*



I witness courage every day through the work of this office, with the people who call and the responses from others, the young people who speak up and the decision-makers who listen and act.

Being bold for most of us will mean placing ourselves in the vision and using it to analyse the effectiveness of what we do and what we can do differently.

For government, being bold will mean:

Communicating the powerful vision of *every chance for every child*.

Setting targets to meet the 'every child' part of the vision with both universal care and education *and* focused effort for those children and young people most in need of help.

Engaging everyone, including families and children, in interpreting the vision and influencing how it becomes real.

Delegating decision-making and being flexible about how the vision is realised, while expecting high standards of service and good outcomes for children.

Recognising effort and rewarding achievement, including with financial investment.

Aiming for change to happen everywhere and being prepared to sit still, sometimes in uncertainty and to take some risk.

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## *A year of promise can be followed by a year of action.*



If we start by thinking of the best possible life for a child, there are a dozen things that come to mind, very few of which are about material possessions. And, perhaps surprisingly to some, children themselves do not rank possessions above family and choice. Therein is the key to a year of action, that is, a focus on family and choice.

If I list only five actions in the next 12 months that would kick start the required reform in child protection they are:

- ① Developing policies and programs for child protection and wellbeing in a way that is unrushed, reasoned and engages practitioners, advocates, families and children.
- ② Double the financial investment, from \$4.47 million to \$9 million, in targeted services for families with the highest needs and with requirements for effective engagement with the families.
- ③ Redouble the effort in ensuring all agencies working with families where children are at risk work well together. This will require both sound assessment of need and making sure that everyone involved has a common understanding of the roles each will play. This can start by recognising and rewarding where this is already being done.

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- ④ Agree on goals (and measures) for children and young people's participation in all major decisions affecting their lives, starting with the participation of children in care in their own case planning.
- ⑤ Renew the state's commitment to honour children's rights with the appointment of a Children and Young Persons' Commissioner, who has the required legislative powers and resources to identify where children and young people are multiply excluded or disadvantaged and to act on redressing this.

*Action will be built on foundations of goodwill and commitment.*



Whatever is decided in order to realise the vision, it will not start from scratch. In our work in the Office of the Guardian, I am reminded every day of the strength of children and young people to recover, strive and achieve and the professional and personal commitment of their carers and workers in child protection and youth justice. At times our relationships are tested by different viewpoints, scrutiny and our intervention. I thank everyone my Office has worked with over the past year for your cooperation and goodwill. The progress reported here is testament to children's, workers' and carers' resolve.



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### *In 2011-12 the Office of the Guardian...*

- Released reports on unmet need in mental health services, wellbeing of children and young people in care, and the impact sibling contact has on children's wellbeing.
- Increased the take-up rate by government and non-government agencies of good information sharing practice to better protect children and released a self-audit tool to rate the quality of procedures in information sharing.
- Negotiated for the progressive closure of the six oldest and largest residential facilities for children, commencing in 2013.
- Promoted children's rights, increasingly through the network of 140 Charter Champions in the 47 agencies which have endorsed the Charter of Rights. Charter Champions are leaders in their agencies for children's rights.
- Produced information on rights suitable for children with disabilities and distributed boxes of flashcards to 300 children and young people.
- Responded to 140 requests for intervention involving 195 children and young people in out of home care. Of these requests, 26 per cent came from children or young people themselves.
- Visited 294 children and young people living in residential care or youth training centres, in 53 announced visits.
- Audited 194 annual reviews of the circumstances of children under guardianship.
- Cemented our position as a principal source of up to date information on developments in South Australia in child protection and out of home care, primarily through the website and twitter stream.

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## *trends*

**As at 30 June 2012** in South Australia there were 2544 children and young people under the guardianship of the Minister through care and protection court orders, not counting the 40 on interim or temporary orders. The most notable changes were:

- The numbers of children on 12 month and long term care and protection orders has risen from 1,944 in June 2008 to 2,544 in June 2012, an increase of 30.9 per cent. In the 12 months of 2011-12 the increase was 5.6 per cent, higher than the 4.7 per cent of 2010-11 but significantly lower than the 9.1 per cent and 8.7 per cent of the years preceding that.
- The number of children 0-17 years on care and protection orders has grown from 6.2 per thousand in June 2008 to 7.3 per thousand in June 2011, the latest figures available.<sup>1</sup>
- The proportion of children and young people in alternative care who are in family-based care has remained steady at around 86 per cent from June 2008 to June 2012. The proportion of those in alternative care who are in relative/kinship care has increased from 36.0 per cent to 43.3 per cent in the same period.
- The proportion of Aboriginal and Torres Strait Islander children placed in facility-based care has increased from 7.9 per cent in June 2008 to 15.4 per cent in June 2012. The proportion placed with non-Aboriginal relatives has increased from 10.1 per cent to 15.6 per cent in the same period. In the same period, the number placed with Aboriginal foster carers has declined from 26.6 per cent to 15.7 per cent.

1. The 2007 to 2011 five year comparison is not possible because in 2008 South Australia included for the first time the number of children on third-party parental responsibility orders and administrative orders.

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- The rate of average daily occupancy in the two youth training centres (juvenile justice detention) was 65.5 young people in 2011-12. This is a fall from 72.3 in 2008-09.
- The number of children and young people in interim emergency accommodation (motel and bed and breakfast style accommodation) declined from 3.8 per cent (70 young people) at June 2008 to 2.2 per cent (55 young people) in June 2012. The highest number at any one time in 2011-12 was 80 which occurred in early March 2012. At 30 June 2012, 44 children had had stays of over 60 days compared with 45 children in June 2011.

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## *requests for intervention*

The 140 requests that were within our mandate were made by:

Child or young person	36
Families SA	26
Parent	14
Other relative	13
Carer (foster / relative)	11
Alternative care agency	8
DFC / DCSI / DECD	6
Non-government community service	5
Health	5
Education	4
Disability services	4
CREATE	4
Legal	2
Adult advocacy service	2

The presenting issues were:

Participation in decision making	41
Safety	40
Contact with significant others	35
Stable and secure placement	35
Understanding current circumstances	22
Relationship with social worker	17
Nurturing environment	17
Access to health and disability services	10
Education	8
Appropriate care	4
Access to personal space	4
Other	10

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## *monitoring*

The Senior Advocate audited 194 annual reviews at 15 Families SA offices. Some offices scheduled regular reviews and were visited on more than one occasion. Annual reviews are conducted for children and young people placed under long-term guardianship orders. The Office audited 9.2 per cent of reviews that were to be conducted, down from 12 per cent in 2010-11.

A report on the audit is provided to the Minister annually. The major findings for 2011-12 were:

- More than eight out of every ten children and young people whose cases were reviewed were considered to be in stable, long-term placements.
- More than nine out of every ten children and young people had at least one significant adult in their life.
- One out of every four children and young people actively contributed to their annual review.
- Almost nine out of every ten children and young people were confidently considered as safe and reported to feel safe.
- Three out of every four eligible children and young people had current Individual Education Plans.
- One out of every four adolescents approaching adulthood, and the expiration of their guardianship order, did not have a transitioning from care plan to coordinate and facilitate actions and services.
- One in every three children and young people had received, and are developing, a Life Story Book.
- One out of every five children and young people did not have regular contact with a social worker.

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## *Nick's story*

'Nick', 13, wanted help with seeing more of his two younger siblings. Nick said that he only saw them once during school holidays and on special occasions. These occasional contacts usually occurred in a Families SA office. In discussion, Nick agreed that his younger siblings may have different views from his on the frequency of contact. With Nick's permission the Office of the Guardian contacted the two Families SA offices responsible for case management of the children.

The decision about contact had been made some time ago and had been reduced while the two younger children settled in to a new foster care family. There was other family contact for the younger children but Nick had been excluded from that because of his disruptive and aggressive behaviour. However, the aggressive behaviour had ceased on the more recent contact among the siblings.

In discussion with Families SA, the views of a Principal Social Worker were sought and all agreed that the views and best interests of all children should be considered and a review of the arrangement would take into account the children's changed circumstances and views.