

NEWSLETTER

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The Office of the Guardian for Children and Young People advocates for and promotes the best interests of young people and children under the guardianship or custody of the Minister.

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The revised Charter of Rights launches today!

For children and young people in care and the people who work directly with them this will mean a slightly different Charter and a completely new range of posters and booklets for teens and pre-teens.

For endorsed organisations it is the opportunity to renew their support for the Charter.

For Charter Champions it is the chance to renew their contact with the Guardian's Office and ensure the young people they work with are up to speed on their rights and know how they can be supported to exercise them.

'Throughout 2015 dozens of young people and many government and non-government organisations helped us make sure the text of the Charter reflected the needs of young people and that the way the rights were presented was clear and appealing,' said Guardian Amanda Shaw.

'Mostly the Charter still reflected the young people's concerns with only a few tweaks to the wording but discussion about how to communicate was very animated and produced some creative ideas we will be following up on later,' she said.

Designers Sue and Chris who created the poster and booklet artwork were directly involved with several of the consultations with young people.

'As well as being a great experience, it was incredibly valuable to actually meet the young people we were designing for and to get their ideas in a completely unfiltered way,' they said.

'It kept the design process very real for us.'

Charter Coordinator, Nicole Pilkington was keen to reassure endorsed organisations that the process of renewing their endorsement would be simple and straightforward.

'For those organisations for whom endorsement of the Charter is tied to their funding, we have been talking to government funding bodies to make sure there are no hiccups.

'The revised Charter is very similar to the old one so we are sure there will be no need for organisational policy or procedure changes.

'We will be contacting all endorsed agencies over the next few weeks to guide them through the re-endorsement process or they can go straight to the [re-endorsement tool](#) and get started now.

'We will also be sending out sample packs of the new materials to residential care houses.

'Whether organisations have had time to re-endorse or not, the redesigned Charter posters and booklets can now be [ordered online and A4 versions can be downloaded in PDF from our website](#).

'If you have any queries about the Charter and re-endorsement, please contact me by email (Nicole.Pilkington@gryp.sa.gov.au) or phone (8226 8570) during office hours,' she said.





Amanda Shaw
Guardian

Letter from the Guardian for Children and Young People

I write this letter with rich memories of the Easter long weekend and what I did with my children.

When it comes to holidays, my family has traditions. We have family gatherings, we share meals and we celebrate. Life with my children revolves around sport. We play it. We watch it. So, over the Easter weekend I took my children to Melbourne to a first round game of the AFL season. We did an Easter egg hunt and ate hot cross buns. That's what I did at Easter when I was growing up.

Holiday's may mean time spent with significant people, faith, customs and traditions and activities.

Children and young people may come into out-of-home care with some good memories of holidays or a certain sadness when they do not have such memories.

Does an adult with a child in care at Easter know how that child might have experienced holidays before? Did they celebrate? What was their favourite part? What made Easter special for them? Are they surprised about what holidays mean to their carer family and what the carer family does at those times of the year?

It is easy and understandable to get caught up in the functional aspects, in the case planning and in managing the domains of a child's life and to lose sight of what it means to *be* a child and to be *that* child in those circumstances.

We know that caring relationships are central to all aspects of a child's development. In the words of Urie Bronfenbrenner:

Somebody's got to be crazy about that kid. That's number one. First, last and always.

So we must at some times, set aside the practical; we must take the time to *connect* with children, to *ask* and *listen* to what they tell us about their previous experiences and their views on what's happening now for them. At least some of the many adults that come into a child in care's life and have a caring role, must really get to *know* the child. Someone needs to be crazy about *them*, to know *their* views on holidays, what they think is fun, who is important to them, their favourite books, games, TV shows and music. To find out what they dream for themselves and how they see the world around them.

I want to know all of that and more about my children. My boys' answers to some of these questions change as they get older and have new experiences. So I know I have to keep asking, keep listening and keep learning about who they are.

Basically, I'll keep being crazy about them.

'It is easy and understandable to get caught up in the functional aspects... and to lose sight of what it means to *be* a child and to be *that* child in *those* circumstances.'

What's been done

March – May 2016

After 10 years the *Charter of Rights for Children and Young People in Care* has been reviewed and the promotional materials re-designed. The Minister for Education and Child Development confirmed that the revised Charter was tabled and accepted in Parliament. New design work has recently been completed and the Charter is being re-launched today. Please see the stories on [page 1](#) and [page 5](#) of this newsletter for details.

The Youth Justice Administration Act was passed by Parliament in March.

The legislation provides additional sentencing options for young offenders, for a charter of rights for young people in youth justice detention and directs the establishment of an Official Visitor scheme. Paying particular attention to the needs and circumstances of young people in care, Aboriginal and Torres Strait Islander young people and young people with disabilities, the independent Official Visitor is to report on the treatment of residents and the management of the youth training centre.

Significant effort and achievement by those involved, particularly former Guardian Pam Simmons, was also recognised by our interstate and international counterparts, who acknowledged that South Australia originally paved the way for a charter recognising the rights of children in care.

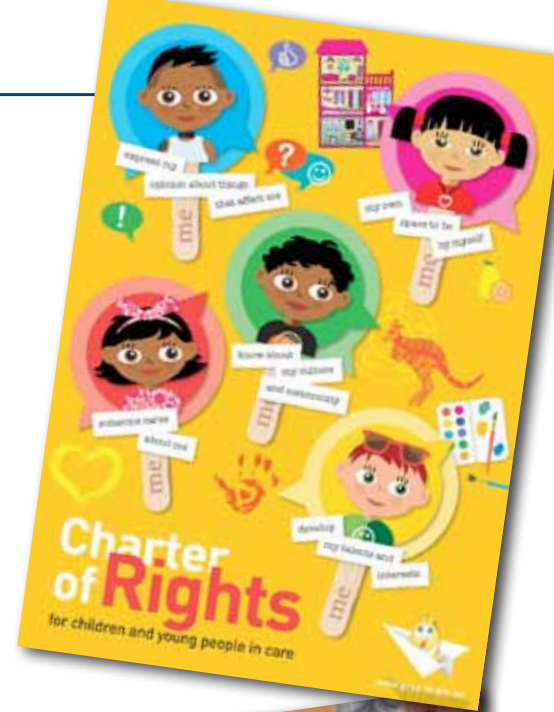
Emphasising the special circumstances for students in out of home care or in the training centre, the Guardian and Senior Policy Officer gave [evidence to the Legislative Council Inquiry into Access to the Education System for Students with Disabilities](#) based on our written submission.

A submission was made to the National Royal Commission into Institutional Responses to Child Sexual Abuse in Out of Home Care.

The Office's annual [summary report of child protection expenditure in South Australia](#) was released.

In the four months, January to April, there were 51 requests for intervention about children under guardianship, involving 76 children. The Senior Advocate audited 11 annual reviews for children under long-term orders and the Advocates made 4 official visits to residential and youth justice facilities.

The GCYP welcomed Michelle Hopkins to the [staff team](#) as an Advocate and in late March farewelled Melissa Clarke who after five years with the Office has accepted a position with the Aboriginal Legal Rights Movement.



Michelle Hopkins, Advocate

Access to education for students in care with disabilities

Students with disabilities are not a homogeneous group. They each have abilities, dreams and circumstances and often a unique history of loss and trauma. They have to negotiate and seek out many of the things that other children take for granted. They work by different rules, they are the subject of written plans about them and their privacy is less preserved than others. They may struggle to see brothers and sisters, to keep personal things safe and frequently have to attend new schools.

They also are achievers, most of whom overcome disadvantage to be strong and sure.

The benefits of going to school go well beyond learning and grades. In conversations with the Guardian's Office students say they like school because they can mix with friends and learn new things and that there is a welcome sense of stability in the seeing the same places and faces. They are also able to do the much the same things as everyone else their age. School can contribute positively to their social and emotional wellbeing. Young Aboriginal and Torres Strait Islander people also often stress the importance of culture and identity and its relevance to education.



In reality, we must also recognise the practical challenge. An above average proportion of children in care of pre-school or school age compared with their age peers are “*students with disabilities, additional learning needs and/or challenging behaviours*”.

In September 2015 the Guardian made a submission to the Legislative Council Select Committee *Inquiry into Access to the Education System for Students with Disabilities*. In March this year, Guardian Amanda Shaw gave evidence before the Select Committee.

The focus of the Guardian's submission and comments was on the state school system. Systemic data is not available about the work of non-government schools with children in care.

The Guardian proposed that the gap in educational achievement and outcomes between children with disabilities in care and their age peers could be addressed by:

- early specialist intervention for children with speech and language disabilities
- strengthening capacity to build culturally supportive connections between Aboriginal students in care, local Aboriginal communities and schools
- addressing the problem of lowered expectations of achievement for students with disabilities and/or in state care by providing information and challenging pessimistic views of educators, social workers and carers about capacity and capability
- enhancing participation and engagement of students in care by, among other things, adopting alternative disciplinary measures in place of suspension and exclusion
- monitoring and reporting on part-time attendance of students, with the aim of gradually increasing the hours of school attendance and participation
- providing information and skills development for school staff in understanding and responding to children with learning disabilities resulting from early childhood trauma
- agreement on a definition for learning disabilities that applies consistently across programs and across non-government and government schools
- evaluation of the Flexible Learning Options (FLO) program to understand better its engagement with, and outcomes for, students in care who have, or are likely to, disengage with school
- reviewing the impact of Individual Education Plans, expanding their use to non-government schools and enhancing the quality of their implementation
- analysing the use of School Services Officers and allied health professionals in schools to better support individual students with learning difficulties
- improving knowledge of year 12 completion rates and post-school activity so that we understand better the pathways from school.

You can access the [2015 GCYP submission to the Select Committee](#) on the Guardian's website.

The [transcript of the Guardian's appearance before the Select Committee](#) is also available.

Check out [page 6](#) for a collection of quotes about education that ground the policy in the lived reality of children and young people in care.

Charter of Rights 2016

Ten years on and South Australia's Charter of Rights for Children and Young People in Care is getting new face and the opportunity for endorsing agencies to renew their commitment to the Charter and to children's rights.

In May the 68 agencies that have endorsed the Charter over the last ten years will be invited to revisit their commitment via a revised online [endorsement tool](#).

'During 2015 we asked children and young people about what they would like to see in the Charter and they made some small but significant changes,' said Guardian Amanda Shaw.

'They also made many suggestions about the content and design of the materials that are used to communicate the Charter's messages.

'The actual changes to the wording of the Charter are minor but the re-endorsement process will also enable organisations to review whether young people in state care still receive their services and if endorsement of the Charter is still relevant,' she said.

Facilitating the move to the revised Charter and the re-endorsement process is Charter Coordinator Nicole Pilkington.

'We are very aware that endorsement of the Charter is a condition in the funding agreements of many agencies and, for those who need to re-endorse, we are making the process as simple as possible.

'We have had conversations with State Government funding bodies to make sure that funded bodies have adequate time to complete re-endorsement.

'Updating contact details and lists of Charter Champions will also make sure that we can get the new materials into the agencies and so into the hands of the young people as soon as possible.

'Endorsing agencies can expect to hear from us in the first or second week of May or can go directly to the website to use the [endorsement tool](#).

'Agencies that no longer wish to endorse the Charter can simply do nothing and their status as endorsing agencies will lapse on 30 June 2016,' she said.

Agencies whose application to endorse were held over from December to March while the new Charter was approved are being contacted separately to re-commence their endorsement process.

The vital work of Charter Champions will remain at the centre of the implementation of the new Charter. Once the endorsement process is completed, staff from the Guardian's Office will be contacting existing and new Champions about the new materials and their roles.

Charter
of Rights
for Children and Young People in Care

Charter renewal calendar

April

New applicants to endorse are contacted

May

Current endorsing agencies are contacted about [how to re-endorse](#)

[New Charter materials available for order](#)

Sample packs of new materials posted to agencies

June 30

Old endorsements lapse

July

Charter Champions contacted



YOUNG PEOPLE IN CARE SPEAK ABOUT SCHOOL*

We, as fostered young people, want the same things in life as other children: success at school, a good job, and a happy family. However, many of us face great upheaval and disruption in our lives. We can experience several moves during a year, resulting in a change of foster carers, school and friends.

It's not just having no parents – that's just the start of it. We have to deal with the government and social workers and lots of other people and bullying.

I've been picked on for years about being a foster child, since Reception. This year I finally stood up to it.

I believed the message at home – I didn't think I could do anything.

I couldn't concentrate as I worried about my brothers and sisters in other foster homes.

I got picked on as I was the different one.

I do like it [school], but don't like it. Feel caught because I want a good education but don't know how to get one.

We're singled out as low income, trailer trash, holey clothes.

When my carer writes a note they sign it carer and then everyone knows.

My old teacher really helped me ... used to stand up for me. Listened when I said I couldn't do some things.

We had to move into a private school ... we had to get used to hanging out with non-Aboriginal people ... 'cause in the whole school there's only four Aboriginals.

It's easier to be thought of as trouble rather than stupid.

My grades have improved over the last year and a half (with help from an SSO). These programs are very necessary. They help stop children and young people in care from feeling hopeless.

My teacher never gave up on me. I told him I was in care and he said – do it [homework] over lunch and bring it to me at the end of the day.

Seriously the most hardest thing is asking for help.

If they don't give up on you, you don't give up on you.

* Preparing a report about education in 2015 the Guardian's Office brought together many quotes from young people in state care, from our state, Australia and overseas. This selection tells a story of aspiration, difficulty and hope.

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