

*2012-13
in Review*



**Government
of South Australia**

Office of the Guardian
for Children and
Young People

**DELIVERING
ON THE
PROMISE
OF
GOOD CARE
FOR
CHILDREN**

2012-13 in Review is excerpts from the South Australian Guardian for Children and Young People's *2012-13 Annual Report*.

Copies of *2012-13 in Review* can be downloaded from the [Office's website](#).

GPO Box 2281
Adelaide SA 5001

DX 115

Ph 08 8226 8570
gryp@gryp.sa.gov.au
www.gryp.sa.gov.au

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2012-13 in Review

As an advocate for children in state care, I am very concerned to see the numbers of children in care escalate as they have in the past five years, climbing 24 per cent to 2,615 children now. I am also concerned about leaving children in unsafe homes. In my role as Guardian I am therefore interested in better supporting those families who could look after their children if they got the right sort of help *and* in providing the very best of care when children must be removed from their immediate family.

The human and financial cost of not providing family support or good out-of-home care is playing out before our eyes. It has *not* gone unnoticed by the state government.

In 2012-13 on any one night there was an average of 56 children in motel-type accommodation, such as rented rooms, cabins, caravans or apartments, with carers on eight hour shifts. Most of these children had been there for months, and some for several years. The average age was 11 and some were infants.

The circumstances which led to children being in this type of care for long periods of time stem from a congested out-of-home care system. Nobody *wanted* to place children in rented rooms. There were no suitable alternatives to be found. The family placements were just not there for young children or groups of siblings. Nor was the specialist care available for children with disabilities or challenging behaviour.

The cost is escalating to the point where South Australia spends proportionally more on out-of-home care than most other states and the 'per child' rate (to 2011-12) had increased by 357 per cent over ten years. We are spending big on the wrong type of care.

One part of the answer is to plan better. To project what the demand will be for different types of care and plan to supply for it. That has to be done and it will be best done in a truly collaborative exercise among government and non-government out-of-home care providers. It is only part of the answer. I, for one, do not want to plan for a demand increase of five per cent per year.

Another part of the answer is to convert a system that is heavily focused on rescuing children from their unsafe families to a system that is more interested in supporting families. This is *not* to say that child protection workers have been doing the wrong thing in removing children but rather that the option of creating safety within the family has often not been possible for want of effective support services. In 2013, in recognition of this tendency to rescue and remove, the statutory child protection agency Families SA embarked on a three to five years major change to its overall service approach to families and children so that the intervention becomes more supportive of families.

Yet another part of the answer is the enhancement of other human services to look for, and then provide for, the needs of children in families, rather than focusing narrowly on their adult clients. For example, adult mental health services and drug and alcohol services can do better by their clients and their client's children if they work on strategies for responding to children's needs as well as managing episodes of illness or stress. In children's services too, such as education and children's health, there is potential for working more with families where children are at risk. The *National Framework for Protecting Australia's Children*, supported by all Australian governments, encourages such a shift in approach.

The final part is the budget. South Australia spends the biggest part of the 'children's budget' on universal services, the schools, pre-schools and child and family health services. Overall, this is sound investment from which everyone benefits. However, if we are considering the prevention and treatment of child maltreatment the allocation must be more sophisticated. At present, the state government spends the biggest share (70 per cent) of its 'child maltreatment' money on out-of-home care, driven by the significant growth in demand. Just five per cent is spent on intensive family support services, which are for families with chronic need whose children have been removed or are likely to be, and who receive intensive support in the expectation that their children will be able to live safely with them.

The high cost of moving children into out-of-home care is both monetary and human. If a child enters out-of-home care at age one and stays until they turn 18 the cost for that child is around \$1 million in out-of-home care costs alone (\$53,000 per annum, 2011-12 dollars), not counting the cost of child protection services and assuming the child does not have special needs. Compare that with the average estimated \$16,000 per annum per family for intensive family services, not counting expenditure on other human services.

The human cost is felt keenly when the out-of-home care system and 'guardianship' services cannot keep up with demand and fail to provide what children need. The use of motels to accommodate children for long periods of time is just one indication of weakening provision of good quality care. Another is the rising caseloads of social workers charged with the guardianship responsibilities for children, on behalf of the Minister, and the consequent infrequent contact they have with their young clients.

The timing is right for a concerted effort in delivering solid and effective support and prevention services to those families whose children are at high risk of harm. There is widespread support for doing things differently in regard to protecting children and changes are underway in parts of the child protection system. I hope it does not come unstuck for want of financial backing. An additional \$6 million per annum in intensive family services and \$16 million in child protection services would see South Australia catch up to the overall Australian rate of 'per child' expenditure. It seems a small price to pay for the state's most vulnerable children.

I thank everyone my Office has worked with over the past year for your cooperation and goodwill. Any progress reported here is testament to children's, workers' and carers' resolve.

In 2012-13 the Office...

- Conducted an inquiry into children's experience of moving while in care, including interviews with children, reviews of case records and consulting with decision-makers.
- Extended the network of advocates for children's rights with over 200 Charter [of Rights] Champions across 57 agencies.
- Produced two videos, one on good information sharing among agencies and another on advocacy on behalf of children and young people.
- Responded to 112 requests for intervention involving 174 children and young people in care. Of these requests 24 per cent came from children and young people themselves.
- Audited 174 annual reviews of the circumstances of children under long-term guardianship, or 8.4 per cent of this group of children.
- Visited 232 children and young people living in residential care or youth training centres, in 35 announced visits.
- Commenced new work on advocating for children who have been in interim care arrangements for long periods.
- Introduced a more robust monitoring system in residential care.
- Negotiated the extension of the Information Sharing Guidelines to include adults who are vulnerable to serious harm.
- Worked with 20 young people on the development of a comic book about successfully negotiating for what you want.

Statistics and trends

As at 30 June 2013 in South Australia there were 2,615 children and young people under the guardianship of the Minister¹ through care and protection court orders, not counting the 30 on interim or temporary orders. They had the following characteristics:

| Children and young people under the guardianship of the Minister through care and protection court orders at 30 June 2013 | |
|---|----|
| | % |
| Male | 52 |
| Female | 48 |
| 0-1 years | 6 |
| 2-4 years | 15 |
| 5-9 years | 31 |
| 10-14 years | 29 |
| 15-17 years | 19 |
| Aboriginal or Torres Strait Islander | 28 |
| non-Aboriginal | 70 |
| Unknown | 2 |
| long-term care and protection orders | 86 |
| 12 month care and protection orders | 14 |

1. The numbers of children and young people under the guardianship of the Minister and those defined as in alternative care under Australian Institute of Health and Welfare rules refer to similar but not identical populations.

The living arrangements for children and young people under court orders, including temporary and voluntary custody orders are as follows:

| Children and young people in South Australia in alternative care at 30 June 2013 (AIHW counting rules) ² | |
|--|----|
| | % |
| Foster care | 42 |
| Relative or kinship care | 37 |
| Residential care | 10 |
| Special child only | 8 |
| Emergency/temporary | 2 |
| Independent living | 1 |

Notable changes for 2012-13 are:

- The numbers of children on 12 month and long term care and protection orders has risen from 2,116 in June 2009 to 2,615 in June 2013, an increase of 23.8 per cent. In the 12 months of 2012-13 the increase was 2.8 per cent, lower than the 5.6 per cent of the preceding year.
- The Guardian also monitors conditions for young people detained under youth justice orders. A total of 485 individuals were housed in the Adelaide Youth Training Centre at some time in 2012-13 compared with 602 in 2011-12.³ The rate of average daily occupancy in youth training centres fell from 65.5 in 2011-12 to 61.4 in 2012-13.

2. The total is not 100 because of rounding and one category with small numbers not included.

3. Some of these young people will have been admitted several times during that period so the total admissions will be significantly higher than this figure.

Requests for intervention

The 112 requests that were within our mandate were made by:

| | |
|--|----|
| Child or young person | 27 |
| Families SA | 19 |
| Carer (foster / relative) | 17 |
| Youth Justice | 11 |
| Other relative ⁴ | 8 |
| Alternative care agency | 8 |
| Health | 7 |
| Education ⁵ | 4 |
| Parent | 3 |
| Legal services | 3 |
| Non-government organisation ⁶ | 2 |
| Statutory authority | 2 |
| Friend of child or young person | 1 |

The presenting issues⁷ were:

| | |
|--|----|
| Stable and secure placement | 36 |
| Participation in decision making | 23 |
| Contact with significant others | 18 |
| Safety | 18 |
| Appropriate care | 13 |
| Access to health and disability services | 13 |
| Education | 10 |
| Understanding circumstances | 10 |
| Relationship with social worker | 10 |
| Nurturing environment | 7 |
| Access to personal space | 1 |
| Other | 26 |

4. Not providing care to the child.

5. Although Families SA is located with DECD, the referrals from Families SA are reported separately to those that come from schools and education-specific personnel.

6. Not providing alternative care services for the child.

7. There is often more than one presenting issue in a request and one issue may affect more than one child. Our reporting is the number of children directly affected by the issue.

Monitoring

The monitoring activities are various and include visits to children in residential care and youth training centres, receipt of aggregate data and audits of annual reviews (see below).

The Senior Advocate audited 174 annual reviews at 16 Families SA offices. Annual reviews are conducted for children and young people placed under long-term guardianship orders. The Office audited 8.4 per cent of reviews that were to be conducted, down from 9.2 per cent in 2011-12.

A report on the audit is provided to the Minister annually. The major findings for 2012-13 were:

- More than seven 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.
- Almost one out of every three 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.
- Four out of every five children and young people who are eligible for Individual Education Plans had current Plans.
- Three out of every four adolescents approaching adulthood, and the expiration of their guardianship order, had a transitioning from care plan to coordinate and facilitate actions and services.
- Two out of every five children and young people had received, and are developing, a Life Story Book.
- One out of every four children and young people did not have regular contact with a social worker.

Jessica

'Jessica', 12, lives in residential care. 'Mrs Jones' is a teacher at Jessica's primary school and she was concerned that the school had received a copy of a high school application for enrolment which was not what Jessica wanted. Mrs Jones said that Jessica had visited 'Seaford High School' and was attending some activities at the school in preparation for the 2014 start. At a recent meeting, Jessica had said that she wanted to go to Seaford. The application was for Willunga.

Mrs Jones thought that the staff at the house wanted Jessica to go to Willunga because other residents went there. The Office of the Guardian spoke with Jessica and she confirmed that she wanted to go to Seaford. With Jessica's okay the Advocate contacted Families SA and represented Jessica's views. The social worker said that the application was an administrative process only and not a final decision. The social worker agreed to organise a school tour to Willunga so that Jessica could be familiar with both schools.

Following the tour, Jessica persisted with her wish to go to Seaford and the application was changed.

[The names of the schools, in addition to other identifying details, have been changed.]