



Government of South Australia

Office of the Guardian  
for Children and Young People

# Guardian for Children and Young People **Strategic Review** **2017**

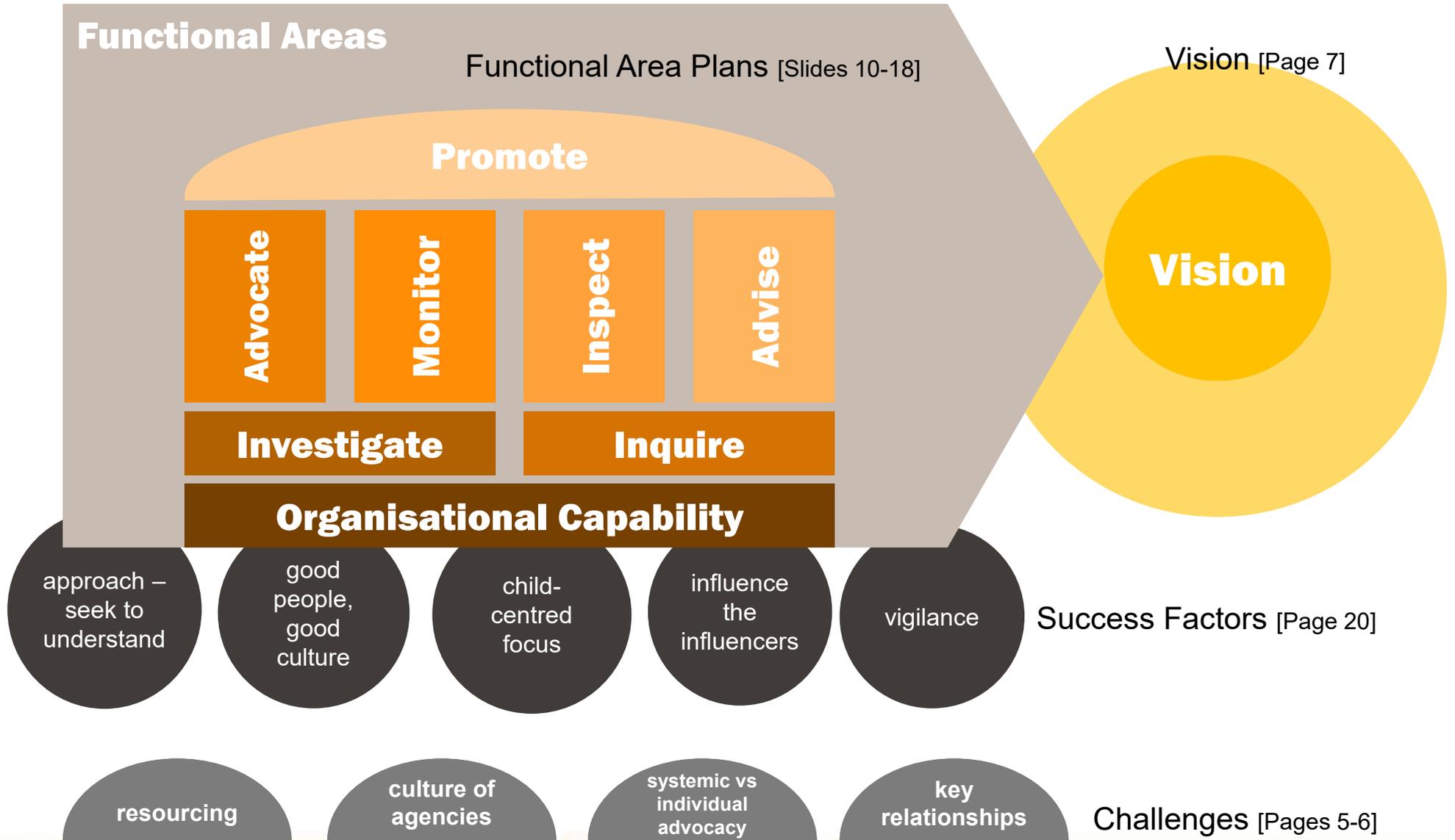
November 2017



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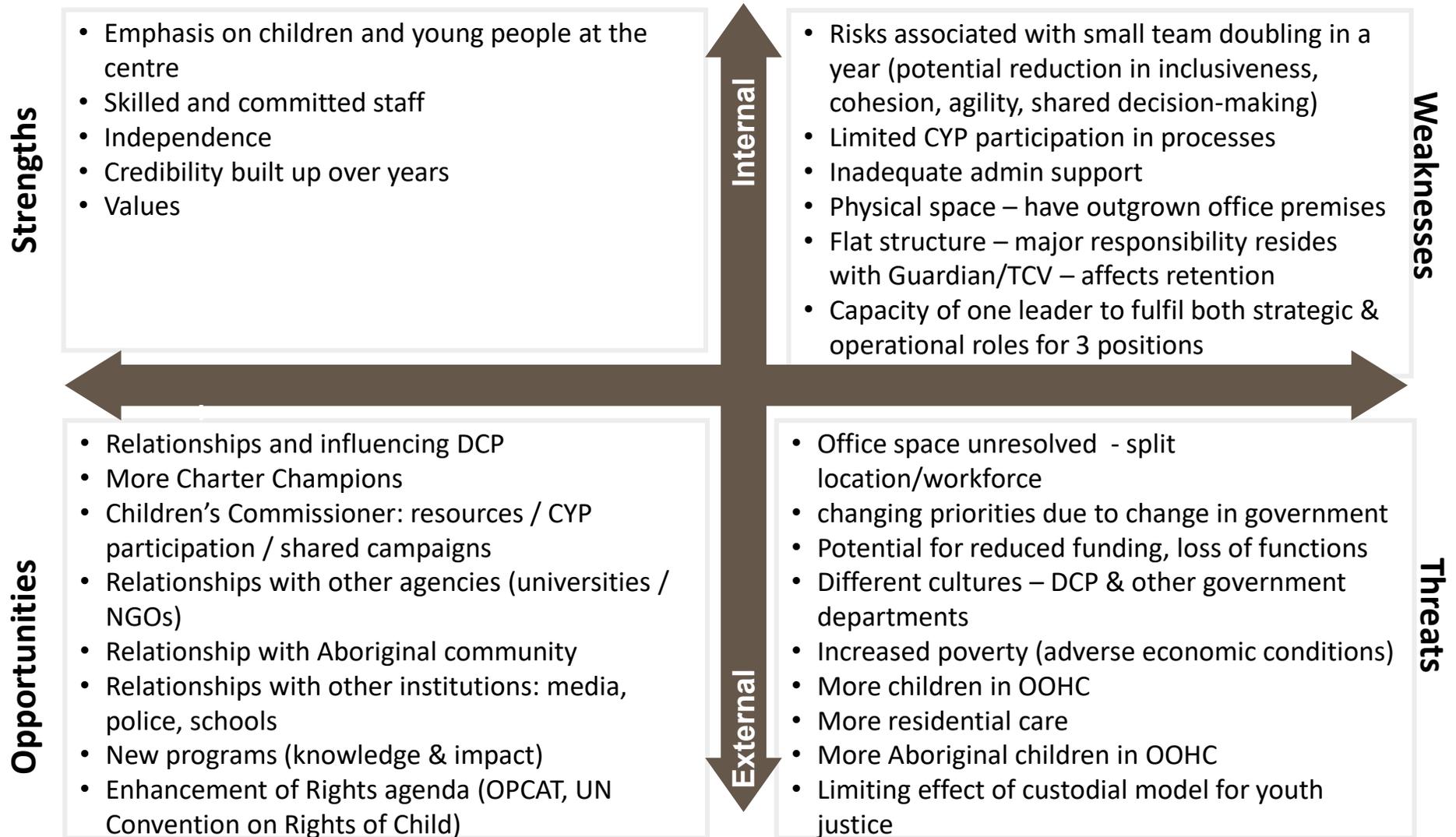
# Overview





# Strategic Context

# SWOT analysis



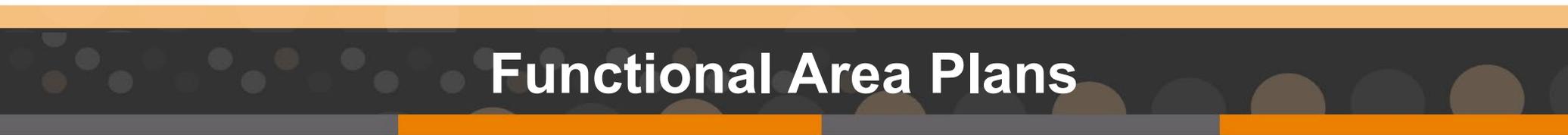
# Challenges

Challenge	Comment
Low community expectations and understanding of CYP, systems (Child Protection and Youth Justice)	Need to challenge stigma, emphasise the humanity and potential of CYP and tell their stories
Balancing individual advocacy and systemic change	Not allow the urgent to tyrannise the important
Responding to needs of diverse CYP when core disadvantages are socially embedded	Realities like intergenerational disadvantage, racism or gender/sexuality bias must be acknowledged when developing responses with and for 'diverse' groups
CGYP recommendations not actioned	How to be more persuasive/influential/forceful
Culture	How to challenge low expectations about CYP in care and detention, risk aversion, reluctance to try new things, silo thinking
Enhance collaboration with key agencies	Acknowledge and pursue common interests and goals with all agencies, challenge 'silo' thinking, encourage sharing of power /responsibility
Inadequate resourcing of other services & Departments	How to work with under-resourced services– eg mental health
Managing overlapping roles eg Children's Commissioner, CACP	Need to be clear about roles, negotiate boundaries, identify common goals, maximize collaboration &, where possible, speak in united voice
Change of government/Minister	Identify changes, develop new relationships, ensure key people know what we do
Inquiry and Monitoring work will lead to more advocacy	Good work, increased outreach will lead to more demand & resourcing challenges
Increasing requests for GCYP involvement	Managing more requests for assistance by adults (to ARO), and increased requests for advice, consultation, meetings with Guardian/TCV
Resourcing generally	Currently no dedicated resource for working with CYP, Charter of Rights or capacity to carry out review of records work, combination of operational & strategic for CE



**Vision**

“Every child and young person in care and detention is - and feels - safe, respected, cared-for, can realise their full potential and can engage with (and challenge) systems that impact upon their lives”



# Functional Area Plans

# Strategic links between functions

Through our daily interactions and broader communication programs we effectively **Promote** the rights and best interests of Children & Young People in care and detention

We deliver sustained change, both for individuals and more broadly, through how we **Advocate, Monitor, Visit/Inspect & Advise**

Our **Investigate & Inquire** functions allow us to build the deep understanding that informs all our work

Our **Organisational Capability** underpins everything we do



# Function: Promote

## What is this function?:

- *s.26(1)(a) of Children and Young People (Advocacy and Oversight Bodies) Act 2016: "to promote the best interests of children under the guardianship, or in the custody, of the Minister, and in particular those in alternative care"*
- *s14 (1)(c) of Youth Justice Administration Act 2016: "to promote the best interests of the residents of a training centre"*
- Promote the rights of children in care as expressed in the Charter of Rights, and of Training Centre residents in the Charter of Rights for Youths Detained in Training Centres
- Engage C&YP in our work through whatever avenue we can
- Share the knowledge we have, to our stakeholders and the public, through a range of media
- Campaign

## What does success look like?:

- Better community understanding & more empathy for C&YP in care and detention
- Increased community support for evidence-based policy that enhances the outcomes for CYP in care and detention
- Achievement of the 12 quality statements for more children in care and detention
- The rights of C&YP enshrined in the two Charters are consistently upheld
- DCP, Education, Health, Human Services are always child-centred and co-ordinated in their approaches
- GCYP is valued and seen as a leader in enabling the rights, best interests, and voice of C&YP in care and detention.
- Understanding and confidence within the CP system, and the SA community, of a crucial leadership role for the Aboriginal community for CYP in care and detention

## What will we stop? start? continue doing?:

- Draw out and promote the positive outcomes and stories
- Undertake more strategic interactions with DCP staff
- Deliver educational campaigns that employ a broad range of communication approaches
- Repurpose and refresh the research and evidence already developed, to influence and educate
- Actively seek to employ all functions to achieve our targeted outcomes

## What are the key challenges (looking forward over next 5 years)?:

- Low expectations for CYP and residents in detention
- Media and public perceptions
- Engaging CYP
- Pessimism about the possibility of real improvement in the lives of children
- A belief that rights cannot practically be upheld

## What is essential for our success?

- Communication of the 'stories' of the C&YP in care and detention – humanising them, giving them a face
- Illustrating the systemic issues so that their human consequences are able to be understood and 'felt'
- Strong, respectful and productive relationship with DCP and other government departments and partners
- Effective engagement so that the voice and experience of the child keeps our work accurate and real

# Function: Advise

## What is this function?:

- *s.26(1)(d) of Children and Young People (Advocacy and Oversight Bodies) Act 2016 :“... provide advice to the Minister on the quality of the provision of care for children ... and on whether the children’s needs are being met” and s.26(1)(e): “... provide advice to the Minister in relation to systemic reform...”*
- *s14 (1)(e) of Youth Justice Administration Act 2016: “...provide advice to the Minister...on systemic reform to improve quality of care, treatment or control of residents of Training Centre”*
- Overlaps with “Inquire” and “Promote” – includes advice to others

## What does success look like?:

- The Minister requests an investigation resulting from reporting (Annual/Quarterly or ad hoc)
- GCYP is sought out for our advice – by Minister and others
- Minister acts on our advice / our advice is acted upon

## What will we stop? start? continue doing?:

- Continue the regular meetings with the Minister arranged to enable follow up discussion from (i.e aligned with timing of) quarterly report
- Start co-ordinating output with content of reports and advice to the Minister
- Welcome opportunities to provide advice
- Continue circulating quarterly report to all staff
- Continue commitment to independent format for annual report

## What are the key challenges (looking forward over next 5 years)?:

- Legislation changes from Minister to CE of DECD
- How to adapt to the priorities and approach of the Minister and characteristics of the government in power

## What is essential for our success?

- Respectful relationship with the Minister/other members of the government
- Respect and the ability to influence other decision-makers
- Credibility
- An ‘authorizing’ culture for law reform

# Function: Visit/Inspect

## What is this function?:

- *ss14 (1)(a) and (b) of Youth Justice Administration Act 2016: conduct "visits to" and "inspections of" training centres.*
- *s118(1)(a) of Children and Young People (Safety) Act 2017 :conduct "visits to, and inspections of, prescribed facilities"*
- Related functions for both schemes are to visit, advocate for, and promote the best interests of residents

## What does success look like?:

- Inspection/Visiting programs in place and underway
- Evaluation underway
- Programs underpinned by clear standards, goals and values
- CYP/Resident input and buy-in with both programs TCV/C&YPV
- Other stakeholders have bought in
- Will result in observed continuous improvement in quality of care and safety
- Congruence with OPCAT (for TCV)

## What will we stop? start? continue doing?:

- Stop current limited function undertaken by Advocates (in both cases)
- Start the programs (refer to separate program planning documentation)

## What are the key challenges (looking forward over next 5 years)?:

- Existing attitudes
- Community safety vs child's interests
- "Law and order" agenda
- What is achievable - given resources
- Re TCV - only one centre in SA, therefore only one culture (may be harder to influence)
- Re C&YPV – diverse facilities, diverse agencies (DCP + NGOs) (may be harder to influence culture)
- Uncertainty about ultimate structure and resourcing of CYPV scheme
- Connect with Promote

## What is essential for our success?

- Buy-in (CYP/residents, YJ, DCP, AYTC, staff, communities)
- Connectivity & relationship with Aboriginal community
- Following through on identified issues
- Effective integration into GCYP
- Connecting with interstate and international colleagues

# Function: Monitor

## What is this function?:

- *s.26(1)(c) of Children and Young People (Advocacy and Oversight Bodies) Act 2016: "To monitor the circumstances of children under guardianship, or in the custody, of the Minister and, in particular, for any such child who has suffered, or is alleged to have suffered, sexual abuse"*
- Monitoring (assessing and reviewing) circumstances of CYP generally
- Monitoring conditions and environments in residential care and AYTC to ensure they meet the needs of CYP
- Assessing these environments against the 12 quality statements and Charters of Rights
- Evaluating/reviewing and monitoring wellbeing of CYP in these environments
- Challenging existing conditions, procedures, decision and policies that are not in the best interests or meeting the needs of the residents or result in poor outcomes

## What does success look like?:

- CYPV and TCV programs established and operational
- Consistent presence in regional areas
- Our recommendations are actioned eg large units closed
- Aboriginal CYP connected to culture and supported through meaningful programs in consultation with community
- Consultation between DCP & Aboriginal community groups to ensure culturally appropriate residential care units with real connection to culture
- Identify gaps, make recommendations and DCP fills the gap ... we continue to monitor: Success – we see improvement
- To be able to visit all residential care properties

## What will we stop? start? continue doing?:

- Follow up on (track) recommendations
- Start more effective management of (internal and external) data
- Review of records
- Annual reviews

## What are the key challenges (looking forward over next 5 years)?:

- Increasing numbers of CYP coming into care
- Increasing numbers of facilities to be monitored
- The nature of facilities being built to respond to these numbers
- Increasing numbers of Aboriginal CYP coming into care
- Possibility of secure residential care facilities in future

## What is essential for our success?

- More advocates
- Regional Advocate
- DCP buy-in
- Ongoing funding for CYPV program
- Information / data around systemic issues. Eg: placement % - aggregate data
- Micro and macro monitoring of the whole system
- Rigorous processes
- Strong relationships with DCP, other agencies
- Ensuring CYP in care know about GCYP and how to contact the office

# Function: Advocate

## What is this function?:

- *s.26(1)(b) of Children and Young People (Advocacy and Oversight Bodies) Act 2016: "to act as an advocate for the interests of children under the guardianship, or in the custody, of the Minister and, in particular, for any such child who has suffered, or is alleged to have suffered, sexual abuse"*
- *s.14(1)(d) of Youth Justice Administration Act: "to act as an advocate for the residents of a training centre to promote the proper resolution of issues relating to the care, treatment or control of the residents"*
- Maintaining and advocating for interests of individual CYP in care or detention in the face of big systems
- Ensuring the rights of CYP in care and detention are respected and consistently upheld
- Valuing the voice and opinion of CYP as experts in their own lives with valid opinions and requests, assisting them to have their voice and views heard and considered in all decision-making
- Supporting CYP to resolve issues affecting them
- Keeping CYP at the centre of all decision making
- Paying particular attention to the rights & needs of CYP who have been sexually abused

## What does success look like?:

- Cultural change that means workers and systems are more child-centred so that CYP voice is heard and incorporated more often without the need for GCYP input
- Guiding and empowering CYP so they are less reliant on GCYP and more able to advocate for themselves
- Stakeholders (including incoming social workers) are more conscious of the role of GCYP
- Outcomes are achieved more swiftly and with less delay

## What will we stop? start? continue doing?:

- Keep voice of CYP as the focus (more voice of the child videos)
- Capture stories from CYP about their experiences
- Role modelling (constructive advocacy) behaviour
- Continue communication with key agencies
- Regain participation in DCP induction program
- Present at universities to social work and other relevant students

## What are the key challenges (looking forward over next 5 years)?:

- The increasing number of CYP coming into the system
- The increasingly complex nature of issues given the time CYP spend in commercial/residential care
- The number of Aboriginal CYP coming into care and their particular needs for strong advocacy around culture
- Reaching CYP who live in regional areas
- The likely increase in advocacy requests arising from the visiting schemes (TCV and C&YPV)

## What is essential for our success?

- Identifying individual issues flowing through to systemic change
- Co-location of whole team/office/support/culture
- Strong adherence to the values and practices that underpin child-centred advocacy

# Function: Inquire

## What is this function?:

- *s.26(1)(e) of Children and Young People (Advocacy and Oversight Bodies) Act 2016: "To inquire into... systemic reform necessary to improve the quality of care provided for children in alternative care, in prescribed facilities or resident in the Training Centre;"*
- *s.14(1)(e) of Youth Justice Administration Act: "to inquire into, and provide advice to, the Minister in relation to any systemic reform necessary to improve... the quality of care, treatment or control of residents ... or the management of a training centre"*

## What does success look like?:

- Conduct of independent and thorough systemic inquiries that lead to long-standing reform and strengthening of the CP and OOHC systems, the residential care system and the AYTC.
- Consolidated output - diverse range of products for different markets/audiences
- Adds value to knowledge debate and decision-making
- Results in good practice and reforms
- Enhances the credibility of GCYP
- Addresses gaps - knowledge, understanding, problem-solving

## What will we stop? start? continue doing?:

- Continue major/minor inquiries
- Start viewing / utilising results from quizzes as part of inquiry
- Continue to utilise specialist external contractors where needed
- Continue ANZCCG alliances: lead and contribute to national/coordinated program of inquiry (eg ACCG, Law Council)
- Engage with other allies in inquiry to pool resources e.g. NGOs, Universities, CDSIRC, Commissioner for Children and Young People, Commissioner for Aboriginal Children and Young People

## What are the key challenges (looking forward over next 5 years)?:

- Capacity to prioritise and action the inquiry function in the face of pressures to do more urgent, individual or operational work

## What is essential for our success?

- Follow the identification process of systemic issues and other functions
- The ability to harness resources and plan effectively to undertake inquiries
- Strong relationships with allies, as identified

# Function: Investigate

## What is this function?:

- *s.26(1)(f) of Children and Young People (Advocacy and Oversight Bodies) Act 2016: "Investigate and report to the Minister on matters referred to the Guardian"*
- *s."14(1)(f) of Youth Justice Administration Act: "Inquire into and investigate any matter referred to the Visitor by the Minister"*
- Overlaps with "Inquire" and "Advise"
- Note: based on the last 10 years, in the next 5 years we can anticipate 2-3 referrals from the minister

## What does success look like?:

- Minister values and utilises this capacity for independent investigative function
- Minister uses the advice formally and informally
- Outcomes of (published) investigations utilised by other jurisdictions

## What will we stop? start? continue doing?:

- Continue and enhance relationship between the Guardian and Minister, Chief of Staff and key Advisors to provide opportunities for collaboration
- Continue to publish research undertaken for and generated by referral from Minister
- Start using professional development sessions to bring together work generated from this (find applications in Advocacy etc)

## What are the key challenges (looking forward over next 5 years)?:

- Legislative change - guardianship now responsibility of the CE (instead of the Minister)
  - will that increase referrals from the Minister? Checking on DCP?
  - how does this influence the relationship with DCP?
- Priorities and approaches of particular governments/Ministers

## What is essential for our success?

- Strong relationships
- Maintenance of independence
- Understanding and judicious and timely use of legislative powers
- Respect for the integrity, skills and and impartiality of the Guardian/TCV/C&YPV and staff

# Function: Organisational Capability

## What is this function?:

- Our ability to meet:
  - our statutory obligations (functions)
  - the goals of the team to assist children and young people in care and detention
  - and achieve our vision of cultural change

with the resources we have in the areas of: HR, facilities, finance, systems and processes, knowledge, culture

## What does success look like?:

- Adequate child-friendly space to grow
- Diverse staff team with skills and capacity to do our work
- Requisite technology and systems in place
- Systems of communication to ensure that team members are well acquainted with each other's work
- Continued sense of inclusion, especially for remote staff
- Healthy and happy workplace
- Integration of new programs (TCV and CYPV scheme) into GCYP to ensure a unified, cohesive organisation with shared vision

## What will we stop? start? continue doing?:

- Continue to recruit high quality staff with rigorous recruitment process
- Continue to improve and increase training and development of staff
- Work towards improved autonomy for office (systems and processes)
- Continue regular weekly meetings
- Develop innovative systems for staff to inform team about their work
- Start using video and other technologies to create efficiencies (training)
- Make changes to ensure capacity to carry out Charter of Rights work

## What are the key challenges (looking forward over next 5 years)?:

- Change of government/changed priorities and approaches
- Expanding staff numbers and new programs – maintaining identity, communication and cohesion
- Relocation issues
- Limited budget
- Revisit/adapt our organisational structure for new programs/roles
- Linking planning to resourcing model and budget

## What is essential for our success?

- Adequate staff numbers (incl admin support, youth participation, charter project)
- Correct / effective organisational structure
- Maintenance of clear roles, procedures and policies
- Continued sense of inclusive, shared, cohesive team with
- Adequate (child friendly) space
  - Increased participation of C&YP in the office
  - Enough work spaces and offices for staff
- Good understanding of context in which we operate but always ensuring our focus is on CYP



# Success Factors

# Success Factors

the right  
approach (use  
questions, seek  
first to  
understand)

child-centred  
focus

good people,  
good culture

influence the  
influencers  
(work through  
others)

vigilance  
(and attention  
to detail)



# Proposed Activity Summary

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Function	Activity
Promote	<ul style="list-style-type: none"> <li>• Draw out and promote positive outcomes and stories</li> <li>• Undertake more strategic interactions with DCP staff</li> <li>• Deliver educational campaigns that employ a broad range of communication strategies</li> </ul>
Advise	<ul style="list-style-type: none"> <li>• Repurpose and refresh the research and evidence already developed, to influence and educate.</li> <li>• Actively seek to employ all functions to achieve these targeted outcomes</li> </ul>
Inspect/Visit	<ul style="list-style-type: none"> <li>• Start regular meetings with the Minister, arranged to enable follow up discussion from quarterly report</li> <li>• Continue circulating quarterly report to all staff</li> </ul>
Monitor	<ul style="list-style-type: none"> <li>• Start co-ordinating output with content by reports and advice to the Minister</li> <li>• Welcome opportunities to offer advice</li> <li>• Continue commitment to independent annual report format</li> </ul>
Advocate	<ul style="list-style-type: none"> <li>• Stop Advocates' current limited inspection/visit functions</li> <li>• Start the TCV and CYPV programs (separately documented)</li> </ul>
Inquire	<ul style="list-style-type: none"> <li>• Follow up on recommendations</li> <li>• Review of records</li> <li>• Annual reviews</li> <li>• Improve efficiency of R20 monitoring</li> </ul>
Investigate	<ul style="list-style-type: none"> <li>• Keep voice of CYP as focus (more voice of the child videos)</li> <li>• Stories from CYP about their experiences</li> <li>• Role model (constructive advocacy) behaviour</li> <li>• Continue communication (with key agencies)</li> <li>• Reinvigorate participation in DCP induction program</li> <li>• Present at universities to social work &amp; other relevant students</li> </ul>
Organisational Capability	<ul style="list-style-type: none"> <li>• Continue major/minor inquiries</li> <li>• Start utilising results from quizzes as part of inquiry</li> <li>• Continue to utilise specialist external contractors where needed</li> <li>• Continue ANZCCG allegiances: lead and contribute to national/coordinated program of inquiry</li> <li>• Engage with other allies in inquiry to pool resources e.g. NGOs, Unis, CCYP, CDSIRC, new CCYP for Aboriginal children</li> <li>• Continue and enhance relationship between the Guardian and Minister, Chief of Staff and key advisors to provide opportunities for collaboration</li> <li>• Continue to publish research undertaken for and generated by referral from Minister</li> <li>• Start using professional development sessions to bring together work generated from this (find applications in Advocacy etc)</li> <li>• Seek improved autonomy for office (systems and processes)</li> <li>• Develop innovative systems for staff to inform team re their work</li> <li>• Start using video and other technologies to create efficiencies (training)</li> <li>• Continue regular weekly meetings</li> <li>• Continue to recruit high quality staff with rigorous recruitment process</li> <li>• Continue to enhance training and development of staff</li> <li>• Ensure capacity to do Charter of Rights work.</li> </ul>



# Appendix

# Acronyms / Definitions

Item	Explanation / Definitions
ACCG	Australian Children's Commissioners and Guardians
CYPV	Child and Young Person's Visitor
CYP	Children & Young People
DCP	Department of Child Protection
GCYP	Guardian for Children & Young People
TCV	Training Centre Visitor
AYTC	Adelaide Youth Training Centre
YJ	Youth Justice
CCYP	Commissioner for Children and Young People