



**Commissioner for Children and Young People**  
Western Australia

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Ms Emma White  
Director General  
Attention - Out of Home Care Reform Team  
Department for Child Protection and Family Support  
PO Box 6334  
EAST PERTH WA 6892

  
Dear Ms White

**Out of Home Care Strategic Directions in WA 2015 - 2020**

As A/Commissioner for Children and Young People in WA I have a statutory responsibility to monitor and review written laws, policies, practices and services affecting the wellbeing of children and young people. In undertaking these responsibilities I must have special regard for Aboriginal and Torres Strait Islander children and young people and for children and young people who are vulnerable or disadvantaged for any reason.

Without the natural advocate of a supportive and capable parent, children and young people in out of home care are some of the most vulnerable children in our community. Under the United Nations Convention on the Rights of the Child it is incumbent on government to ensure that children and young people who have been neglected or subject to abuse receive special assistance to ensure that their physical, psychological and social needs are met.

The number of children and young people in out of home care continues to increase in WA and across Australian jurisdictions. Aboriginal children and young people are also vastly over-represented in the cohort of children and young people who are in out of home care.<sup>1</sup>

Consistently in my consultations with children and young people they report that a loving and supportive family is the most important factor in influencing their wellbeing. Where a child or young person is not able to live safely with their parents ensuring that the alternative arrangement meets their needs for a stable, safe and supportive environment is critical.

*Caring for the future growing up today*

As such I welcome the opportunity to comment on the *Out of Home Care Strategic Directions in WA 2015 – 2020* discussion paper (the paper).

I am pleased to offer my broad support for the five strategic directions outlined in the paper and believe that they provide a robust framework to significantly improve the level of care provided for children and young people in out of home care in WA. I am also very supportive of the collaborative approach being undertaken by the Department of Child Protection and Family Support (the Department) in conducting this reform to out of home care in WA. In reviewing the information set out in the paper I would like to highlight the following issues that I believe are of significance in ensuring the reform process achieves its aims in improving the outcomes for children and young people in out of home care.

#### *Responding to the needs of the child*

As identified in the paper, all children entering out of home care have experienced some form of trauma and the increasing complexity of children's needs present a significant challenge. In 2011 my predecessor, Michelle Scott, released the Report of the Inquiry into the Mental Health and Wellbeing of Children and Young People in Western Australia. This report clearly identified the mental health needs of children in care and the need to ensure that these needs were identified as early as possible and that relevant services were provided to address these needs. I am encouraged by the Department's commitment to meet these needs and look forward to seeing the new integrated care model develop ways of ensuring that adequate levels of service are provided to children and young people in care and that the carers are also provided with appropriate supports. In my view providing such services at an earlier stage will reduce the need for more intensive levels of service and support later on and contribute to placement stability, ultimately resulting in better outcomes for children and young people in care.

#### *Input from children and young people*

It is a core function of my office to promote the participation of children and young people in the making of decisions that affect their lives. Article 12 of the United Nations Convention on the Rights of the Child requires that the views of children are heard and taken into account when adults are making decisions that affect them according to their age and maturity. I am aware that the Department uses the computer based program, Viewpoint, to obtain feedback at specific times from children and young people in care, which I understand is considered a useful tool.

As you are aware my office has undertaken considerable work in the area of developing child friendly complaints and feedback systems. It is clear from this work that children and young people face significant barriers in raising issues when they have concerns or wish to report abuse or mistreatment. Children and young people need to have access to a range of options for raising issues, and, most importantly, they need access to a person they trust who they believe can assist them. The role of the case worker for children and young people in out of home care is critical, and the opportunity to build a positive relationship with, and have good access to, their caseworker is vital. In addition, the role of the Advocate for Children in Care is also an important avenue of support for children and young people who require additional support to have their views heard.

I would encourage the Department to investigate further options to ensure that regard for the views of children and young people is incorporated into decision making processes at all stages of a child's out of home care experience. This could include building in mechanisms to require the documentation of children and young people's views at decision making points and the outcomes following consideration of these views. This could further be enhanced by linking these requirements to monitoring standards or other forms of external review.

#### *Relative or kinship care*

The increasing reliance on relative or kinship carers for out of home care placements has also been identified in the paper. Whilst there is a paucity of research into relative care, increasingly concerns<sup>2</sup> are being raised about the capacity of relative placements to meet the needs of children placed in their care and the level of support and monitoring for children in these placements. I believe that it is important that the elements of the strategic directions also apply to relative care placements to ensure that appropriate assessment, support and monitoring systems provide a quality care experience for children in these settings.

#### *Growing the Community Services Sector role in service provision*

Consistent with my support for an increased collaborative approach I am also supportive of the increased role of the community services sector in the provision of non-relative out of home care. I am particularly encouraged by the commitment to develop the role of Aboriginal Community Controlled Organisations in this field as a means of improving the access to culturally secure out of home care placements and also to increase the engagement of the Aboriginal community in developing and implementing systems for protecting Aboriginal children and young people across the continuum of child protection.

Access to adequate resourcing and systems for monitoring service provision and the outcomes for children and young people will be critical to ensuring that, regardless of the service provider, the needs of children and young people are met.

#### *Standards and Monitoring*

I am wholly supportive of the use of outcomes based assessment for monitoring the wellbeing of children and young people in out of home care. My office strongly promotes the need for an evidence-based approach to ensure that programs and services are achieving intended outcomes.

Recent and continuing inquiries into the abuse of children and young people in both government and non-government services have highlighted the need for effective systems to monitor service delivery to ensure the safety and wellbeing of children and young people. This includes the need for external, independent monitoring mechanisms. I welcome the paper's consideration of this issue and commitment to review the oversight processes of the out of home care system.

#### *Informal care arrangements*

I appreciate that the focus of this paper is on children and young people placed formally in the out of home care system however I would like to emphasise the

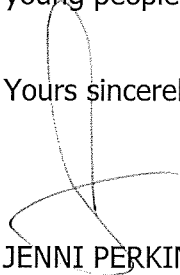
importance of those children and young people who may be in the care of adults other than their parents under an informal arrangement outside of the statutory system.

A number of inquiries to my office have highlighted the need for increased support for children and carers involved in informal care arrangements. There appears to be a range of reasons that underlie informal care arrangements including a reluctance to engage with the statutory system which presents challenges in engaging and delivering services and supports. However, informal care arrangements are responding to the needs of a vulnerable child or children who would otherwise be in need of placement in the out of home care system. Consistent with the need to promote stability of placement, I would recommend that the Department consider ways in which appropriate supports can be provided where informal care arrangements exist to ensure that the needs of the child or young person are being met.

Additionally I note the inclusion of early intervention services as a strategy to reduce the need for children and young people to enter out of home care and to maximise the prospect of reunification when they are taken into care. I strongly support an increased focus in this area to ensure that families receive the support they need to provide loving and supportive homes for children and young people.


I look forward to seeing the reform of out of home care in WA progress and to continuing to work with your Department to improve the outcomes for children and young people who rely on this system to keep them safe from harm.

Yours sincerely



JENNI PERKINS

A/Commissioner for Children and Young People WA

 February 2015

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<sup>1</sup> Child Family Community Australia Fact Sheet – January 2015. Child Abuse and Neglect Statistics. Australian Institute of Family Studies. [www.aifs.gov.au](http://www.aifs.gov.au)

<sup>2</sup> Brennan, D., Cass, B., Flaxman, S., Hill, T., Jenkins, B., McHugh, M., Purcal, C., & valentine, k. (2013) Grandparents raising grandchildren: Towards recognition, respect and reward (SPRC Report 14/13). Social Policy Research Centre (SPRC), University of New South Wales