

Chapter 10

Conclusion and recommendations

10.1 Governments of all levels have a responsibility to ensure that all children and young people removed from their families and placed in out-of-home care are provided with safe and nurturing living arrangements. The committee is deeply concerned by evidence that suggests out-of-home care placements are not safe or stable and that children and young people experience significantly poorer outcomes than their peers. The committee supports the view of Associate Professor Philip Mendes from the Department of Social Work at Monash University that governments of all levels have a moral and legal obligation to children placed in their care:

If we as a community are going to give our government the power to coercively intervene in families where alleged significant abuse or neglect has occurred, then our government has both the moral and legal obligation to devote sufficient resources to ensure that the outcomes for those children are far better than if they had remained with their family of origin.¹

10.2 The committee recognises that parents and families have a responsibility to provide nurturing homes for their children safe from abuse and neglect. The committee is deeply concerned by the increasing number of children entering and remaining longer in out-of-home care. The committee recognises that for some children, placement in out-of-home care may provide the safest and most stable environment, at least in the short-term. However, evidence to the committee suggests families and carers need greater support and assistance to provide safe and stable homes for children and young people, particularly those from disadvantaged communities.

10.3 The committee recognises that addressing the significant challenges facing Australia's out-of-home care systems means addressing a range of complex and inter-related social issues linked to social disadvantage, including family violence, drug and alcohol abuse and mental health issues. The committee acknowledges and is concerned that Aboriginal and Torres Strait Islander communities face significantly higher levels of social disadvantage than non-Indigenous communities, contributing to the over-representation of Aboriginal and Torres Strait Islander children and young people in out-of-home care.

10.4 However, the committee also recognises there are certain systemic factors that contribute to the high number of children entering and remaining in out-of-home care. In particular, the lack of family support services means there is limited scope for at-risk parents to get the support they need to build safe and resilient families for their children. The lack of available supports and understanding of the specific needs of Aboriginal and Torres Strait Islander families, and families with disability also contribute to an overrepresentation of these groups in out-of-home care.

1 Associate Professor Philip Mendes, *Submission 6*, p. 1.

10.5 The committee heard evidence that addressing these systemic issues in the United States and United Kingdom has resulted in positive steps towards decreasing the number of children in out-of-home care by introducing a range of child-centred reforms. The National Children's Commissioner, Ms Megan Mitchell told the committee the US achieved a 30 per cent reduction between 1998 and 2012 through key policy changes including:

- performance based contracting with non-government organisations;
- subsidised adoption and guardianship placements; and
- focussing on child wellbeing, including investing in the therapeutic recovery of children who have been abused, neglected or suffered trauma.²

10.6 The committee suggests a similar combination of reforms in Australia, as outlined below, would have a significant impact on reducing the number of children entering care, and improving outcomes for those children leaving care.

National Framework for Protecting Australia's Children 2009–2020

10.7 The committee strongly supports the aims and principles of the *National Framework for Protection Australia's Children 2009-2020* (National Framework), particularly its focus on providing universal and secondary supports for all families to prevent child abuse and neglect.

10.8 However, the committee is deeply concerned that at the half-way point of the implementation of the National Framework, there appears to be little progress in improving outcomes for children and young people in out-of-home care and their families. Despite the commitment from Commonwealth, state and territory governments to the principles of the National Framework, evidence suggests child protection systems continue to be crisis driven.

10.9 The committee acknowledges the positive progress made by some jurisdictions in improving models of care and support for children, families and carers, many of which are highlighted throughout this report. However, the committee is concerned that there is no national consistency in how these models and supports are applied.

10.10 The continued increase in the number of children and young people entering and remaining in out-of-home care since the National Framework has been in place indicates that a public health model of child protection, with a focus on universal and secondary interventions for at-risk families, will take time to implement and require significant reforms at all levels of government and has not yet translated into positive improvements for children and young people. As discussed in Chapter 2, the

2 Ms Megan Mitchell, National Children's Commissioner, *Committee Hansard*, Sydney, 18 February 2015, p. 2. See: Bryan Samuels, Executive Director, Chapin Hall, University of Chicago, 'Redefining success for vulnerable children through public systems,' *Rights Talk*, Australian Human Rights Commission, 19 September 2014, <http://www.humanrights.gov.au/sites/default/files/PRC-Bryan%20Samuels%20Australian%20Presentation%20External.pdf> (accessed 6 August 2015).

committee supports reinvigorating the National Framework to include measures to increase accountability, funding and local responses, as well as integrating it with other relevant frameworks.

Recommendation 1

10.11 The committee recommends that the Council of Australian Governments (COAG) include the following measures in the third action plan (2015-2018) for the National Framework:

- **accountability for Commonwealth, state and territory governments to ensure compliance with the objectives of the National Framework;**
- **practical guidance for state and territories for implementing the *National Standards for out-of-home care* at a local level;**
- **integrating all projects under the National Framework with related frameworks including the *National Plan to Reduce Violence against Women and their Children 2010–2022* and the *National Drug Strategy 2010–2015*; and**
- **associated funding to assist the National Framework achieve its stated objectives.**

Data collection

10.12 The committee is also concerned by the progress of the National Framework's projects to improve data collection on outcomes for children and young people. The committee recognises the importance of data in contributing to the development of evidence-based programs and services to best meet the needs of children and young people.

10.13 While acknowledging the work currently underway by the Australian Institute of Health and Welfare (AIHW), together with the state and territory governments, the committee is concerned that data is currently only available on 7 of the 22 measures identified in the National Standards for out-of-home care.

10.14 The committee recommends these data collection projects be expanded to address significant data gaps in regard to children with disability, children in kinship care arrangements, permanency planning and the role of community organisations, and how these impact on outcomes for children and young people.

Recommendation 2

10.15 The committee recommends that the Australian Institute of Health and Welfare (AIHW) work with states and territories to address data gaps in Child Protection National Minimum Data Set (CP NMDS) and other data sets of children in out-of-home care regarding:

- **children and young people with disability;**
- **children and young people from culturally and linguistically diverse backgrounds;**
- **relationship between children and young people and their kinship carers;**

- **role of permanency planning and permanent care placements for children and young people;**
- **data collected by community service organisations; and**
- **how outcomes for children and young people in out-of-home care compare with the general population.**

10.16 The committee shares the concerns expressed by the United Nations Committee on the Rights of the Child about the lack of data on the reasons why children are placed in out-of-home care. While acknowledging the difficulty in collecting this data on a national scale, the committee notes such data is vitally important to identifying and addressing the key reasons children are placed in care. The committee supports the recommendation of the UN Committee to improve the collection of data about the reasons why children are placed in care.

Recommendation 3

10.17 The committee recommends that AIHW work with states and territories to develop and implement a data collection project that would provide general data on the reasons children are placed in out-of-home care, consistent with the recommendation by the United Nations Committee on the Rights of the Child.

10.18 The committee also shares concerns expressed by the United Nations Committee on the Rights of Persons with Disabilities that the National Framework focusses on the prevention of child abuse and neglect, rather than protecting the rights of children in out-of-home care, particularly those with disability.

Recommendation 4

10.19 The committee recommends that COAG review the National Framework to address recommendations by the United Nations Committee on the Rights of Persons with Disabilities that the National Framework include provisions to protect the rights of children, particularly those with disability.

Support for children

10.20 The committee is concerned by evidence that suggests children and young people in out-of-home care continue to experience poor outcomes across a range of indicators, including health, education and homelessness. The committee strongly supports a child-first approach in all decision-making processes regarding children and young people in out-of-home care. The outcomes for children and young people must inform and guide all decisions about placements, supports and possible family reunification, where appropriate.

Voice of children and young people

10.21 The committee acknowledges the importance of listening to the voice of children and young people in discussions about placements and care planning. The committee also recognises the importance of providing independent mechanisms for investigation of complaints and concerns by children and young people while in care. The committee recognises that some states and territories have these processes in place, but is concerned there is no national consistency in how the views of children

and young people are heard and addressed. The committee suggests nationally consistent powers for independent child guardians and commissioners could provide an effective mechanism for these complaints to be heard.

Recommendation 5

10.22 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to improve participation by children and young people in decision making processes, including:

- **entry into care (where appropriate);**
- **placement decisions;**
- **family contact and reunion; and**
- **transition from care.**

10.23 This project should draw from the findings of AIHW's national survey into views of children and young people in out-of-home care.

Recommendation 6

10.24 The committee recommends that COAG develop and implement nationally consistent powers for independent child commissioners and guardians to:

- **review individual out-of-home care cases;**
- **address complaints and concerns by children and young people;**
- **ensure the voice of children and young people is heard in all decision-making processes about placements and case planning; and**
- **provide community visitors to visit all out-of-home care placements.**

Therapeutic care

10.25 The committee recognises that children and young people in out-of-care have complex needs that require specialist support. The committee acknowledges the need for models of care that address the impact of trauma as a result of child abuse and neglect.

10.26 The committee recognises the potential of trauma-informed therapeutic models of care to improve outcomes for children and young people in out-of-home care. The committee acknowledges the commitment from some states and territories to increase the number of therapeutic placements, particularly for children with complex needs in foster care and residential care. The committee is encouraged by evidence that suggests therapeutic foster and residential care models contribute to more positive outcomes for young people than other models.

10.27 However, the committee is concerned that existing therapeutic models are limited to relatively small-scale programs and are only available to a small proportion of children and young people. The committee is also concerned by the lack of national consistency in the way the term 'therapeutic' is currently applied to a range of support services that may not address issues of trauma.

10.28 While recognising the high short-term cost in delivering therapeutic models, the committee recognises that the implementation of these models has the potential to improve long-term outcomes for children and young people, and deliver significant cost savings to all levels of government.

Recommendation 7

10.29 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework, a project to develop and implement:

- **national therapeutic care standards; and**
- **an evaluation of best practice models of therapeutic care across all types of care (drawing from best practice models in Australia and overseas), with a view to implementing therapeutic models across all jurisdictions.**

Recommendation 8

10.30 The committee recommends that states and territories increase resources available to fund therapeutic models of care, based on evidence-based evaluations of existing and proposed models.

Children with specific needs

10.31 The committee is concerned by evidence that suggests that children and young people with disability are over represented in the out-of-home care system and that they experience poorer outcomes. In particular, the committee is concerned by evidence that suggests a high proportion of children in out-of-home care have undiagnosed disabilities or chronic health issues such as Foetal Alcohol Spectrum Disorder (FASD).

Recommendation 9

10.32 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement a nationally consistent approach to integrating child protection and disability services to ensure children are screened for disability and complex health needs (such as FASD) and referred to appropriate services, and have access to disability services throughout their time in care.

10.33 The committee recognises children and families from culturally and linguistically diverse (CALD) backgrounds have specific needs that are not supported by current child protection frameworks. In particular, the committee recognises that children in international kinship care arrangements and unaccompanied humanitarian minors (UHMs) do not receive the same level of support and are not subject to the same standards of care as children in statutory out-of-home care.

Recommendation 10

10.34 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement specific supports for children and families in UHMs and international kinship care placements.

Permanency and stability

10.35 As discussed in Chapter 4, the committee recognises the importance of stability in facilitating positive outcomes for children and young people in out-of-home care. The committee is concerned by evidence that suggests that the longer children remain in care, the more placements and instability they experience. The committee is also concerned that there is no nationally consistent approach to permanency planning, and that the National Standards for out-of-home care (National Standards) do not include a measure to indicate how permanency planning is to be applied across jurisdictions.

Recommendation 11

10.36 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement a nationally consistent approach to permanency planning. This should include adding a measure on permanency planning into the National Standards for out-of-home care.

10.37 The committee recognises that 'permanency' can be achieved through a range of different placement options, including stable relative/kinship or foster care, or through reunification with family. The committee acknowledges that legally permanent arrangements, including guardianship orders and adoption, may be the most appropriate and stable placement option some for children and young people on long-term care and protection orders.

10.38 The committee shares concerns that there is no national consistency in the decision-making processes about legally permanent placements. The committee considers that decisions about legally permanent placement options, including adoption, should only be considered where it can be demonstrated this will provide a safe and stable placement for the child or young person, and they have an active role in the decision-making process.

10.39 The committee recognises the significant ongoing trauma and pain suffered by children and parents by past practices of forced adoptions, where children were placed for adoption without the consent of their parents, as examined in the committee's 2012 report *Commonwealth Contribution to Former Forced Adoption Policies and Practices*. The committee acknowledges the strong opposition to adoption in some segments of the community, particularly those affected by past practices of forced adoptions. The committee also recognises the conclusions of the *Bringing Them Home Report* that adoption is not an appropriate placement option for Aboriginal and Torres Strait Islander children.

10.40 However, the committee also recognises that for some children, legally permanent arrangements may provide the safest and most stable long-term placements. Where children are placed in legally permanent arrangements, the committee notes the importance of ensuring children remain connected to their families and communities, taking into consideration their cultural background. The committee is concerned about the lack of national consistency in legislation and practice to ensure children in these placements are supported to maintain a connection

to their family and culture, particularly for Aboriginal and Torres Strait Islander children.

10.41 The committee also shares concerns that in some jurisdictions, children and carers in adoption and guardianship order arrangements do not have access to the same financial and practical supports as other forms of care. If these placement options are to be utilised more often, more resources need to be made available to ensure children and carers continue to be supported.

Recommendation 12

10.42 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop a nationally consistent approach to legal forms of permanence (including guardianship orders and adoption) that ensure children maintain connection to their families and carers continue to receive financial and practical support.

Recommendation 13

10.43 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to consider how to improve access to legally permanent placements (including guardianship orders and adoptions) for children and young people in out-of-home care, where these arrangements may provide the safest and most stable placements.

Identity documents

10.44 The committee acknowledges the difficulties faced by children and young people in care in obtaining parental consent for identity documents at the Commonwealth level (including passports, citizenship and Medicare cards). The committee supports the recommendations by the National Children's Commissioner and the South Australian Council for the Care of Children that the Commonwealth streamline these processes for children and young people in care.

Recommendation 14

10.45 The committee recommends that the Department of Social Services, Department of Human Services and Department of Immigration and Border Protection review parental consent requirements for identity documents (including passports, Medicare cards and citizenship) to remove barriers to accessibility for children and young people in out-of-home care.

Health and education outcomes

10.46 The committee particularly recognises the need to improve education and health outcomes for children and young people in out-of-home care. The committee is concerned by evidence that suggests children in out-of-home care are more likely to experience chronic health and mental health conditions, and less likely to receive necessary treatment, than children in the general population.

Recommendation 15

10.47 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement strategies to improve health outcomes for children and young people in care, including:

- access to health services, particularly youth mental health treatment and support services; and
- consideration of health outcomes in case planning.

Recommendation 16

10.48 The committee recommends that the Department of Health introduce a separate Medicare item for children in out-of-home care to improve access to health assessments and treatment, including mental health.

10.49 The committee is also concerned by evidence that suggests children in out-of-home care are less likely to complete school and transition into higher education and training. The committee recognises the importance of these educational opportunities in assisting young people to break the cycle of disadvantage.

10.50 The committee also recognises the effect of stigma on 'foster kids' and the need to improve the level of community and institutional expectation for these children to achieve positive educational outcomes.

Recommendation 17

10.51 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement a nationally consistent approach to:

- additional education support for children and young people in out-of-home care; and
- increasing participation by young people in out-of-home care in education and training opportunities.

Recommendation 18

10.52 The committee recommends that states and territories ensure all children in out-of-home care have updated education plans.

Transition from care

10.53 One of the most significant gaps identified by the committee is the support available to young people transitioning from out-of-home care. The committee recognises the terminology of 'leaving care' incorrectly implies that young people no longer require care once they turn 18 years old. The committee supports the terminology 'continuing care' to highlight the need to provide ongoing support to young people through the transition period and afterward.

10.54 The committee notes while there is a significant lack of national data on the outcomes for young people once they leave care, evidence collected during this inquiry indicates young people are more likely to experience homelessness, drug and

alcohol misuse, and physical and sexual abuse. The committee is strongly concerned by the lack of support available to young people transitioning from care and supports lifting the age young people can receive support to 21 years of age.

10.55 The committee also supports the development of nationally consistent, best practice model of transition planning. This planning should be started as soon as possible and focus on access to education and employment opportunities, healthcare services where required and link-up services to other available supports and programs.

Recommendation 19

10.56 The committee recommends that AIHW work with states and territories to develop a data set on outcomes for young people transitioning from care up to 21 years of age, including the following indicators:

- connection to family and/or carers;
- education and employment;
- housing; and
- health (including mental health).

Recommendation 20

10.57 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement a nationally consistent framework for transitioning from care, with a focus on improving:

- health outcomes;
- access to higher education;
- employment options; and
- access and support for securing suitable housing.

Recommendation 21

10.58 The committee recommends that the Australian Government increase the Transition to Independent Living Allowance (TILA) for young people transitioning from care. The committee further recommends that the Department of Social Services review existing post-care support programs to identify opportunities to assist young people transitioning from care.

Recommendation 22

10.59 The committee recommends that states and territories raise the age to which young people continue to receive ongoing post-care support to 21 years of age.

Support for families

Family support services

10.60 The committee recognises that for some children, placement in out-of-home care, at least temporarily, may be the safest option to prevent abuse and neglect. The

committee acknowledges that parents have a responsibility to provide a safe and nurturing home for their children.

10.61 However, evidence to the committee suggested many parents would benefit from additional assistance and support to help build safe and resilient families for their children. The committee considers that child removal should be the last resort for child protection authorities and there should be a greater focus on family support services, including integrated universal services, secondary interventions, respite services and shared care models. In particular, the committee recognises the potential benefits of 'proportionate universality' in developing targeted universal services that can help to identify vulnerable families and children.

10.62 The committee also recognises the need for equity in funding between family support services and out-of-home care services to ensure resources are directed at supporting families to keep children at home, where it is safe for the child to do so.

10.63 The committee suggests the development of a family support framework to develop equitable funding models for all forms of family support, and evidence-based evaluations to determine the best and most effective family support models.

Recommendation 23

10.64 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement a nationally consistent family support framework addressing:

- **universal services targeted at improving the wellbeing of all children and young people;**
- **secondary interventions to support children and families at risk of child protection interventions;**
- **respite services and 'shared cared' models of support aimed at family preservation;**
- **evidence-based evaluations of family support services to determine best practice models; and**
- **equitable funding models for family support services.**

10.65 The committee further recommends that this family support framework should consider the specific needs of Aboriginal and Torres Strait Islander communities, families and children with disability and CALD communities.

Advocacy for families

10.66 The committee recognises parents with children in out-of-home care often feel overlooked and ignored by child protection authorities. The committee supports the introduction of services and advocacy groups that aim to build relationships between parents and child protection authorities to improve outcomes for children and young people. The committee acknowledges the positive benefits volunteer based advocacy groups have had on improving these relationships.

Recommendation 24

10.67 The committee recommends that COAG consider a nationally consistent approach to funding advocacy and support groups for parents with children in or at risk of entering out-of-home care.

Involvement of families in decision-making processes

10.68 The committee also shares concerns with parents and families about their lack of involvement in the decision-making process about the removal of children and placement in out-of-home care. The committee recognises evidence that long-term stability for children and young people can be improved where parents are involved in the decision-making process. The committee recognises the opportunity that alternative dispute resolution measures, such as Family Group Conferences, provide in involving parents and families in this process.

Recommendation 25

10.69 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement a nationally consistent approach to improving participation by children and families in decision making processes, including Family Group Conferencing and other alternative dispute resolution measures.

Accountability of child protection authorities

10.70 The committee acknowledges that many parents and families feel powerless in engaging with child protection authorities and case workers. The committee shares concerns that families whose children are removed or at risk of being removed have limited scope to appeal decisions by child protection authorities, or take steps to enable children to be returned, where it is safe for the child to do so. The committee recognises there is no national consistency of independent oversight of child protection decisions or complaints mechanisms for parents and families with children in or at risk of entering out-of-home care.

Recommendation 26

10.71 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework the development of nationally consistent mechanisms, such as independent bodies, for managing complaints from families and investigating individual cases.

Recommendation 27

10.72 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework the introduction of national accreditation and registration of child protection workers, including those employed by government departments and NGOs.

Reunification and contact support

10.73 For families with children in out-of-home care, the committee recognises the lack of available support to assist in overcoming barriers preventing children being returned home, or where this is not appropriate, support to develop a positive

relationship with their child. The committee heard in many cases, families are not aware of what is required to have their children returned, and seldom supported to do so. The committee is particularly concerned about the lack of culturally appropriate support available to Aboriginal and Torres Strait Islander families, including services aimed at preventing family violence and alleviating social disadvantage.

Recommendation 28

10.74 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement nationally consistent family support services including support for families with contact and reunification.

Recommendation 29

10.75 The committee recommends that the Commonwealth Government provide increased resources for family support services.

Legal assistance for families

10.76 The committee also recognises the lack of legal assistance available to families seeking to maintain parental responsibility for their children (including grandparent or other relative/kinship carers). The committee is concerned by evidence that families are unable to access legal assistance prior to and during the commencement of court proceedings. This lack of assistance means families are not able to contest decisions made about child placement, particularly where orders are made until 18 years of age. The committee considers the provision of legal assistance is integral to ensuring children can remain with families where appropriate.

10.77 The committee is particularly concerned by evidence that Aboriginal and Torres Strait Islander women may be viewed as 'enablers' of family violence in child protection court proceedings.

Recommendation 30

10.78 The committee recommends that the Commonwealth Government improve access to legal and other advice and support available to families in child protection matters both before and during court proceedings, including through increased funding for relevant legal assistance providers. The committee further recommends particular consideration be given to improving access to legal and other advice and support for Aboriginal and Torres Strait Islander families experiencing family violence.

Aboriginal and Torres Strait Islander communities

10.79 The committee recognises the importance of empowering Aboriginal communities to take responsibility for child protection issues, including decision making processes and delivery of services. The committee acknowledges some states and territories work with Aboriginal community controlled agencies (ACCAs) in some aspects of child protection matters, but that there is no national consistency how ACCAs are integrated into these processes. The committee considers ACCAs should be introduced across all jurisdictions and should be involved in the full range of

family support services for Aboriginal and Torres Strait Islander families, including out-of-home care, and must be supported by flexible funding models.

10.80 The committee supports examples of partnerships between the government and non-government sector to empower ACCAs to take responsibility for some out-of-home care services, particularly in NSW and Western Australia. The committee notes these partnerships are in the early stages of implementation and that more work needs to be done across jurisdictions to expand the capacity of ACCAs to develop and deliver services across the continuum of care.

Recommendation 31

10.81 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement a nationally consistent approach to building the capacity of Aboriginal community controlled agencies (ACCAs) to become integrated into all aspects of the child protection system for Aboriginal and Torres Strait Islander children, including:

- **training Aboriginal and Torres Strait Islander support workers;**
- **providing family support services;**
- **implementation of the Aboriginal Child Placement Principle;**
- **involvement and responsibility for all decision making processes; and**
- **delivering out-of-home care services.**

10.82 The committee further recommends that state and territory governments review Aboriginal and Torres Strait Islander overrepresentation in out-of-home care as a matter of priority and provide additional resources for family support services to address the causes of social disadvantage.

Recommendation 32

10.83 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement mandatory cultural competence training for all services working with Aboriginal and Torres Strait children and families. This training should be delivered by specialised local Aboriginal and Torres Strait Islander services, including those with expertise working in remote communities.

Families with disability

10.84 The committee recognises that children and families with disability have particular needs that are not currently addressed under existing child protection frameworks. The committee notes that the National Disability Insurance Scheme (NDIS) provides an opportunity to improve the available supports for children and families with disability. However, the committee acknowledges the specific services that will be available to children and families is not yet clear, particularly in regard to early intervention and integration with other services.

10.85 The committee recognises there are important steps that can be taken now to improve outcomes for children and families with disability by 'breaking down the silos' between child protection and disability services. Better integration of these

services will ensure children with disability and FASD that enter the child protection system will have access to appropriate disability support services, and families with disability will have access to family support services.

Recommendation 33

10.86 The committee recommends that the National Disability Insurance Agency (NDIA) review the adequacy and availability of funding for children with disability at National Disability Insurance Scheme (NDIS) trial sites, including:

- **early intervention funding to support children with disability remaining at home in the care of their parents; and**
- **case management support for children with disability and families with disability to access family support services to assist children remaining at home in the care of their parents**

Support for carers

Relative/kinship care

10.87 The committee acknowledges relative/kinship carers are assuming greater responsibility for an increasing number of children with complex needs in out-of-home care. The committee is concerned that statutory relative/kinship carers are not able to access the same financial and practical supports (including training and case workers) provided by child protection authorities to foster carers. The committee is also concerned that the complex needs of children in relative/kinship care are not recognised, meaning relative/kinship carers are not able to access higher rates of financial allowances.

10.88 The committee is particularly concerned that informal relative/kinship carers receive little financial and practical support. The committee recognises there are significantly more informal relative/kinship carers than those in the statutory system. The committee acknowledges evidence provided to the committee about the lack of financial and practical support for relative/kinship carers, particularly informal carers, supports the findings of the committee's previous inquiry into grandparent carers.

10.89 The committee supports increasing the capacity of emergency respite services to allow child protection authorities to properly assess relative/kinship carers prior to placement, rather than making expedient placements that may not be suitable for the child or young person. This would help to improve the stability of placements for children and facilitate more positive outcomes.

Recommendation 34

10.90 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement nationally consistent financial and practical (including training and case-worker) support for statutory and informal relative/kinship carers. This should include:

- **establishment of a national peak body for relative/kinship carers;**
- **accreditation and training of relative/kinship carers;**
- **increasing allowances available to relative/kinship carers; and**

- **evaluation and development of nationally consistent best practice models of supported relative/kinship care.**

Recommendation 35

10.91 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to improve the capacity for emergency respite placements to determine best placements for children and young people.

10.92 The committee is particularly concerned about the lack of support for Aboriginal and Torres Strait Islander relative/kinship carers to become accredited, and the lack of ongoing support to provide adequate support for children and young people. The committee supports the findings from its previous inquiry into grandparent carers that the Winangay kinship resources be implemented nationally.

Recommendation 36

10.93 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to better support Aboriginal and Torres Strait Islander children in relative/kinship care, including:

- **streamlining accreditation and assessment process for Aboriginal and Torres Strait Islander kinship carers; and**
- **implementing the Winangay kinship resources to improve relationship between carers and child protection authorities.**

Foster care

10.94 The committee recognises the importance of volunteer foster carers in the statutory out-of-home care system. The committee is concerned about the long-standing challenges in recruiting and retaining suitable foster carers to meet the increasingly complex needs of children and young people entering out-of-home care. The committee supports the consideration of a national approach to supporting foster carers, including accreditation of carers.

10.95 The committee acknowledges that the concept of professional foster care has significant support across jurisdictions and that it may provide an opportunity to deliver better outcomes for children in care, particularly those children with complex needs. While noting the complex issues and barriers involved in introducing a model of professional foster care, the committee considers these can be overcome. The committee suggests the recommendations of the ACIL Allen Consulting review should be considered as a matter of priority with a view to introducing a best practice professional foster care model across all jurisdictions.

Recommendation 37

10.96 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a nationally consistent strategy to support and accredit foster carers to improve recruitment and retention. This should also address nationally consistent rates of financial support, case-worker support and training of foster carers.

Recommendation 38

10.97 The committee recommends that COAG implement a nationally consistent, best practice model of professional foster care.

Residential care

10.98 The committee is concerned that outcomes for children and young people in residential care are poor compared with other forms of care. The committee is concerned by evidence that indicates a disproportionate amount of funding is allocated to a model that results in these poor outcomes.

10.99 The committee recognises that older children with the most complex needs are the most likely to be placed in residential care. The committee acknowledges the importance of having trained specialist staff to assist children and young people in residential care, particularly those with complex needs. The committee supports the development of nationally consistent training for all residential care staff and use of therapeutic care models as outlined in other recommendations.

Recommendation 39

10.100 The committee recommends that COAG include in the third action plan (2015-2018) of the National Framework a project to develop and implement a nationally consistent approach to:

- **mandatory training for all residential care workers;**
- **training qualifications and allowances for carers (including increasing allowances for carers); and**
- **an evaluation how the role of NGOs in service delivery affects the outcomes for children in care.**

Senator Rachel Siewert

Chair

