

# **Speech notes**

**Elizabeth Fraser  
Commissioner for Children and  
Young People and Child Guardian**

***Views of Young People in Residential Care  
Queensland 2009* release &  
Community Visitor Program Information  
Session**

**Date:** Tuesday, 8 September 2009  
**Time:** 9:30am  
**Location:** Training Rooms 2 & 3, Level 17  
53 Albert Street, Brisbane

## **Commissioner introduced by Assistant Commissioner**

### **Welcome and introduction**

#### **Slide 1. Elizabeth Fraser**

Welcome everyone, and thank you for making the time today to attend this information session and report launch. For those who I have not met, I'm Elizabeth Fraser and I've been the Commissioner for Children and Young People and Child Guardian since 2005.

I'd like to begin by acknowledging the traditional owners of this land.

The primary aim of today's session is to provide an opportunity for us at the Commission to strengthen our relationships with those of you working in the residential care sector.

As I'm sure you are aware, the Commission has a legislated responsibility to monitor the safety, wellbeing and rights of children and young people accommodated in residential facilities. This involves us conducting regular visits to children and young people in facilities and assessing the quality of the care and accommodation being provided. It also involves us conducting surveys of children and young people in care and investigating complaints from service users where these arise.

While we are required to undertake these monitoring functions independently, we are also committed to working cooperatively with service providers. We recognise the important and difficult role that you have and we are committed to building capacity in the sector to meet the needs of children and young people wherever we can.

And that's really what today's session is about.

In the first part of the morning, we will share with you some of the findings of our latest research with young people in residential care – a rich and valuable set of insights into some of the strengths and challenges of the residential care and child protection systems in Queensland.

Then, after morning tea, Assistant Commissioner Barry Salmon will facilitate a workshop and discussion on the functioning of the Community Visitor Program in residential facilities. This will give you an opportunity to feed back to us strengths and weaknesses of the program and for us to discuss proposed changes resulting from our review of the Community Visitor Program.

## **Slide 2. Views of Young People in Residential Care reports**

But to return to the first part of the program, it's my great pleasure in this gathering of residential care stakeholders to formally launch our latest report, the *Views of Young People in Residential Care, Queensland, 2009*.

This report details the findings of our second Community Visitor survey of young people living in residential facilities. As many of you will recall, we conducted this survey at the end of last year, 12 months after conducting our first survey of young people in residential care.

### **The Views of Children and Young People surveys**

The release of this report is timely in a number of ways. Firstly, it coincides with the announcement last week by the federal government of its intention to make a formal public apology to those Australians who, as children, were abused and neglected in state care over the past century. I sincerely commend the government for this significant symbolic gesture that will give long-overdue validation and comfort to those who have carried the scars of such abuse throughout their lives.

Surveys, such as the one that this report is based on, provide a voice for vulnerable children and young people in care that was not available to those who suffered abuse in the past. Capturing these voices and views, and providing strong independent oversight, will help to ensure that children and young people in care today are protected from abuse and neglect and are provided with the support and care that they need to flourish.

The release of this report also coincides with the 10<sup>th</sup> anniversary of the 1999 Commission of Inquiry into the Abuse of Children in Queensland Institutions (which you may know as the Forde Inquiry). This landmark public inquiry revealed the vulnerability of children and young people in Queensland's residential facilities and youth detention centres to abuse and neglect. The Forde Inquiry was followed in

2003 by the Crime and Misconduct Commission's (CMC's) Inquiry into Abuse of Children in Foster Care, which exposed abuse and neglect of children in the foster care system in Queensland.

### **Slide 3. Background to Views Surveys**

These inquiries have had a profound impact on Queensland's child protection and youth justice systems over the last decade and their influence continues to be felt today. In fact, much of the impetus for the research presented in this report can be traced back to these inquiries.

These inquiries made wide-ranging recommendations to improve independent systemic monitoring of the rights and wellbeing of children and young people in foster care, residential facilities and youth detention centres. They also identified the need for more effective mechanisms for children and young people in these systems to communicate their needs and experiences and to raise complaints about the services provided to them.

### **Slide 4. Commission's monitoring functions**

In response to the findings and recommendations of these inquiries, the Commission's monitoring functions in relation to the child protection and youth justice systems were substantially expanded and strengthened. These functions, which are outlined in *Commission for Children and Young People and Child Guardian Act 2000*, include:

- review and audit processes
- a complaints and investigations mechanism
- a child death review committee
- a policy and research unit, and, of course
- the Community Visitor Program – possibly the most publicly visible of the Commission's monitoring functions.

Another integral component of the Commission's monitoring activities since 2006 has been the *Views of Children and Young People* surveys.

## Slide 5. Surveys of children and young people in care

These surveys include the:

- *Views of Young People in Residential Care*, which is our focus today, along with the
- *Views of Young People in Detention Centres*, and the
- *Views of Children and Young People in Foster Care*.

Alongside other monitoring and performance data, the views of children and young people, as expressed through these surveys, provide a unique and essential perspective on the effectiveness of Queensland's child protection, residential care and youth justice systems. As the Forde and CMC inquiries demonstrated, without this perspective, we cannot be confident that our alternative care systems are genuinely meeting the needs of young people. To do this, we need to engage young people in plans to improve their current and future wellbeing and uphold their legislated rights.

But there is another reason, also, why we conduct these surveys. We recognise that children and young people in care and detention have the right to have their views heard, and to participate meaningfully in decisions related to their lives.

## Slide 6. Listening to children and young people

This right was established in the 1989 *United Nations Convention on the Rights of the Child*. Australia has ratified this convention and is committed to implementing its principles.

One impact of this is that children and young people's participation rights are now written into the laws that frame Queensland's child protection system, including the Commission's own legislation. This commits us, in performing our role, to consult with children and young people and to listen to, and seriously consider, their concerns, views and wishes.

Children and young people greatly value the opportunity to have a say. Children and young people in care are no different. The number voluntarily participating in the surveys is growing steadily each year. In the 2008-09 financial year, more than 3,000 individual children and young people in alternative care and detention completed one

of the Commission's *Views* surveys, almost double the number who participated in 2006-07 (ie. 1703).

I believe one reason that participation is growing is that we feed back to children and young people what they've told us and how we're going to act on what they say. We do this by publishing young person-friendly reports of the survey findings, called *Your Views*.

#### **Slide 7. *Your Views... Residential Care 2009***

These reports are made up mostly of young people's own words and are distributed to them by Community Visitors following each survey. Through these reports, young people who completed a survey are able to see how their views have been collated. Other young people who did not participate also have an opportunity to see how such surveys enable their views, both positive and negative, to be heard.

Copies of our latest young person-friendly report, *Your Views... Residential Care*, are available here today.

#### **Findings from *Views of Young People in Residential Care* report**

I'd like now to take you through a few of the key findings of the residential care survey.

#### **Slide 8. *Main report***

I strongly encourage you, though, to read the whole report because it presents unusually rich and current information on the needs and circumstances of young people in residential care that you won't find elsewhere. It's also a unique and very valuable source of feedback on the care and support that agencies such as your own provide to young people in residential care and the child protection system.

#### ***Who responded to the survey?***

#### **Slide 9. *Who responded to the survey?***

The survey was open to all young people living in the broad range of facilities visited by Community Visitors at the time of the survey. A total of 221 young people responded to the survey, including 169 young people who were in the care of the

Department of Child Safety (as it was known then). This is the equivalent of a third of all young people in the department's care who were living in residential facilities at the time of the survey.

To give you a sense of who participated in the survey:

- respondents came from all geographical regions of Queensland
- they ranged in age from 6-18 years, but most tended to be in their mid-to-late teens, with the mean age being 15
- roughly two-thirds were male, and
- Aboriginal and/or Torres Strait Islander young people made up just under a third of the sample.

This demographic profile roughly matches the make-up of the broader residential care population.

#### **Slide 10. Where were young people living?**

Approximately half the young people reported living in small-group homes, just under 20% were living in an individual residential, and a similar proportion were living in a youth refuge or shelter. Smaller proportions were in supported independent accommodation, mental health facilities, boarding schools or disability respite facilities.

#### ***Stability of care and education***

One of the features of residential care that the survey brings sharply into focus, is its relatively short-term nature as a form of care, which brings into question its purpose and impacts.

We might expect care and accommodation in residential facilities to be short-term for certain groups of young people, such as those in refuges and acute mental health or disability respite services, given the type of accommodation and care being provided in these contexts. However, short-term stays are also a reality for most young people placed in residential facilities as part of a child protection order. This raises concerns about the level of stability of care provided and its longer-term impacts on development and access to education.

## Slide 11. Stability in alternative care

Young people in the care of the Department of Child Safety<sup>1</sup> (as it was then known) reported living in their current accommodation for less than six months on average. These young people reported having an average of four residential and/or foster care placements during their time in the department's care, a period which is three years in length on average.

That's a fair bit of change to have to manage in a relatively short period of time, particularly when it also involves changes in schools.

## Slide 12. Stability in education

To give you a sense of the change that these young people experience in their schooling:

- almost a third of respondents reported attending five or more primary schools, and
- one-fifth reported attending four or more secondary schools.

## Slide 13. Sense of stability and security

In addition, three out of 10 young people told us that they're worried they'll have to move to another place in the next few months and almost half said they don't know where they'll be going after their current accommodation ends.

Young people's comments shown on the screen capture this sense of uncertainty and anxiety. [\[Pause for a moment or read out a couple of comments\]](#)

This feedback is disturbing, given what we have learned in recent years about the importance of children and young people having a sense of security and continuity in their care and education, and its links to achieving positive long-term outcomes. It underscores the vulnerability of this segment of the alternative care population. It also reinforces the importance of giving priority in case planning and other activities to young people's needs for continuity, both in schooling and in terms of support networks and attachment relationships.

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<sup>1</sup> Since Machinery of Government changes were implemented in March 2009, the Department of Communities has been responsible for delivering child protection services. At the time of the survey, however, this was the responsibility of the Department of Child Safety.

The Commission will be following up this issue much more determinedly in our performance monitoring of the child protection system in future.

### ***Satisfaction with current living situation***

I'd like to turn now to young people's views about their lives in residential care.

As we found in our 2007 survey, a majority of young people appear reasonably happy with most aspects of their care and accommodation.

#### **Slide 14. Sense of safety and comfort in living environment**

As we would hope, more than nine out of 10 indicated that they feel safe and that they are treated well where they are living.

The vast majority also indicated that they feel relatively comfortable in their living environment. For example:

- 95% get along with their workers all or most of the time
- 86% have enough space
- 84% feel their belongings are treated with respect
- 83% have enough privacy
- 83% regard the rules and discipline in the facility as reasonable enough, and
- 80% get along with their co-residents all or most of the time.

Importantly, young people's responses suggest that the vast majority feel supported and cared for.

#### **Slide 15. Sense of being supported and cared for**

For example:

- 92% feel their workers care about what is best for them all or most of the time
- 88% feel their workers listen to them all or most of the time
- 85% feel their workers understand them all or most of the time, and
- 85% feel they have someone to talk to if they're worried about something all or most of the time

The sense that young people generally feel supported and cared for is also reflected in their extended responses to the question: ‘What is the best thing about where you are living?’

#### **Slide 16. Best thing about living here**

Young people most commonly named their workers or co-residents as the ‘best thing’. Next most commonly, they referred to the resources provided to them, such as the facilities, equipment, pocket money, food and activities provided by the service.

Examples of young people’s comments that reflect these themes are up on the screen. [\[Pause for a moment or read out a couple of comments\]](#)

These findings are heartening, particularly in view of the earlier findings of the Forde and CMC inquiries. While I would hope that *all* young people could report feeling safe where they are living, this feedback from young people is nevertheless testament to the considerable efforts of residential facilities’ staff and agencies across the state to provide young people with a supportive and nurturing environment in residential care.

Given what we know about the needs and circumstances of young people in this population, this is no small achievement. I personally commend you and your organisations for your efforts and ongoing commitment to this goal.

#### **Slide 17. Things young people are less commonly satisfied with**

The three areas that young people were least likely to feel satisfied with are:

- having a say in what happens to them
- being able to do the same sorts of things that their peers outside the residential care system can do, and
- having sufficient contact with their family. Only half of those surveyed said they can see their families as much as they would like.

One of these issues of lower satisfaction – being able to do what other young people can do – is reflected in young people’s views about what they would most like to see improved in their current living situation.

## Slide 18. Most desired change or improvement

The improvement young people most commonly report wanting is to have more flexible rules governing their behaviour and activities, enabling them greater independence and the option of doing what “normal” young people can do. Young people often express this in connection with participating in social activities, such as going out with friends or having “sleepovers”.

This finding highlights a challenge for residential facilities staff and management that many of you, no doubt, will be aware of – the challenge of balancing young people’s needs for safety and security with their also important needs for social support and a sense of normality.

### ***Young people in the child protection system***

Young people placed in residential care as part of a child protection order make up a sizeable proportion of the residential care population. At the time of the survey, this was roughly 60%. So it’s important for us to understand their particular views and experiences of residential care.

When we look at this sub-group within our sample, we find that these young people are less positive overall in their views of their residential care experience than other young people.

## Slide 19. Young people in the child protection system

For example, compared with those not in care<sup>2</sup>, young people in care were significantly less likely to report:

- being treated well where they are living
- having sufficient space and privacy
- feeling their possessions are treated with respect
- getting along with other young people they live with
- feeling they have a say in what happens to them, and
- feeling better off since coming into their current living situation.

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<sup>2</sup> ‘Care’ in this instance refers to being in the care of the state as part of a custody or guardianship order under the *Child Protection Act 1999*.

They were also significantly more likely to report having an issue that no one is listening to them about.

These findings highlight the vulnerability of this group within the population and suggest we need to do more to meet their needs equivalently to others in residential care.

### ***Satisfaction with care and support provided by child protection system***

When we asked these young people questions specifically about their views of the child protection system, we found, as we did in 2007, that their experiences and views are quite mixed.

One issue that demonstrates this particularly well is young people's satisfaction with the care and support provided by their statutory case workers.

#### **Slide 20. Relationship with Child Safety Officer**

Young people's responses to questions about their Child Safety Officer suggest that a majority have a reasonably positive relationship with their CSO. For example, at least two out of three feel that their CSO listens to them and cares about what is best for them all or most of the time.

At the same time, young people's responses suggest a shortfall in the level of support they would like provided by their CSOs.

#### **Slide 21. Issues with level of support provided**

For example:

- 32% of young people say they are never or not very often able to contact their CSO when they need to
- 44% are not able to see their CSO as much as they would like, and
- 61% are not confident that when departmental staff promise them that they can do something or have something, that this will eventuate.

Young people's responses also suggest that some are not being involved in or informed about decisions related to being in the child protection system. For example:

- 35% report that the reason they came into care has not been explained to them
- 44% feel that people in the child protection system never or not very often explain decisions made about them all or most of the time, and
- 72% either don't know they have a case plan or what's in it.

These issues correspond to other data gathered by Community Visitors from visits to children and young people in foster and residential care.

Children and young people in care are acutely aware of the key role CSOs have. CSOs facilitate many everyday decisions affecting their lives, such as:

- their participation in extra-curricular activities like school camps
- where they'll live
- where they'll go to school
- how often they'll see their families, and
- their access to a range of material resources and specialist support services where they need these.

So seeing their CSO less frequently than they would like can understandably cause frustration to them.

Some of the comments made by young people convey these feelings of being let down or frustrated.

#### **Slide 22. About support from departmental officers**

"I ring but she does not ring back."

"Department never get back in time to give permission to camp."

"I have been trying to have sleepovers for three months".

"I don't even know who is my case worker."

#### **Slide 23. What makes a helpful CSO?**

Through our analysis, we were able to identify the factors that most significantly contribute to young people's sense of their CSO as helpful. These are:

- having a CSO who is contactable when needed<sup>3</sup>
- feeling confident in department staff to follow through on commitments made, and
- feeling that a CSO cares about their best interests<sup>4</sup>.

We also found in our analysis that young people's satisfaction with the frequency with which they can see their CSO is important. If they are dissatisfied with the frequency, this negatively impacts on their sense of the CSO as helpful.

#### Slide 24. Desired frequency of CSO visits

Obviously young people's circumstances vary and the frequency they will need to see their CSO will vary accordingly. Interestingly, however, we found that those young people in this survey in residential care who reported seeing their CSO at least monthly were significantly more likely to be satisfied with the amount of contact they have with their CSO, than were those who reported seeing their CSO less often.

This is demonstrated in the graph on screen.

[The graph can stand alone, but if desired, the following text can help explain the data: *The column on the left represents those who see their CSO at least monthly. The proportion of these young people who are satisfied with this frequency of contact is 63%. The middle and right hand columns represent young people who see their CSO less than monthly. You can see that the proportion of these young people who are satisfied with the frequency of CSO contact is much lower – around 20%*]

This finding is also interesting because it corresponds to a recent study with young people in care in the UK, conducted by the Children's Rights Director for England.<sup>5</sup> Two-thirds of the 136 young people surveyed in this study said they wanted to be visited by a statutory worker on a monthly basis.

#### Future directions

Young people's insights from the residential care survey are, I believe, enormously valuable. They are freely given and honestly provided. In essence, young people are

<sup>3</sup> The variable identified in the analysis was "CSO is contactable *all or most of the time*".

<sup>4</sup> The variable identified in the analysis was "CSO cares about best interests *all or most of the time*".

<sup>5</sup> Children's Rights Director for England. (2008). *Future Rules: Children's advice on the Regulations to be made under the Children and Young Person's Act 2008*. London: Author.

asking to be cared for and supported by statutory workers particularly at times when their lives are not stable. Accordingly, one of the recommendations of this report is that young people's access to their CSOs be improved, and that the department makes provision for a minimum of monthly visits by CSOs to young people in residential care.

This recommendation should not be regarded as a criticism of individual child safety workers. I want to acknowledge that CSOs have a complex and demanding role. But there is a notable and persistent shortfall overall in service reportedly being provided to young people at this interface with the department that the Commission has a responsibility to report and advocate upon. This is because it is indicated by a growing body of evidence emerging through our various monitoring activities.

There is also evidence emerging elsewhere in Australia that this is an important and valid issue to pay attention to. A research report, released last month by the South Australian Child Guardian, found, for example, that a positive relationship between a child or young person in care and their statutory case worker is important in a number of regards: it is important for the child or young person's 'sense of safety and happiness, assistance to resolve issues, access to goods and services and empowerment in decisions'.<sup>6</sup>

In view of research such as this and the findings of our own *Views* surveys, I strongly urge greater efforts be made to ensure this critical relationship link with children and young people in residential care is always prioritised.

In the Future Directions section at the end of the report, we have collated the key issues coming out of the research, such as this one. I will be raising these issues with the heads of departments and Ministers with whom I meet, NGOs and the general public. We'll also use the information to advocate for changes where reform opportunities arise.

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<sup>6</sup> South Australian Office of the Guardian for Children and Young People. (2009). *The significance of quality contact between children and young people in care and their case workers*. Adelaide: Author. Citation from report summary, p.1

## Slide 25. Further information

Please help yourself to extra copies of the report from the table at the back of the room. The report is also available on our website.

### **Acknowledgements**

In closing, I'd just like to thank the many people behind this survey.

In particular, I'd like to thank residential facilities staff who accommodated longer than usual visits by Community Visitors so that young people could complete the survey. Facilities staff also assisted young people to complete a separate satisfaction survey about Community Visitors, the findings of which are included in the reports. Thank you for this, and for your hard work and ongoing commitment to providing a caring and supportive environment to young people in residential care.

I'd also like to thank my Community Visitors who administered the main survey and who work to monitor the safety and wellbeing of the thousands of children and young people in state care.

Thanks also to the officers who designed the survey, analysed the data and produced the reports.

And most of all, I would like to publicly thank the young people who took part in the survey and shared their views and experiences with us.

### **Concluding the session**

We will break now for morning tea before the workshop and information session.

If you have any queries about the survey findings presented today, please introduce yourselves to members of our Research Team over morning tea and discuss these issues with them. Alternatively, give them a call later when you have read the reports. We are constantly looking at ways of improving the accessibility and usefulness of the material we present in these reports so your feedback is very valuable.

Thanks again for coming along this morning, and please help yourselves to refreshments.