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8 May 2015

Ms J Radcliffe  
Secretary  
The Senate Standing Committee on Community Affairs  
PO Box 6100  
Parliament House Canberra ACT 2600

Dear Ms Radcliffe,

I refer to your letter addressed to Ms Catherine Moynihan, Official Solicitor, Office of the Public Guardian dated 29 April 2015.

Please find enclosed as requested, a response to questions on notice taken by Ms Moynihan on my behalf at the public hearing held by the Senate Community Affairs References Committee in Brisbane on Friday 17 April 2015.

I wish to thank the Senate Committee for the further opportunity to provide information to the Inquiry into out-of-home care.

Yours sincerely,

**Kevin Martin**  
**Public Guardian**

# Response to Questions taken on Notice from the Senate Standing Committee on Community Affairs: Inquiry into Out-of-Home Care

Questions taken on notice  
Public Hearing, 17 April 2015, Brisbane  
Office of the Public Guardian

## **Question: 1**

**Hansard page reference:** 60-61

**Hansard extract:**

**Senator SESELJA:** *Ms Moynihan, in seeking to represent the views of children and young people in care, I may have missed it, but do you survey them or is there any formal way of seeking feedback from kids and young people in care?*

**Ms Moynihan:** *I might have to take that question partly on notice. I should also make clear for the committee's benefit that I commenced employment with the Office of the Public Guardian on 26 March. There was previously that function under the CCYPCG. As understand it—and Mr Lupi may be able to address you on that—there is not a survey being conducted, but there are still opportunities to garner views collectively in a survey instrument.*

## **Response to Question 1:**

While the former Commission for Children and Young People and Child Guardian conducted formal bi-annual surveys of children in care to elicit their views about their time in care, the recent Queensland Child Protection Commission of Inquiry (the Carmody Inquiry) provided mixed views about these surveys. In its report, *Taking responsibility: A Roadmap for Queensland Child Protection* it was noted that:

- While the surveys played an important role in assessing outcomes for children in care and were valued by several stakeholders, there was some duplication with the CREATE Foundation's survey.

- Some stakeholders considered that there were other more representative and reliable means of engaging with children and young people to gauge their views.
- The responsibility for eliciting feedback from children and young people lay with the Child Guardian.<sup>1</sup>

With the former Child Guardian merging with the Adult Guardian on 1 July, 2014 to form the Office of the Public Guardian (OPG), the Public Guardian has assumed the responsibility for seeking the views of children and young people in out-of-home care. In light of the above findings of the Carmody Inquiry, the Public Guardian has determined that the most effective way to gather feedback from children and young people in out-of-home care is during visits conducted by the OPG's child Community Visitors (CV). The Public Guardian is of the opinion that the views of children and young people regarding their experiences in care are best represented and more reliable when gathered during visits conducted by CVs and as part of their routine engagement and discussions had with children and young people.

When visiting children and young people in out-of-home care, a CV completes a report of their engagement with a 'relevant child' (i.e. a child who is subject to a child protection order, agreement or other intervention) as soon as practical after each visit. This report known as a 'child report' is then saved into the OPG's case management system. The child report includes questions focused on gathering the views of children and young people about matters that may be adversely impacting upon them. While the child report is currently under review, it is anticipated that children and young people (where age appropriate) will continue to be asked their views about a range of matters, including:

- their current placement
- school/ing
- relationship with their carer/youth worker(s)

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<sup>1</sup> Queensland Child protection Commission of Inquiry final report: *Taking responsibility: A Roadmap for Queensland Child Protection* at pages 429-430.

- Child Protection Order or other current or proposed intervention type
- readiness for reunification
- contact with family and others
- other decisions made that may affect them, or
- any impending Court matters.

With an estimated 30,000 child reports to be produced on an annual basis, it is considered that the child reports will provide a rich source of data for recording the views of children and young people in out-of-home care. The views gathered will be assessed to determine whether further advocacy is required for individual children and young people or as a basis to work with government agencies and other non-government providers to assist them to improve their services to relevant children and young people in out-of-home care.

As part of developing its evaluation framework, the OPG is also currently canvassing the possibility of working collaboratively with other government agencies to conduct joint surveys of children and young people in the child protection system as a further means of gathering their views.

***Question: 2***

***Hansard page reference: 64-65***

***Hansard extract:***

***CHAIR:*** Also, you said you had more information about state-wide advocacy hubs. Could you take that on notice and provide that information?

***Ms Moynihan:*** Yes.

## **Response to Question 2:**

The Carmody inquiry recommended that the Public Guardian deliver its child advocate functions through state-wide advocacy hubs which are readily accessible to vulnerable children and young people (refer Recommendation 12.8).

Given the geographical diversity of Queensland, the Public Guardian has decided to introduce a trial network of state-wide advocacy hubs in an attempt to ascertain which model provides the best access for children and young people. This network incorporates physically located child advocacy hubs, a centrally located state-wide virtual hub and other regionally based virtual hubs.

The OPG currently has 4 child advocacy hubs physically located in Cairns, Townsville, Ipswich and South Brisbane. These are not just offices, they are readily accessible places where vulnerable children and young people can go to be heard, raise grievances and concerns about their care, get legal advice and independent help and support should they need it.

Cairns was specifically chosen as a physical hub location to provide support and advocacy to Aboriginal and Torres Strait Islander children and young people in the child protection system in Far North Queensland. Sadly, there are a disproportionately high number of Aboriginal and or Torres Strait Islander children and young people represented in the child protection system. Approximately 40% of children and young people in the Queensland child protection system<sup>2</sup> identify as being from an Aboriginal and or Torres Strait Islander background and this figure is significantly higher in Far North Queensland<sup>3</sup>. While the Government is working hard to reduce this figure by providing support to vulnerable Aboriginal and Torres Strait Islander families through initiatives such as Family and Child Connect, this hub will be an important safeguard

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<sup>2</sup> As of 1 April, 2015 there were 6,766 children in care deemed visitable by the Public Guardian. Of these children, 42% identified as Aboriginal and or Torres Strait Islander.

<sup>3</sup> In the Public Guardian's Far North Queensland region, approximately 80% of children in care and deemed visitable by the Public Guardian identified as Aboriginal and or Torres Strait Islander.

to protect the rights, interests and wellbeing of vulnerable children and young people in out-of-home care.

The Public Guardian is considering opening more regional hubs over the next 12 months; however, it is also making use of technology to provide advocacy and support across the State.

The OPG state-wide virtual hub uses the latest technology to complement and support the physical hubs, making it as easy for children and young people to get help and support whatever their circumstances and wherever they may be. Manned by a dedicated team in the Public Guardian's head office in the Brisbane's Magistrates Court, the state-wide virtual hub combines traditional telephone communication with a website optimised for mobile devices, including Smartphones and Tablets. This enables the Public Guardian to use email, internet and SMS messaging as well as social media channels such as Twitter and Facebook to interact with children and young people in care, and enabling them to be put readily in touch with their CV or a child advocate.

The OPG also has a number of regionally based virtual hubs each run by a regional Hub Manager covering the following regions: Gold Coast, Logan, Toowoomba and Western, Sunshine Coast, Moreton and South Burnett, Central South and Central North Queensland. Like the state-wide virtual hub, these hubs also rely on their CVs and technology as their primary means of engaging with children and young people and relevant stakeholders.

It is proposed that an external evaluation of the current trial network of hubs will be conducted during the 2015/16 financial year to ascertain a likely future state-wide hub model that provides the best means of access for children and young people across Queensland.