

3/12/10

The purpose of my submission is to request that the Commissioner not only support children and young people below the age of 18 years, but also carry responsibility for young people leaving state out of home care until at least 25 years of age.

Please find below in support of this argument a recent paper I presented to the National Child Protection Framework transitioning to independence sub-group which summarizes some of the key arguments for supporting young people transitioning from care till at least 25 years of age.

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Paper for National Framework for Protecting Australia’s Children transitioning to Independence Forum by Philip Mendes, 3 June 2010

My Recent and Proposed Research

Title of Research Project	Key Aims and Objectives	Key Activities and Findings
Completed: “Improving Housing outcomes for young people leaving state out of home care”, funded by Australian Housing and Urban Research Institute 2008-10	To explore the effectiveness of current transitional support models in facilitating positive housing outcomes for young people leaving care	77 semi-structured interviews in Victoria and WA with care leavers. Those who leave care at a later age, are engaged in the planning process, and have access to ongoing housing and support services do better.
Completed: “Examining the support needs and pathways of young people leaving state care in rural Victoria”, funded by Helen Macpherson Smith Trust, 2008-10.	To examine the effectiveness of post-care services in rural Victoria including particularly the Employment and Mentoring program introduced by St Lukes Anglicare in Bendigo.	Consultations with program providers, and two rounds of interviews with 19 care leavers participating in program. Holistic community-based supports including housing, employment and mentoring programs provide important safety net.
Proposed: “A national evaluation of services for young people transitioning from state care”, 2011?	To evaluate the effectiveness of existing leaving and after care services, legislation and policy across Australia.	Demographic profile of care leavers and services, and evaluation of existing programs
Commenced July 2010: Pathways into youth justice: Reducing the over-representation	To identify potential preventive practices and policies to reduce the number of care leavers	Focus groups and/or interviews will be conducted with key stakeholders in youth

of state out-of-home care leavers in the youth justice system”, 2010-11	involved in the youth justice system. In partnership with Whitelion.	justice in Victoria including youth justice and child protection officers, legal aid lawyers, and young people themselves.
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Recent Visit to UK

- Interviews with Department of Children, Schools and Families, National Care Advisory Service, and Camden Town local authority.
- UK Children Leaving Care Act 2000 arguably offers a Best Practice Benchmark. See particularly 2007 *Care Matters* document, and 2010 *Planning Transition to Adulthood for Looked After Children* which provides a guidance to local authorities.

Corporate Parenting Philosophy

The UK model is underpinned by the philosophical concept of corporate parenting. This concept refers to the responsibility of state authorities to introduce policies, structures and roles that actively compensate children and young people in care for their traumatic pre-care experiences, and offer them the same ongoing nurturing and support as typically experienced by their peers who are not in care in order to maximize their ambitions and achievements. It emphasizes a shared responsibility between different departments such as education, health, and child welfare. This means in practice providing them with the best possible placement experiences in terms of stability and supportive relationships until their care order ends, and then continuing to take responsibility for their welfare until they are at least 21 years old. The term ‘corporate’ refers to the fact that organisations are involved in parenting children and young people in care, and the need to ensure that structures are in place to support the individual carers who parent within that system.

Value of National Framework

A national leaving care framework similar to the UK would arguably address a number of key weaknesses of the existing Australian system such

as the wide variation in policy and legislation between the states and territories, and the absence of support for young people who shift from one jurisdiction to another. It would also improve opportunities for national benchmarking, and place pressure on poorer services to improve their standards. It is also evident from the UK experience as reflected in the introduction of the Children (Leaving Care) Act 2000 that national legislation is likely to increase the profile of leaving care, and drive improved resourcing and higher quality of service provision (Dixon et al 2006).

National Data Base

We need to establish a national data base similar to that of the UK accessible on the internet (See handout) which will allow us to monitor care leavers; measure outcomes in key areas such as education, employment, health, housing, parenthood, substance use, social connections, and involvement in crime; and analyse differences in the effectiveness of various states and territories and NGO policies and programs.

Leaving Care Model: A Normative Commitment

Care authorities should aim to approximate the ongoing and holistic support that responsible parents in the community typically provide to their children after they leave home till at least 25 years. The international research summarized by Stein (2008) argues that three key reforms are required to improve outcomes for care leavers: improving the quality of care, a more gradual and flexible transition from care, and more specialized after-care supports.

The **first** reform is improving the quality of care as positive in-care experiences involving a secure attachment with a supportive carer are essential in order to overcome damaging pre-care experiences of abuse or neglect. This involves providing stability and continuity, an opportunity if at all possible to maintain positive family links which contribute to a positive sense of identity, assistance to overcome educational deficits and holistic preparation. Foster care placements, small children's homes and residential care with a therapeutic orientation appear to be most successful in addressing young people's emotional and educational needs. But to use a football analogy we can't just measure children's progress at the age of 15 or 16 years and then stop there because if we do it is a bit like a football team which plays one half of a grand final, but fails to play the last half which

actually decides the outcome. It also needs to be acknowledged that some young people will leave care abruptly at 15 years and refuse to participate in transition planning. Nevertheless, this group of young people should still be entitled to ongoing support at a latter stage if and when they want it.

The **second** component is the transition from care which includes both preparation for leaving care, and the actual moving out from the placement into transitional or half-way supportive arrangements from approximately 16-21 years. This transition needs to be less accelerated, and instead become a gradual and flexible process based on levels of maturity and skill development, rather than simply age. Care leavers cannot reasonably be expected without family assistance to attain instant adulthood. It is not possible for them to successfully attain independent housing, leave school, move into further education, training or employment, and in some cases become a parent, all at the same time. Rather these tasks need to be undertaken sequentially. As reflected in the ‘focal model of adolescence’, they need to be given the same psychological opportunity and space as all young people to progressively explore a range of interpersonal and identity issues well into their twenties.

An effective leaving care model would arguably include:

- Allocated worker or adviser for each young person as per UK model;
- No discharge at 18 years or under unless mature enough to live independently
- Preventive programs to stop exit into youth or adult justice system, and ongoing support for young people on juvenile justice orders, or in custody. UK legislation requires that suitable accommodation be made available on release from prison;
- All care leavers must be offered stable and secure housing: no exit into homelessness. UK currently trialling “Staying Put” schemes to remain with foster parents;
- Support for physical and mental health needs including ongoing therapeutic support if necessary to overcome experiences of abuse and trauma;
- Holistic support for substance abuse issues;
- Assistance to achieve positive educational outcomes including generous bursary for higher education. UK offers minimum of two thousand pounds per year;
- Assistance via opportunities for training and work experience to

- achieve positive career/employment outcomes;
- Assistance with social supports and renegotiating family and other relationships via mentoring etc: all care leavers should have at least one supportive adult involved in their life;
- Specialised programs of support for young parents;
- Additional assistance for indigenous care leavers (cultural and identity issues);
- Additional support for disabled young people;
- Ongoing support for unaccompanied asylum seekers.
- and financial assistance to access appropriate furniture and household items and pay advance rent and bond if necessary.

The **third** component is ongoing support after care till approximately 25 years of age. This may involve a continuation of existing care and supports and/or specialist leaving care services in areas such as accommodation, finance, education and employment, health and social networks. This ongoing support reflects messages from life course theory which emphasize that transitions to independence vary according to the diversity of life experiences, and that care leavers should not be expected to conform to normative ideals of maturation and timing. The research evidence suggests that effective after-care interventions can facilitate ‘turning points’ that enable young people to overcome the adverse emotional impact of earlier traumatic experiences.

(Associate Professor Philip Mendes teaches Social Policy and Community Development in the Department of Social Work at Monash University. He is currently preparing *Young People leaving state out-of-home care: a research-based study of Australian policy and practice* for publication by Australian Scholarly Publishing in early 2011, and co-edited the July 2010 special issue of *Parity Magazine* published by the Council to Homeless Persons on “Leaving Care and Homelessness” – Philip.Mendes@monash.edu)

See some other recent publications below:

(With Badal Moslehuddin) "Abuse and neglect in care: then and now" in Hil, Richard & Branigan, Elizabeth (eds) Surviving Care: Achieving Justice and Healing for the Forgotten Australians. Bond University Press, 2010, pp.170-180.

"Moving from dependence to independence: a study of the experiences of 18 care leavers in a leaving care and after care support service in Victoria", Children Australia, Volume 35, No.1, 2010, pp.14-21.

"Young people transitioning from out-of-home care: A critical analysis of Australian and international policy and practice", Australian Social Work, Volume 62, No.3, 2009, pp.389-403.

"Mentoring for care leavers" in Developing Practice, Number 23, 2009, pp.36-44.

"Improving outcomes for teenage pregnancy and early parenthood for young people in out-of-home care", Youth Studies Australia, Volume 28, No.4, 2009, pp.11-18.

(With Badal Moslehuddin) "Transitioning from state care to state prison: a critical analysis of the relationship between leaving out of home care and involvement in the criminal justice system", Social Alternatives, Volume 28, No.3, 2009, pp.51-56.

"Young people transitioning from out-of-home care: Jumping hoops to access employment" in Family Matters, No.83, pp 32-38, 2009.

(with Judy Cashmore) "Australia" in Mike Stein and Emily Munro (eds.) *Young People's Transitions from care to Adulthood: International Research and Practice*. Jessica Kingsley, London, 2008, pp.23-35.