



Northern  
Territory  
Government

## DEPARTMENT OF CHILDREN AND FAMILIES



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Our Ref: DCFD2015/1312  
Your Ref:

Ms Jeanette Radcliffe  
Secretary  
Senate Community Affairs References Committee  
PO Box 6100  
CANBERRA ACT 2600

Dear Ms Radcliffe

*Jeanette*

**RE: INQUIRY INTO OUT-OF-HOME CARE - SUPPLEMENTARY  
QUESTIONS FOR STATES AND TERRITORIES AND QUESTION TAKEN  
ON NOTICE**

Thank you for your letter of 27 and 30 April 2015 regarding questions from the Senate Inquiry into Out-of-Home Care. The Northern Territory Department of Children and Families responses to the supplementary questions and questions taken on notice are enclosed at Attachments A and B.

Please do not hesitate to contact me if the inquiry requires further clarification or additional information.

Yours sincerely

**Anne Bradford**

*1315115*

## SENATE INQUIRY INTO OUT OF HOME CARE - QUESTIONS FOR STATES AND TERRITORIES

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### QUESTION 1 - EXPENDITURE BY TYPE OF CARE

**1. For 2013/14, what was the total expenditure on out-of-home care services?**

As published in the Department of Children and Families Annual Report 2013-14, the total expenditure on out of home care services in 2013-14 was \$79M.

**2. What proportion of expenditure was spent on:**

- a. foster care;**
- b. relative/kinship care;**
- c. residential care; and**
- d. other types of care?**

Actual expenditure by type of out of home care placement is not available for the 2013-14 financial year.

**3. What was the expenditure per child for:**

- a. foster care;**
- b. relative/kinship care;**
- c. residential care; and**
- d. other types of care?**

Actual expenditure by type of out of home care placement is not available for the 2013-14 financial year.

However, consistent with the Report on Government Services methodology, a total expenditure per child in out of home care estimate can be projected by dividing the total annual expenditure by the number of children in care at 30 June 2014. According to this method, the Department of Children and Families spent an estimated \$86,000 per child in out of home care in 2013-14.



**QUESTION 2 - ALLOWANCES FOR CARERS**

- 1. What are the available annual care allowances/reimbursements for:**
  - a. relative/kinship carers;*
  - b. foster carers; and*
  - c. non-statutory informal carers?*
- 2. What are the differences in care allowances/reimbursements between general, intensive and complex levels (or other levels as applicable)?**

In the Northern Territory, foster and kinship carers are paid according to the same schedule of rates. As shown in Table 1, the weekly allowances are calculated according to the age and needs of the child, and location of the placement.

**Table 1: 2014/15 Care Allowances**

Complexity / Age	0-5	6-9	10-13	14-17
Level 1	\$225.30	\$241.10	\$283.90	\$351.50
Level 1 - Remote	\$247.85	\$265.20	\$312.30	\$386.65
Level 2	\$349.25	\$373.80	\$440.05	\$544.80
Level 2 - Remote	\$371.75	\$397.90	\$468.40	\$579.95
Level 3	\$473.15	\$506.25	\$596.15	\$738.10
Level 3 - Remote	\$495.70	\$530.40	\$624.55	\$773.25
Level 4	\$597.05	\$638.75	\$752.30	\$931.45
Level 4 - Remote	\$619.60	\$663.10	\$780.70	\$966.60

The Department of Children and Families provides a higher rate of reimbursement for children who have been assessed as having more complex needs. The Department of Children and Families also pays a remote area loading to carers living in remote or very remote locations. Areas eligible for the remote area loading include remote Aboriginal communities, and the regional centres of Alice Springs, Katherine, Nhulunbuy and Tennant Creek.

The Department of Children and Families also pays an establishment payment of \$200 to assist children to settle into new placements by providing for personal items and immediate needs.

**QUESTION 3 - ABORIGINAL AND TORRES STRAIT ISLANDER CHILDREN**

- 1. In 2013/14, what proportion of Aboriginal and Torres Strait Islander children were placed with Aboriginal and Torres Strait Islander carers, consistent with the Aboriginal Child Placement Principle?**

As required under the *Care and Protection of Children Act*, all Aboriginal and Torres Strait Islander children in out of home care in the Northern Territory are placed in accordance with the Aboriginal Child Placement Principle.

Of the 787 Aboriginal children in out of home care on 30 June 2014, 332 were placed with Indigenous relatives or kin, or other Indigenous caregivers.

- 2. What proportion of departmental out-of-home care staff are Aboriginal or Torres Strait Islander?**

The Department of Children and Families promotes Equal Employment Opportunity and aims to have a workforce that is as diverse and representative of the community it serves, and continues to encourage increased participation from all groups.



As at 31 March 2015, the Out of Home Care Division employed 134 staff. 98 staff participated in formally identifying their nationality status. Of these 22 staff, or 22.4%, self-identified as Aboriginal or Torres Strait Islander.

It is important to note that these figures may be underrepresented as they rely on staff self-identifying their Equal Employment Opportunity status in the payroll system.

**3. *What role do Aboriginal organisations play in the placement and supervision of Aboriginal and Torres Strait Islander children in out-of-home care? How does the relevant department engage with Aboriginal organisations?***

The Department of Children and Families does not specifically engage any Aboriginal organisations in the placement and supervision of Aboriginal children in out of home care.

The care of Aboriginal children is a core function of Department of Children and Families and the department employs a number of strategies to ensure that the provision of care is culturally appropriate. These strategies include employing Aboriginal Community Workers who work alongside case managers when supporting children in care; employing Aboriginal Carer Support Workers who assist carer assessment and support staff work with Aboriginal and kinship carers; and employing Remote Aboriginal Family and Community Workers who provide support to carers and families living in remote communities.

When placing a child into care, the Department of Children and Families considers the specific needs of the child including their community of origin and language background.

**4. *What programs currently operate that aim to specifically reduce the number of Aboriginal and Torres Strait Islander children in out-of-home care? How is the effectiveness of such programs measured?***

More than 85% of the children in care in the Northern Territory are Indigenous and the Department of Children and Families' core services are targeted to this client group.

The Department of Children and Families is working to reduce the number of Indigenous children in care through the recently drafted Family Intervention Framework. The framework identifies four discrete stages of intervention: child safety intervention; intensive family preservation; reunification support; and relative and kinship carer support. The first two interventions are specifically aimed at supporting families to prevent their children being taken into care, the latter two supporting parents and families so that their children, who have been taken into care can be returned.

The Department of Children and Families is working towards aligning its internal and funded family support services to the framework. The alignment will include the development of specific performance measures to ascertain the effectiveness of the interventions. These measures are likely to be based on subsequent interactions between the families and the Department of Children and Families.

### **QUESTION 4 - NON-GOVERNMENT ORGANISATIONS**

**1. *What is the role of non-government bodies (if any) in the delivery of out-of-home care services?***

Non-government organisations deliver a number of residential services for children and young people in care in Darwin, Alice Springs, Katherine and Tennant Creek.

Non-government organisations are also grant funded to represent children in care, for carer advocacy services, and to support children who are leaving care or have left care.



- 2. At 30 June 2014, how many non-government organisations were responsible for delivering:**
- a. relative/kinship care;**
  - b. foster care; and**
  - c. residential care?**

In the Northern Territory, all foster and kinship carers are recruited, trained, assessed and supported by the Department of Children and Families.

The Department of Children and Families collaborates with three non-government bodies to provide general residential care services. There are currently 10 general residential care facilities in the Northern Territory.

The Department of Children and Families collaborates with four non-government bodies to provide community-based children's care. Similar to family group homes, community based children care is a local placement option for children from remote areas while reunification efforts progress or suitable family for kinship care are identified.

The Department of Children and Families collaborates with one non-government body to provide supported disability care, a residential care option for children with significant disabilities.

- 3. Where non-government organisations are responsible for delivering out-of-home care services, what is the role of government in administering:**
- a. relative/kinship care;**
  - b. foster care; and**
  - c. residential care?**

The Northern Territory Government manages and operates the majority of home based out of home care services. All general and kinship carers are recruited, trained, assessed and supported by the Department of Children and Families who either runs or outsources residential care facilities for those children who are unable to be placed in a home environment.

Only delegated Department of Children and Families staff members are able to authorise carers and the Department of Children and Families does not distinguish between kinship and foster carers in the assessment process. All carers are required to have the same level of screening and assessment.

All services identified in the response to question 4.2 are managed through contracts and service agreements. The agreements outline the responsibilities of non-government bodies in providing care to children in out of home care. The Department of Children and Families' Grant and Contract Management Team manages the contracts.

The Department of Children and Families case managers are also required to visit children at least every four weeks and Department's Out of Home Care and Professional Practice Divisions monitor the quality of care provided through site visits and audits.

## **QUESTION 5 - ASSESSMENT AND TRAINING FOR CARERS**

- 1. What is the recruitment and assessment process for:**
- a. relative/kinship carers;**
  - b. foster carers; and**
  - c. residential care workers?**

As kinship care is the preferred option for Aboriginal children in out of home care, prospective carers are identified through casework activity and family meetings with the specific purpose of finding a kinship carer for a particular child. Individuals may also contact the Department of Children and Families directly to make enquiries about becoming a foster or kinship carer.



Once a prospective carer has been nominated they are assessed by the Department of Children and Families' carer assessment and support teams. The carer assessment process involves:

- pre-assessment screening checks for all applicants and mature persons residing with the applicant including: an Australia-wide police check, a Working With Children Clearance, child protection history check, and medical report;
- pre-service training;
- assessment interviews with the applicants;
- home environment safety check; and
- referee check for current or prior caring experience.

The Department of Children and Families employs residential care staff through the merit-based recruitment process dictated by the Northern Territory Commissioner for Public Employment. This process assesses the qualifications and experience of applications in caring for children with complex needs and behaviours. Residential care employment conditions require residential care staff to obtain two forms of criminal history clearances prior to commencement. These are an Australia wide (or international if relevant) criminal history check and a Working with Children Clearance. The Department of Children and Families is in the process of enhancing employment screening by including an additional check of the employee's child protection history.

Residential care personnel have a job description which outlines their key responsibilities, with the primary objective being to "provide effective supervision, and support the safety and care requirements of young people in residential care services". All employees are assessed against these criteria and must hold a Working with Children Clearance (Ochre Card). Where staff are engaged through labour hire agencies, those agencies are responsible for the assessment of staff.

These requirements are also applied to residential care staff employed in Department of Children and Families funded residential care facilities operated by external providers as part of the contractual terms and conditions for the funding arrangements.

### **2. What training is required (by legislation or policy) to be undertaken by:**

- a. relative/kinship carers;**
- b. foster carers; and**
- c. residential care workers?**

All foster and kinship carers are expected to undertake a program of pre or initial service training covering six modules. Training includes aspects of behaviour management; practical housekeeping; Aboriginal culture and cultural responsiveness; standards of care; charter of rights; concepts of 'safe' caring and protective strategies; risk management and safety; key documents for the child; understanding of harm and trauma; and managing stress and behaviour.

While training is required prior to a placement placed in some unavoidable instances it is undertaken after the commencement of the placement. Additional modules are available to carers once they have completed the mandatory core training. These include elective and specialist modules, and in that context Department of Children and Families therapists are available to provide one-on-one psycho-education to carers in the issues of abuse and abuse prevention. Attendance at this training is managed by Carer Assessment and Support staff and tailored to the needs of the carer. Carers in urban areas are also invited to attend pre-service training in statutory child protection.



The Department of Children and Families provides residential care workers with training in therapeutic crisis intervention and applied suicide intervention training. Professional residential care staff also undertake the mandatory child protection training program, and orientation programs. In addition, as soon as practicable after commencement all new employees undertake training in applied first aid; applied suicide intervention; traffic light-sexual behaviours from birth to 18, and Aboriginal cultural awareness. Training participation and attendance is monitored through a monthly training report that is generated and sent to the Out of Home Care Executive.

The Department of Children and Families has recently commenced a project with the Australian Childhood Foundation to develop (within six months) and implement a therapeutic model of care for Department of Children and Families operated residential care services over the next three years.

### **QUESTION 6 - ONGOING SUPPORT SERVICES FOR CARERS**

#### **1. What ongoing support services are available for:**

- a. relative/kinship carers;**
- b. foster carers; and**
- c. residential care workers?**

The Department of Children and Families has five dedicated Carer Assessment and Support Teams operating across the Northern Territory. These teams interact with carers and prospective carers daily and provide guidance and direct support.

The Department of Children and Families also engages the Foster Care Association of the Northern Territory as the peak body for carers in the Northern Territory and to provide advocacy and direct support and training to carers.

Department of Children and Families residential care workers are supported by house coordinators and supervised by qualified professional team leaders and managers. The Department of Children and Families has also recently created and filled a dedicated Residential Care Training Coordinator to enhance training programs for departmental workers and those employed by non-government service providers.

Non-government providers are responsible for supporting the residential care staff that they employ. The Department of Children and Families invites funded external residential care providers to participate in Therapeutic Crisis Intervention training.

#### **2. What proportion of support services are delivered by government or non-government bodies?**

Department of Children and Families staff provide the majority of support services delivered to foster and kinship carers and departmental residential care workers.

Non-government providers are responsible for supporting the residential care staff they employ.



## QUESTION 7 - ONGOING SUPPORT SERVICES FOR CHILDREN

### **1. What ongoing support services for children are offered by:**

- a. government; and**
- b. non-government organisations?**

Case management of all children in care is the responsibility of Department of Children and Families case managers. There are approximately 200 qualified professional staff (comprised of social workers, psychologists and other relevant professions) who are responsible for providing ongoing case management to children in care, including family access, reunification, Court work and care planning. The Department of Children and Families employs a large number of Aboriginal Community Workers and Case Support Workers to assist case managers to support children in care.

The Department of Children and Families also operates a remote services workforce comprising Remote Aboriginal Family and Community Workers, and Community Child Safety and Wellbeing Teams who also provide support for children in care.

The Department of Children and Families employs Carer Support and Assessment Practitioners and Aboriginal Carer Support Workers to support foster and kinship carers and assist them in caring for children placed with them. The Department of Children and Families funds the Foster Care Association of the Northern Territory to provide additional support for foster and kinship carers, and advocate on their behalf.

The Department of Children and Families funds a non-government organisation to operate the Intensive Youth Support Service to provide support to young people with complex needs in care, the program is targeted at children and young people aged between 10 and 17 who are engaging in behaviours that place them at significant risk of further serious or emotional harm. The intensive support provided focuses on both the individual and family members, and aims to ensure young people are given the tools and support they need to take them into a happy and successful adulthood.

The Department of Children and Families also funds the non-government organisation operated Moving On Program to assist young people transitioning to independence. Moving On is an after care support and brokerage service for young people who have left the care of the Chief Executive Officer, Department of Children and Families. The service is aimed at young people 16 to 25 years needing assistance to maintain independence. The service operates Northern Territory wide with workers based in Darwin and Alice Springs.

The Department of Children and Families also provides funding to the CREATE foundation to conduct research, provide materials to young people leaving care, and advocate on their behalf.

## QUESTION 8 - RESIDENTIAL CARE FACILITIES

### **1. As at 30 June 2014, how many residential care facilities were operating?**

On 30 June 2014, there were 14 residential care facilities operating in the Northern Territory.

### **2. What proportion of residential care facilities are administered by:**

- a. government departments;**
- b. non-government organisations; or**
- c. other bodies?**

On 30 June 2014, seven of the 14 residential care facilities were operated by the Department of Children and Families and the remainder by non-government organisations.



### **3. What models of residential care currently operate?**

The Department of Children and Families continuum of out of home care identifies three different models of intensive residential support:

- Intensive Residential Care for young people that exhibit severely challenging behaviours and require intense supervision for their safety and the safety of others. The primary goal of the care is to assess, de-escalate and stabilise challenging behaviours in a therapeutic environment and transition the young people to an alternative arrangement;
- Supported Disability Care a 'home-like' environment, staffed by trained workers, for young people with disabilities with the highest support needs when no skilled home-based carer is available;
- General Residential Care a therapeutic 'home-like' environment, staffed by trained workers, for young people with challenging behaviours. The purpose of the service is to assess, stabilise and transition children to home-based care where appropriate; and
- The Department is currently introducing Community Based Children's Care services in Tennant Creek, Alice Springs and Katherine. The service is distinct from traditional residential care services, as the intent is to provide care to children from the local area while reunification efforts progress, or kinship foster carers are identified and assessed, avoiding the removal of children from remote areas to urban centres. The service will not cater for older children or those with complex needs or behaviours. As a transitory care service, the maximum length of placements will be limited. The first service in Tennant Creek is expected to be operating before the end of May 2015.

The Department of Children and Families also maintains a number of outmoded residential-like arrangements.

- Individual Placement Arrangements exist in Darwin and Alice Springs for children with extremely complex behaviours. These arrangements are being progressively reduced as the Department transitions the children to other placement services like Intensive Residential Care.

### **4. What proportion of children in residential care are placed in residential care due to:**

- a. breakdown in foster care or relative/kinship placement; and**
- b. complex behaviour issues?**

Residential care services are designed for children with complex needs or behaviours and the placement criteria limit prospective clients to this cohort.

Complex behaviours are a common cause of placement breakdown and in most cases a foster or kinship placement is trialled before placement into residential care. The Department of Children and Families does not currently report on current placements in the context of the outcomes of prior placements.

## **QUESTION 9 - TRANSITION FROM CARE**

### **1. For children transitioning from out-of-home care to independence in 2013/14:**

- a. how many children transitioned; and**
- b. what was the average age of children at transition?**

In 2013-14, 31 young people in care turned 18 and transitioned to independence. Department of Children and Families policy requires leaving care planning to begin when a young person turns 15, but transition from care only occurs once they turn 18.



**2. What proportion of children in out-of-home care have an active transition from care plan?**

The transition from care is a core component of a young person's care plan. Section 71 of the *Care and Protection of Children Act* requires the modification of a young person's care plan prior to leaving care. The planning for the young person's transition from care commences when they reach the age of 15 years and must be updated every six months as part of the care plan review process. Planning should involve the young person, their caseworker, their carer, family members, service providers, and other significant people identified by the young person.

For 2013-14, the Northern Territory Children's Commissioner reported that 95% of children in care reviewed had a care plan. 77% had been updated within the six months prior.

**3. What is included in a transition from care plan? What consideration is given to the age of the child at transition?**

Department of Children and Families procedures require that leaving care planning should involve the young person, their caseworker, their carer, family members, service providers, and other significant people identified by the young person.

A care plan focussed on leaving care should identify the young person's needs and the assistance and support they require during and after transitioning from care. The plan should address the following domains:

- health;
- housing accommodation;
- education and training;
- employment;
- financial security;
- legal matters;
- identity and culture;
- social relationships and support networks; and
- life skills (achieving independence after care).

Young people may require assistance to access local, culturally appropriate, community services and networks in their transition to independence.

Leaving care from an out of home care placement requires clear agreement about the ownership of property and the continued involvement and support from carers.

**4. How are outcomes for children transitioning from care measured?**

The Department of Children and Families supports young people that have transitioned from care when approached by the young person. The Department of Children and Families does not continue to actively case manage or monitor young people that have transitioned from care, so does not systemically measure outcomes for children that have left care.



**QUESTION 10 - PERMANENT CARE AND ADOPTION**

- 1. In 2013/14, what proportion of children in out-of-home care were placed in a permanent care arrangement, including:**
- a. adoption;**
  - b. permanent care order;**
  - c. transfer of guardianship to carer; or**
  - d. other permanent care arrangement?**

In 2013-14, there were no children in out of home care placed in a permanent care arrangement. Permanent Care Orders will be introduced in the Northern Territory on 1 July 2015.

- 2. What was the average age of children entering each category of permanent care arrangement listed above?**

Not applicable.

**QUESTION 11 - CHILDREN WITH A DISABILITY AND COMPLEX NEEDS**

- 1. If known, how many children in out-of-home care at 30 June 2014 were identified as having a disability?**

On 30 June 2014, there were 102 children in out of home care identified as having a disability.

- 2. If known, how many children in out-of-home care at 30 June 2014 were identified as having complex needs?**

On 30 June 2014, there were 130 children in out of home care that were not identified as having a disability and identified as having complex or very complex needs or behaviours.

**QUESTION 12 - CONTACT WITH BIRTH FAMILIES**

- 1. What proportion of children in out-of-home care:**
- a. maintain contact with their birth family;**
  - b. attempt reunification with their birth family; and**
  - c. transition out of out-of-home care back to their birth family?**

The Department of Children and Families does not systemically report on family contact or attempted reunification for children in care. The Department of Children and Families generally endeavours to maintain family contact for children in care and attempt reunification, however both are assessed and undertaken on a case by case basis.

In 2013-14, 211 children younger than 18, exited care.

**QUESTION 13 - EARLY INTERVENTION****1. *What early intervention programs are available to supporting children in vulnerable family situations (prior to the removal of children under care and protection orders)?***

The recently drafted Family Intervention Framework outlines two areas for intervention prior to the removal of children: child safety intervention, and intensive family preservation. The former is targeted to families with low to moderate child safety concerns where there is a risk of continuing child abuse or neglect, the latter to families with significant child safety concerns where the risk of removing the children and placing them in the care of the Chief Executive Officer is high.

The Department of Children and Families is currently planning the implementation of the Family Intervention Framework. Implementation will include the alignment of the broader category of Department of Children and Families and funded family support services to the specific interventions described in the framework.

In 2014-15, the Department of Children and Families is expecting to spend \$46.2 Million on Family and Parent Support Services, 26% of the total expected expenditure. Family and Parent Support Services expenditure provides targeted support services to vulnerable families to prevent their children entering the child protection system and facilitate reunification to assist families to care for their children. It also includes crisis accommodation services for women and their children experiencing family violence.

**2. *What proportion of these programs are delivered by:***

- a. Government; or***
- b. Non-government organisations?***

The Department of Children and Families estimates that 40% of the Family and Parent Support Services budget will be allocated to non-government organisations.

**3. *How is the efficacy of early intervention programs measured?***

The outcome of Family and Parent Support Services programs are currently measured on a case by case, or client by client, basis.

With the implementation of the Family Intervention Framework, Department of Children and Families hopes to introduce systemic outcome measures for family intervention activities.



## SENATE INQUIRY INTO OUT-OF-HOME CARE - QUESTIONS TAKEN ON NOTICE

### QUESTION 1 - IMPACT OF 2014-15 BUDGET REDUCTION ON STAFFING

*Hansard extract (Page 2):*

Senator PERIS: I know the department or the NT government had \$9 million taken out of their child protection budget. Has that had an impact on staffing?

Ms Jackson: I probably would not be able to talk about the budget today, but I could take the question on notice and provide that information afterwards. I am working with a budget that is currently meeting those needs recognising that the increased demand is going to cause us some concern and we need to be responsive to that. One of those responses is increasing the lower cost option, which is recruitment of foster and kinship carers.

**Response:**

In May 2014, the Northern Territory Government allocated a budget of \$161 million to the Department of Children and Families for 2014-15, \$8.1 million less than the 2013-14 allocation. This allocation was subsequently revised to \$176.9 million to accommodate increased demand in out of home care, \$7.8 million more than the 2013-14 allocation.

As at 31 March 2015, 348.62 full time equivalent paid staff were classified as frontline or 'Direct to Public' in accordance with definitions agreed by the Northern Territory Department of Treasury and Finance, there were 18.37 fewer full time equivalent employees than 31 March 2014.

### QUESTION 2 - NUMBER OF CHILDREN IN FOSTER AND KINSHIP CARE AT 31 MARCH 2015

*Hansard extract (Page 2-3):*

Senator PERIS: You mentioned, before in your opening statement, 194 authorised kinship carers. Is that 194 out of the 522?

Ms Jackson: When we say 194, or give any number about kinship carers, we are recording those as a place of care. That means they could have more than one child. Even though there are 194 places of care that are authorised, they could have 300 children in those places, because they may be authorised for three children or two children.

Senator PERIS: Under that figure of the 932, 522 were either in foster or kinship care?

Ms Jackson: I just have to find the page.

Senator PERIS: That is okay. On page 4.

CHAIR: What is the 900 broken down into?

Ms Jackson: We have included the total there. I can tell you that kinship care, as of 31 December 2014, was 194. I do not have the number of children in the places of care, but I can get that for you.

CHAIR: The figures you have just given us are for December. Could you update all of that list of figures so that we can compare like with like.

Ms Jackson: We could give you as at 31 March.

CHAIR: Yes. Could you give us all your latest figures. Otherwise we are going to be comparing on that one the recent figures with the other figures.

Ms Jackson: Certainly.

CHAIR: There are 194 kinship carers. Could you break that down into how many children of the cohort are in kinship or foster care.

Ms Jackson: Yes, I can do that. Well over 40 per cent of the children are in kinship-care arrangements.

Response:

On 31 March 2015, there were 969 children in out of home care in the Northern Territory:

- 27% (262 children) were placed in foster care; and
- 21% (206 children) were placed in kinship care.

### QUESTION 3 - PROPORTION OF CHILDREN IN CARE PLACED IN REMOTE AREAS

*Hansard extract (Page 6):*

*CHAIR:* Okay, thank you. I will come back to the changes to permanent placement shortly. In terms of those remote settings, what percentage of the children in care are actually in remote care?

*Ms Jackson:* I do not think I have those numbers in front of me today, but I can get that.

*CHAIR:* If you can get that, that would be appreciated. But they are still in those 60 places of care?

*Ms Jackson:* For those 60 places of care, what I do not have for you today is the number of children in those. But it means there are 60 households in remote settings that are authorised to take children.

Response:

On 31 March 2015, 441 children in out of home care (45.5% of the total) were placed in remote locations. Remote locations include children placed in Katherine, Tennant Creek, Nhulunbuy and Alice Springs.

### QUESTION 4 - NUMBER OF CHILDREN PLACED OUTSIDE THEIR COMMUNITY OF ORIGIN (DATA NOT AVAILABLE)

*Hansard extract (Page 6-7):*

*CHAIR:* Okay. This is sort of tied up in the two questions I have asked. Some of the submissions we have received indicate, if my understanding is correct, that some children cannot be accommodated in their communities are moved to either other communities are towns. I wonder if we have figures on how many of those children end up in Darwin, Alice or some of the bigger towns.

*Ms Jackson:* I would be able to give you a total number of—I think this is what you are saying to me—our Aboriginal children and young people and how many of those are in a kinship arrangement versus how many of those are in a general arrangement.

*CHAIR:* In a general arrangement but also that, as I understand it, some children may well be in kinship care but not in kinship care in their own community.

*Ms Jackson:* Absolutely, and that is the Aboriginal placement principle's scale. We may not have found a kinship member in their community of origin; however, we have a family—I am making this up—where the child is from Tiwi and they have a kinship carer in Darwin, a direct relative who said, 'I will provide that care.' So you are right: they are still in a kinship arrangement, but it is not the community of origin.

*CHAIR:* Do we have figures on that and on the number of kids who are not in their community of origin but are somewhere else with a foster carer—in other words, outside?

*Ms Jackson:* I am not sure any database would be able to give you that. We will count kinship. We will not count whether there is a shift when the kinship carer is in the urban or remote setting. But I will certainly investigate.

The Department of Children and Families does not systemically collect or report on community of origin for children in care. This information is considered in case management and placement decision making, but location information is not loaded into departmental reporting systems.



## QUESTION 5 - DEPARTMENTAL RESPONSE TO NAAJA SUBMISSION ON PERMANENT CARE ORDER LEGISLATION

*Hansard extract (Page 7):*

*CHAIR:* I have a series of questions from their submission. We will hear from them shortly. I will ask some specific ones and might ask, if it is not too much, to go through. They make a number of what seem to be me to be very sensible recommendations and a number of points that I would love to have some feedback on if possible. So just tell me, when I ask them, that you will take it on notice, and I will understand that. One of the points that has come up and NAAJA have put in a fairly detailed submission about is the issues around the permanent placement bill. My first question is: have you responded to the submission? The submission they gave us was the submission they put in on the permanent placement bill. Have you or whoever is appropriate responded to that yet?

*Ms Jackson:* Not me. I am not aware.

*CHAIR:* I mean the department; I beg your pardon.

*Ms Jackson:* I am not aware. I am the executive of out-of-home care. Not to diminish my responsibility here, but I am not aware of that submission, nor would I be the right agency person who would know that. I can take that on notice and provide that information.

*CHAIR:* Fair enough. Is what you are telling me politely that I should just wait for that and not ask any more questions there? They raise some quite significant issues that are—

*Ms Jackson:* about permanent care orders?

*CHAIR:* about the permanent care orders and about the bill, which seems to me very relevant to this inquiry.

*Ms Jackson:* I can provide you with very generalist but solid information about what the permanent care orders look and feel like, but I suspect I could not get into the specifics.

*CHAIR:* Could you give us a quick run-down on that. Is that okay with people?

Response:

The Minister for Children and Families received a joint submission from the North Australian Aboriginal Justice Agency and the Northern Territory Legal Aid Commission regarding the Care and Protection of Children Amendment Bill 2014 on 12 February 2015. The Department of Children and Families considered the recommendations of the submission and the Minister provided a written response to the organisations on 23 February 2015.

## QUESTION 6 - APPEAL RIGHTS OF PARENTS IN PERMANENT CARE ORDERS

*Hansard extract (Page 9):*

*Senator MOORE:* And the relationship between the birth parent and the child?

*Ms Jackson:* When a permanent care order is evoked, formalised and completed, the holder of the permanent care order is the parent—I need to say that very clearly—so they will make the determinations about whether there is contact. They are the parent; they get to make those decisions.

*Senator MOORE:* And the appeal rights of the birth parent?

*Ms Jackson:* I will take that on notice because I want to give you the right answer, if that is all right.

Response:

Permanent Care Orders can only be applied for when a child is already on a protection Order with long term parental responsibility to the Chief Executive Officer until 18 years of age.

A notice of application for a Permanent Care Order must be given to the parents of the child and they are identified as respondents in the proceedings. The application may be opposed by the parents of the child and the outcome of the application will be determined by the Magistrate.

A Permanent Care Order does not prevent the Court from giving parental responsibility to a person under an ordinary Protection Order in the future.



## QUESTION: 7 - PROPORTION OF CHILDREN IN CARE BY HARM TYPE

Hansard extract (Page 11):

**CHAIR:** What is the percentage of kids who are going into care as they relate to the harm? Are you able to provide that list? I do not think you provided it in the submission.

**Ms Jackson:** That would not be our usual data that would be collected anywhere, but I can see if we can provide that for you. I will qualify that: it is harm type versus children in care.

Response:

**Table 2: Children in Out-of-Home Care by Reason for Care and Protection Order, 31 March 2015**

Reason for Care and Protection Order	Number of Children	Percentage of Total
Harm - Sexual Abuse / Exploitation	37	3.82%
Harm - Physical Abuse	78	8.05%
Harm - Emotional Abuse	120	12.38%
Harm - Neglect	446	46.03%
Not Harm Related	288	29.72%
Total:	969	100.00%

The data enclosed in Table 2 relates to the reason a care and protection order was issued for the child. It may not directly relate to substantiated harm types in cases where a protection order is issued due to a lack of parental willingness or capacity.

## QUESTION: 8 - PROPORTION OF CHILDREN IN CARE WITH DISABILITIES

Hansard extract (Page 12-13):

**CHAIR:** Of the children that are currently in care—the 932—what percentage would have a disability?

**Ms Jackson:** I will tell you why we could not give you that data in a formal way: because, with disabilities, it has to be formally assessed and recognised. And I have to be honest with you: you can get a child who comes into our system at two and there would be nothing to indicate there is a disability, and at 13 you start to recognise that there is a likelihood of foetal alcohol syndrome and then you send that child for a referral and an assessment and those determinations are made. So it is actually not as easy as it sounds, because it has to have been assessed and confirmed.

**Senator PERIS:** If the child has a physical disability, is that—

**Ms Jackson:** I can see if we have figures on what—wherever it is in the system—has been established as a disability.

**CHAIR:** The issue coming up is: in other states, sometimes parents are relinquishing children with disability because they are not getting the services and supports needed, be that respite or more physical supports, and they are ending up relinquishing their kids with disability. I was actually quite surprised—

**Ms Jackson:** I have not seen that.

**CHAIR:** at the numbers in some states that are coming up.

**Ms Jackson:** I agree. In another state where I worked there was a high number of children on the autism spectrum who got very difficult for parents to manage, and there was a bit of relinquishing. We had a period of quite a peak. I have not seen that here, but I am more than willing to investigate that further and give you that, if we have any information to provide.

Response

**Table 3: Children in Out of Home Care by disability type, 31 March 2015**

Disability Type	No of Children	Percentage
Intellectual / Learning	42	4.33%
Physical Diverse	34	3.51%
Psychiatric	1	0.10%
Sensory / Speech	3	0.31%
Not Stated / Inadequately Described	13	1.34%
NO DISABILITY	876	90.40%
Total:	969	100.00%