



Jon Stanhope MLA

CHIEF MINISTER

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MINISTER FOR BUSINESS AND ECONOMIC DEVELOPMENT

MINISTER FOR INDIGENOUS AFFAIRS

MINISTER FOR THE ENVIRONMENT, WATER AND CLIMATE CHANGE

MINISTER FOR THE ARTS

MEMBER FOR GINNINDERRA



Senator Claire Moore
Chair
Senate Community Affairs Committee
Parliament House
PO Box 6100
CANBERRA CITY ACT 2600



Dear Senator Moore

Thank you for your letter of 23 September 2008 in which you requested an update on the progress with the implementation of the *Forgotten Australians* Report recommendations. I apologise for the delay in responding which has been as a result of the recent ACT Government elections.

The ACT commented on 14 recommendations and agreed to implement six recommendations. I have enclosed with this letter an update of the ACT Government's progress against these recommendations.

If you require further information please contact Ms Megan Mitchell, Executive Director, Office for Children Youth and Family Support on 62056922 or email megan.mitchell@act.gov.au

Yours Sincerely

Jon Stanhope MLA
Chief Minister

12 DEC 2008

ACT LEGISLATIVE ASSEMBLY

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**SENATE COMMUNITY AFFAIRS REFERENCES COMMITTEE
FORGOTTEN AUSTRALIANS**

**ACT Government Progress Against the Recommendations
October 2008**

	RECOMMENDATIONS RESPONDED TO BY THE ACT	PROGRESS
2	That all State Governments and churches and agencies, that have not already done so, issue formal statements acknowledging their role in the administration of institutional care arrangements; and apologising for the physical, psychological and social harm caused to the children, and the hurt and distress suffered by the children at the hands of those who were in charge of them, particularly the children who were victims of abuse and assault.	Agreed The Chief Minister, on behalf of the ACT Government, made a statement of sadness and regret in the ACT Legislative Assembly on 30 March 2006.
6	That the Commonwealth Government establish and manage a national reparations fund for victims of institutional abuse in institutions and out-of-home care settings and that: <ul style="list-style-type: none"> ➤ the scheme be funded by contributions from the Commonwealth and State Governments and the churches and agencies proportionately; ➤ a board be established to administer the scheme, consider claims and award monetary compensation; ➤ the board, in determining claims, be satisfied that there was a 'reasonable likelihood' that the abuse occurred; ➤ the board should have regard to whether legal redress has been pursued; ➤ the processes established in assessing claims be non-adversarial and informal; and ➤ compensation be provided for individuals who have suffered physical, sexual or emotional abuse while residing in these institutions or out-of-home care settings. 	Not agreed.
18	That the Commonwealth request the Council of Australian Governments to review all Federal and State and Territory <i>Freedom of Information</i> regimes to ensure that they do not hinder access by care leavers to information about their childhoods and families.	Agreed Primary responsibility for the recommendation is with the Commonwealth. The ACT continues to prepare social histories and family assessments for children who enter Territory care. Upon leaving care, this information provides the basis for information sharing with young people regarding their childhood, family and social identity. The passing of the <i>Children and Young People Act 2008</i> further facilitates information sharing with children and young people in Territory care. The ACT Charter of Rights for Children and Young People in the Care of the Chief Executive is to be implemented in 2009. The Charter clearly identifies the right of children and young people to access information about themselves.
19	That the Commonwealth fund a national conference of service providers and advocacy and support groups with the aim being to establish a professional national support and advocacy body for care leavers; and that this body be funded by the Commonwealth and State Governments and the churches and agencies.	Agreed in principle. The ACT Government continues to fund services that operate locally and nationally to support and advocate for care leavers; principally CLAN (principal advocacy group for older care leavers) and CREATE Foundation (care support group for 14-18 year olds in care).
20	That the Commonwealth and State Governments and churches and agencies provide ongoing funding to CLAN and all advocacy and support groups to enable these groups to	Agreed in principle. The ACT Government continues to provide funding to local branches of CLAN and

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	maintain and extend their services to victims of institutional abuse, and that the government and non-government sectors widely publicise the availability of services offered by these advocacy and support groups.	CREATE and foster awareness of these agencies and their role in providing services for care leavers in the ACT.
22	That all State Government funded services for care leavers be available to all care leavers in the respective State, irrespective of where the care leaver was institutionalised; and that funding provisions for this arrangements be arranged through the Community and Disability Services Ministerial Council.	Agreed The ACT Government funds services for young people accessible by all young people leaving care. The ACT Government funds CREATE and CLAN, community based organisations who provide services to care leavers residing in the ACT, regardless of state of origin. Status – Ongoing
25	That the Commonwealth and State Governments in providing funding for health care and in the development of health prevention programs, especially mental health, depression, suicide prevention and drug and alcohol prevention programs, recognise and cater for the health needs and requirements of care leavers.	Agreed Care leavers are able to access a range of health services in the ACT, including mental health services, alcohol and drug services and counselling. Where care leavers have specific requirements as a result of their experiences in care, health staff are able to ensure that health services, support and referral are delivered in an appropriate way to support those specific requirements. The ACT's integrated model of service delivery supports the holistic needs of care leavers and the engagement with relevant supports prior to leaving care. Status - Ongoing
28	That the Supported Accommodation Assistance Program recognise the particular needs of care leavers, and that: <ul style="list-style-type: none"> > data on the usage of the program by care leavers be collected; and > information about the program be widely disseminated to care leaver support and advocacy groups in all States. 	Agreed in principle. SAAP funded services in the ACT regularly assist care leavers, although the program is not specifically designed or funded for young people leaving care. Information regarding SAAP services is provided to care leavers and support and advocacy groups. The SAAP National Data Collection survey collects referral information, relying on self-disclosure. Any changes to data collection would need to be considered through various national committees. CDSMAC has commissioned research examining outcomes for young people leaving care, including their interaction with government agencies and support programs. This will inform the ACT in relation to care leavers and relevant programs.
29	That the Commonwealth and State Governments widely publicise the availability of adult literacy and numeracy services and associated adult education courses to care leavers and care leaver support groups.	Agreed The ACT Charter of Rights for Children and Young People in the Care of the Chief Executive is to be implemented in 2009. The Charter clearly identifies the educational rights of children and young people and provides assistance to care leavers through linkages to appropriate support services. Status - Ongoing
31	That the Commonwealth, in conjunction with the States, develop procedures for the collection of data on people who have been in care on forms that are already used to elicit client information such as Medicare and Centrelink forms and admission forms to prisons, mental health care facilities and aged care facilities.	Noted. There exists difficulty in the collection of data and the need for a clear purpose. CDSMAC have been considering this issue, including using the Census as a gathering point. This is primarily a matter for the Commonwealth.
32	That the Commonwealth and State programs across a range of social policy areas, including health and aged care and social welfare services generally, explicitly recognise care leavers as a sub-group with specific requirements in the publications and other	Not agreed. Many of the needs of care leavers are similar to other disadvantaged groups. All services through funding and other agreements are required to consider the diversity of

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	<p>material disseminated about programs.</p>	<p>other backgrounds. The ACT Government, in conjunction with CREATE, provides young people leaving care with 'Learning to Fly' packages that include information and resources relevant to their needs. In addition, the ACT Government has included provisions in the <i>Children and Young People Act 2008</i> relating to leaving care planning and is contributing resources to national research into care leavers.</p>
33	<p>That the Commonwealth and the States commit, through the Council of Australian Governments, to implementing a whole of government approach to the provision of programs and services for care leavers across policy areas such as health, housing and welfare and community services and other relevant policy areas.</p>	<p>Noted. The ACT is committed to a whole of government response to children and young people in care and the use of 'whole-of-government' mechanisms is favoured.</p>
34	<p>That the Commonwealth and State Governments, in conjunction with the churches and agencies, provide funding for the erection of suitable memorials commemorating care leavers. Where possible, memorials could take the form of:</p> <ul style="list-style-type: none"> ➢ memorial gardens constructed in conjunction with local councils; ➢ the placement of plaques at the sites of former institutions; and/or ➢ the construction of heritage centres on the sites of former institutions. <p>The Committee further recommends that the appropriate form and location of memorials should be determined after local consultation with care leavers and their support and advocacy groups.</p>	<p>Noted. The ACT self government was established in 1988 and previously, responsibility for the protection of children was a Commonwealth responsibility.</p>
39	<p>That the Commonwealth, in cooperation with State Governments, establish courses of study at selected tertiary institutions that focus on child protection and related issues, especially early childhood and family studies, psychology, conflict management, the impact of institutional care and social policy to address issues in these areas.</p>	<p>Agree The ACT Government, in partnership with the Australian Catholic University (ACU) continues to provide funding for the Institute of Child Protection Studies who provide expert advice regarding current trends and best practice on child protection. In addition, the Australian Catholic University continues to provide tertiary courses with a focus on child protection and related issues, including the legacy for children who were in state care.</p> <p style="text-align: right;">Status - Completed</p>