

We are writing as a non-profit organisation advocating on behalf of children and young people in out of home care and their carers about:

1. the concerning lack of permanency for children in the out-of-home-care system, and;
2. the need for greater accountability within departments and agencies involved in child safety in order to protect the rights of carers and children and ensure the system is not creating further harm.

I am concerned that reforms to out-of-home-care policies that came into effect in Victoria in 2016¹ are having unintended negative consequences and need to be urgently reviewed to avoid the further traumatisation of children.

These reforms aimed to improve 'permanency' for children in care by introducing a two-year period in which to achieve reunification with birth families, after which permanent alternative care options should be sought. However, a 'loophole' in **this policy allows parents to seek an extension of 12 months before permanent alternative care options are sought, if there is an observed improvement in the issues or behaviours that led to their child being removed. This can be extended indefinitely, meaning the child must deal with prolonged uncertainty of their situation.** Often, because this precludes a permanent care placement, a child will continue to be moved within temporary care homes, as in the case of a three-year old boy known to A Better Life For Foster Kids who has already been in an estimated 40 different placements in his short life. The many children caught in this 'loophole' are not able to feel security or build the loving bond they need to become well-adjusted adults, creating an incredible amount of trauma, with lasting impacts on their life outcomes. **This practice delays any opportunity for healing for the child.**

It is equally problematic that an **improvement in a parent's behaviour only needs to be observed by the caseworker within the period, it is not required to be long-lasting.** This means there is no real incentive for the parent to commit to lasting changes that would enable them to effectively parent. This provision creates conditions where parents can continue problematic behaviours without consequences, and further traumatised children by keeping them in perpetual uncertainty. **The OOHC system is effectively perpetuating harm when meeting the goal of reunification comes at the cost of a child's wellbeing.**

Further, there is currently no practice in place of implementing a **transition period for children who are being reunited with their families.** For children who have been with a carer for many years, being suddenly moved back to live with a family member they may not know well, or have never met at all is a difficult adjustment. The carer's input into this process should be valued as the experts that they are on the needs of the child in their care.

The second area of the OOHC system which we seek your support to improve, is the **transparency of processes and accountability of the departments and agencies who operationalise OOHC.** We do not believe decisions about children's lives should be so reliant on the discretion of a caseworker.

In their work advocating on behalf of children and carers, A Better Life For Foster Kids frequently sees the damage caused to carer and children's lives by the heavy reliance on the judgement of a caseworker and the quality of their relationship with the carer. **Many carers have reported to A Better Life For Foster Kids over the years that they have felt that Quality of Care concerns have been raised against them after they have spoken out to advocate for the child in their care, or when they have requested a new caseworker, or that children were removed from their care without Quality of Care concerns having been properly investigated.**

¹ Department of Human Services Victoria, 'Changes to child protection law'. <https://providers.dhhs.vic.gov.au/changes-child-protection-law>

In a recent online survey of 83 carers undertaken by A Better Life For Foster Kids, **96% of carers responded that they were fearful of negative repercussions if they advocate strongly for a child in their care, or make a complaint about department or agencies actions.**

Carers have become fearful that if they advocate on behalf of children in their care they run the risk of that child being removed. These removals re-traumatise children, adding to their grief and loss. This treatment correlates with the continued decrease of foster carers in Victoria².

Clearer, more transparent processes should be put in place before removing a child from a carer, and if these processes are not followed by a caseworker, the caseworker needs to be held accountable. One of these processes should be to document the wishes of the child. All processes should also be made available to carers to review and understand.

The level of responsibility held by caseworkers for the lives of the children, families and carers is enormous. Without more transparent processes, and appropriate mentorship in best-practice, caseworkers will continue to make decisions which can have devastating impacts on children and carers. **It is easy for inexperienced workers to make decisions that have negative and lasting ramifications on everyone involved. I support A Better Life For Foster Kids' recommendation of a minimum two year supervision period for new caseworkers.** This would help not only to ensure better outcomes for children and carers but also to protect caseworkers, reducing turnover and building up a caseworker's experience over time, allowing them to become more effective in their roles in a less stressful environment.

We call upon you to advocate on the behalf of children in OOHC, by voicing our voice our concerns and joining us in calling for the following reforms to the OOHC system:

- Reduce two-year reunification period to 12 months, recognising that it is not in the best interest of the child to continue to extend this period for good behaviour.
- Implement an appropriate transitioning period for children to gradually re-unify with their birth parents or other family members, based on the needs of that particular child.
- Provision of supervisory mentoring to new caseworkers (minimum 2 years) and supervision period for caseworkers who have been found not to follow processes.
- A requirement that caseworkers consult and document the wishes of both the carer and the child before deciding on the need to remove a child from a particular carer.
- Clearer documented processes about removal of children from carers which include consultation of the child and carer, made openly available to carers.

Yours in the hope of OOHC system reforms that place the child's well being first,

Heather Baird

Founder & Coordinator,
A Better Life For Foster Kids

² Douglas, J., Dobson, M. 10 April 2019. 'Foster care shortage hurting children living in regional and rural Victoria', *ABC News*.
<https://www.abc.net.au/news/2019-04-10/foster-care-shortage-regional-victoria/10986016>