## For a fair and just community for children, young people and families, the ACT Government must:

* Build a restorative child protection system capable of ensuring the safety and wellbeing of children while working to keep families together and/or connected through measures including:
  + Implementing and fully funding all recommendations of the *Our Booris, Our Way* review into the care and protection of Aboriginal children in the ACT, keeping the report at the centre of the *Next Steps for Our Kids* strategy
  + More funding for and better access to advocacy and legal support for parents, children and families in the child protection system, especially for parents with disability and mental ill health and Aboriginal and Torres Strait Islander families.
  + Provide more funding for adequate services, including information services, for children, young people, parents and families
  + Delivering tailored intensive and therapeutic support for parents with disability/parents and/or with mental ill health to support the building of parenting skills
  + Improving understanding of disability and cultural safety among child protection staff and mandatory reporters
  + Access to an aftercare service for young people exiting out-of-home-care up to the age of 25 years.
  + Establishing and funding a youth homelessness service, including for young people transitioning from out-of-home-care
* Commit to building a wholly inclusive and equitable public education system by:
  + Enabling children with disability to participate in mainstream schooling safely and successfully through developing the [Inclusive Education Strategy](https://www.education.act.gov.au/support-for-our-students/students-with-disability/strengthening-inclusive-education/developing-an-inclusive-education-strategy-for-act-public-schools)
  + Funding and implementing an audit of accessibility levels for all ACT schools to address gaps.
  + Committing to no new investment in segregated infrastructure, with a view to phase out segregated education over the next 5-10 years
  + Implementing a centralised approach to the management and funding of school infrastructure to deliver equitable outcomes across schools
  + Committing to climate proofing schools.

## Justification

* The 2023 child protection and youth justice Report on Government Services[[1]](#footnote-2) shows:
  + The number of Aboriginal and/or Torres Strait Islander children in out-of-home care has increased, and they are now 14 times more likely to be in out-of-home care than non-First Nations children
  + ACT Government spending per child on protective intervention services, care services, intensive family support services and family support services remains the lowest in the country at $935, well below the national average of $1,450
  + The proportion of Aboriginal and/or Torres Strait Islander children being placed with a relative or kinship carer or with another Aboriginal or Torres Strait Islander carer has increased to more than 71%
  + Aboriginal and/or Torres Strait Islander children are 12 times more likely than non-First Nations children to be in detention in the ACT, and almost 6 times more likely to be under community-based supervision orders
  + The proportion of young people released from sentenced supervision who returned to sentenced supervision within 12 months has increased from 38% to 45% over the last year.
* CREATE Foundation found that children and young people are often excluded from key OOHC decision-making forums, young people report participating in case-plan meetings only 38.3% of the time and of those who had attended, they felt their views were considered only 52.4% of the time.[[2]](#footnote-3) The KPMG mid-strategy evaluation of the ACT Government’s *A Step Up for Our Kids 2015-2020* OOHC strategy similarly found that by the end of 2017-18 only 66% of children and young people indicated they have a say in decision making and feel listened to[[3]](#footnote-4)
* Nearly a third (30%) of respondents to CREATE Foundation’s survey on transitioning from OOHC reported experiencing homelessness in the first year after transitioning out of care[[4]](#footnote-5)
* According to ACT Electoral Commission accessibility reports, of the 86 currently listed polling places, 62 are schools and all are listed as ‘Assisted Access’, none are ‘Fully Accessible’ (personal correspondence 14 May 2021)
* Consistent evidence from more than 280 research studies conducted in 25 countries shows that inclusive education settings confer substantive benefits for academic, vocational, cognitive and social development.[[5]](#footnote-6)
* People who participate in inclusive education are more likely to live independently after they finish school [[6]](#footnote-7), and less likely to experience bullying than their peers in segregated settings.[[7]](#footnote-8)
* Students with disability in Australia experience considerably poorer educational outcomes than non-disabled students. Around a third of people with disability aged 20 or over have completed Year 12-level schooling, compared with 62% of people without a disability.[[8]](#footnote-9) In inclusive settings, students who do and do not experience disability have been found to receive higher-quality instruction that is better suited to individual needs.[[9]](#footnote-10)

## The Issues

* Families need to be supported all the way through child protection processes, including with early support to avoid sustained connection with CYPS. Marginalised families are subject to a higher number of child protection notifications and investigations. To address the overrepresentation of Aboriginal and Torres Strait Islander families, as well as families with parents or children with disability in the child protection system, ACTCOSS supports calls for increased investment in early support mechanisms. Such mechanisms would include therapeutic and parenting skills support. Implementing all recommendations from the *Our Booris, Our Way* review must be a priority
* The ACT has a high number of segregated education settings, even though evidence tells us that segregation leads to poorer education and social outcomes for all students. Inclusive Education, as defined by [Imagine More](https://imaginemore.org.au/), means that all students are supported to be physically present and participating in the same classrooms and playgrounds at the same time. The ACT Government’s *Future of Education Strategy* holds Equity, Student Agency, Access, and Inclusion as its four guiding principles, as well as naming Inclusive Education as a priority for implementation. Inclusive education in the ACT needs to be improved and progressedso thatstudents with disability are adequately supported to attend their local, mainstream school. We need effective and resourced inclusive education as [called for by People With Disabilities ACT](https://pwdact.org.au/submissions/education-position-statement/).

|  |
| --- |
| Delivering commitments in the ACT Parliamentary and Governing Agreement |
| The Government should prioritise the needs of families in the ACT, through its commitments under the[**Parliamentary and Governing Agreement**](https://www.cmtedd.act.gov.au/__data/assets/pdf_file/0003/1654077/Parliamentary-Agreement-for-the-10th-Legislative-Assembly.pdf) for this term of Government as they relate to children, young people and their families, including:   * Develop a Charter of Rights for parents and families involved with the care and protection system and embed this in the Children and Young People Act (19) * Improve the extended care system for 18-21 year olds in the out of home care system (20).   Both ACT Labor and The Greens made election commitments relating to children, young people, and families. ACT Labor committed to:   * Delivering ongoing coordinated service response for young people aged eight to 15 years who are at risk of homelessness, or engagement with the child protection or youth justice systems (19.1) * Fully implementing the recommendations of the Our Booris, Our Way review in collaboration with Aboriginal and Torres Strait people and organisations (19.3) * Continue to implement the Future of Education Strategy which priorities equity and inclusion. This includes continuing the successful provision of free Chromebooks to all public high school students, trialling free meals at five public schools, and establishing a $12 million Education Equity Fund to help parents buy school uniforms, glasses and sports clothes, and pay for excursions and camps, so all children can fully participate in school life. (3.1) * Invest $130 million over four years in a school infrastructure maintenance, upgrade and renewal program (3.6).   The ACT Greens committed to:   * Prioritise community-controlled organisations to deliver First Nations services including with $1.5 million seed funding for Yerrabi Yurwang Child and Family Service (9.4) * Increase the number of identified First Nations staff positions in CYPS, implement recommendations from Our Booris, Our Way and fund family group conferencing (9.8) * Establish a First Nations Commissioner in the Human Rights Commission (9.9) * Amend the Children and Young People Act to create an external merits review system (21.4) * Support family unity prior to making a care and protection order (21.5) * Establish the Children and Youth Services Council and provide access to supported decision making for parents with disability and in particular for families where the CYPS system is involved. This includes support in hospital especially for mothers who are at risk of having their baby taken into care (21.6) * Ensure all indoor learning spaces are between 17 and 30 degrees at all times, appropriately ventilated and smoke-free ($30M over four years) (8.1) * Increase nature play spaces and outdoor activities equipment for older schools ($3M over four years) (8.3).   Further, in the [Policy Position Statement](https://www.actlabor.org.au/media/43523/act-labor-policy-position-document-updated-071020.pdf) they took to the 2020 election, ACT Labor’s priorities include;   * Expand wellbeing supports in public schools and ensure every public school has access to a social or youth worker (p10) * Build on existing supports to establish a whole-school approach to developing respectful relationship and gender equality among children and young people (p11) * Recommit to, review and strengthen the Safe and Inclusive Schools Initiative and consider how to enhance the initiative (p11) * Review the delivery of disability education together with people with disability and carers, and plan for the renewal of several aging specialist schools (p11) – **Note that we support the review of disability education delivery, but we do not support the renewal of specialist schools, as per our key priorities above.** |

1. Productivity Commission, [*Report on Government Services 2023: Community Services: Child Protection*](https://www.pc.gov.au/ongoing/report-on-government-services/2023/community-services/child-protection), Australian Government, 24 January 2023, accessed 1 March 2023. [↑](#footnote-ref-2)
2. CREATE Foundation, [*Submission to the ACT Review Mechanisms*](https://create.org.au/wp-content/uploads/2019/07/Submission-ACT-Review-Mechanisms.pdf), CREATE Foundation, June 2019, accessed 23 May 2023. [↑](#footnote-ref-3)
3. KPMG, [*ACT Out of Home Care Strategy 2015-2020: A Step Up for Our Kids (Final Report for the mid-Strategy evaluation)*](https://www.parliament.act.gov.au/__data/assets/pdf_file/0006/1398309/ACT-Out-of-Home-Care-Strategy-2015-2020-A-Step-Up-for-Our-Kids-One-Step-Can-Make-a-Lifetime-of-Difference-Final-Report-for-the-mid-Strategy-evaluation,-dated-28-May-2019.PDF), 28 May 2019, accessed 23 May 2023. [↑](#footnote-ref-4)
4. J McDowall, [*Transitioning to Adulthood from Out-of-Home Care: Independence or Interdependence?*](https://create.org.au/research-and-publications/), CREATE Foundation, December 2020, accessed 23 May 2023. [↑](#footnote-ref-5)
5. T Hehir, T Grindal, B Freeman, R Lamoreau, Y Borquaye and S Burke, [*A Summary of the Evidence on Inclusive Education*](https://files.eric.ed.gov/fulltext/ED596134.pdf), Instituto Alana, 2016, accessed 25 May 2023. [↑](#footnote-ref-6)
6. T Hehir et. al., *A Summary of the Evidence on Inclusive Education*. [↑](#footnote-ref-7)
7. C Rose, L Monda-Amaya and D Espelage, [*Bullying perpetration and victimisation in special education*](https://doi.org/10.1177/0741932510361247), Remedial and Special Education, 2011, 32(2):114-130, doi:10.1177/0741932510361247 [↑](#footnote-ref-8)
8. Australian Coalition for Inclusive Education, [*Driving change: A roadmap for achieving inclusive education in Austlralia*](https://acie.org.au/2020/09/30/driving-change-a-roadmap-for-achieving-inclusive-education-in-australia/), Australian Coalition for Inclusive Education, 2021, accessed 23 May 2023. [↑](#footnote-ref-9)
9. K Cologon, [*Towards Inclusive Education: A necessary process of transformation*](https://www.cyda.org.au/resources/details/62/towards-inclusive-education-a-necessary-process-of-transformation), Children and Young People with Disability Australia (CYDA), 2019, accessed 25 May 2023. [↑](#footnote-ref-10)