



CONNIE BONAROS MLC
FRANK PANGALLO MLC
Members of the Legislative Council
Parliament of South Australia

Ref JF14022022SABest

Fiona Endacott
Chief Executive Officer
Connecting Foster & Kinship Carers SA
via email: fiona@cfc-sa.org.au

Dear Fiona

Thank you for the opportunity to respond to Connecting *Foster & Kinship Carers SA's 2022 State Election Commitments*.

SA-BEST is truly appreciative of the invaluable role foster and kinship carers play in the lives of thousands of children and young people in South Australia.

Unfortunately, the same issues continue to arise time and time again when it comes to the Department for Child Protection ('DCP') - poor communication, lack of support services, procedural unfairness and slow or no reimbursements for out-of-pocket expenses.

Based on these accounts, SA-BEST voted in support of the *Children and Young People (Safety) (Inquiry into Foster and Kinship Care) Amendment Bill 2021* which amended the *Children and Young People (Safety) Act 2017* ('the Act') to cause an immediate independent inquiry into foster and kinship care ('the Inquiry').

It is a sad fact there are unprecedented numbers of children and young people in care in South Australia - 4695 children aged under 18 years at last count, including 1676 in foster care and 2310 in kinship care.

Key drivers of this upward trajectory include mental health, family violence and drug and alcohol issues, as well as a lack of access to services to support families with these and other challenges.

The disproportionate overrepresentation of indigenous children and young people in these figures is at crisis point.

SA-BEST is working in collaboration with the Nunga Babies Watch and the Grannies Group to advocate for this most vulnerable cohort, with particular focus on adherence to the Aboriginal and Torres Strait Islander Child Placement Principle ('ATSICPP').

We also hold genuine concerns victims of domestic violence are having their children removed rather than being provided with the support services they need to break the cycle.

The substantial review of the Act later this year cannot come soon enough.

SA-BEST is opposed to the adoption from care model proposed by the government in the *Children and Young People (Safety) (Miscellaneous) Amendment Bill 2020*.

The Bill did not progress in the Legislative Council and it is unfortunate the government was not open to working in collaboration with us to pass the select parts of the Bill which sought to strengthen the ATSICPP and best interests of the child.

We recognise placing children and young people where connections with family, kin and/or community are maintained is optimal, but appreciate this is not always possible and are of the firm view the safety of the child or young person must always be paramount.

We have responded to your actions individually below and look forward to a continuing the conversation with you.

Yours Sincerely

A handwritten signature in blue ink, appearing to be 'Connie Bonaros', with a large initial 'C' and a long, sweeping tail.

Hon. Connie Bonaros MLC

14 February 2022

A handwritten signature in blue ink, appearing to be 'Frank Pangallo', with a large, stylized initial 'F' and a long, sweeping tail.

Hon. Frank Pangallo MLC

1. WHOLE OF GOVERNMENT APPROACH TO ADDRESSING TO THE NEEDS OF CHILDREN AND YOUNG PEOPLE UNDER GUARDIANSHIP to focus on priority access for early intervention and prompt priority access to services for children and young people under guardianship in foster and kinship care.

SA-BEST agrees a whole of government approach is necessary to address the needs of children and young people in care and notes the significant role for the Child and Adolescent Mental Health Service to play, given the high prevalence of psychological and mental health problems experienced by this vulnerable cohort.

2. ENSURE FOSTER AND KINSHIP CARER PAYMENTS ADEQUATELY PROVIDE FOR THE FULL FINANCIAL NEEDS FOR CHILDREN AND YOUNG PEOPLE by raising the base allowance to either meet or exceed the national Foster Care payment average to ensure family-based Carers are not out of pocket when accessing services and supports for their children and young people, and to provide material support to Carers, many of whom dedicate their lives to creating secure, loving homes for children in their care.

SA-BEST acknowledges it is a government responsibility to provide adequate funding for children and young people in care and there are very real consequences for failing to do so.

From 1 January 2022, carers of children and young people under the age of 16 years have received an extra \$50 per fortnight to assist with day to day living expenses. While this increase in funding is a step forward, we are concerned it does not meet the real costs of foster and kinship care. Raising children, especially when never intended, is a huge financial undertaking, and can have a significant toll on kinship carers in particular.

Carers continue to highlight recurring funding issues, particularly in relation to reimbursements and the reluctance of DCP to fund needs-related second activities and appropriate vehicles for sibling groups or blended larger families.

Recognition should also be given to caregivers who selflessly forego superannuation payments and future financial stability when they are forced to end their careers to take up their caregiving roles.

3. PROVIDE ACCESS TO ALTERNATIVE, FLEXIBLE, REGULAR FORMS OF RESPITE SUPPORT FOR CARER FAMILIES that help sustain Carer families to function as a family unit, preserve and retain healthy family-based placements.

A lack of respite is consistently reported as one of the greatest challenges for carers, despite being critical for the sustainability and success of placements.

SA-BEST fully supports government funding of respite services.

4. EXTEND SUPPORT FOR YOUNG PEOPLE AND THEIR CARER FAMILIES TO AGE 25 where needed to allow young people additional time to grow from a secure family base, helping reduce risk of homelessness and other adverse outcomes for young people leaving care.

In January 2019, the government acted on calls for the extension of support for young people to age 21. SA-BEST supports the further extension of support to young people to the age of 25 for those who need it, especially considering the long waiting lists for services and lack of housing affordability faced by this vulnerable cohort.

Extending care leads to a higher level of engagement with education, improved employment outcomes, stable housing, reduced interaction with the criminal justice system and alcohol and drug dependency.

Further, it leads to better outcomes for both mental and physical health, ensures young people remain socially connected and helps address the intergenerational disadvantage often faced by young adults who have been in care as they navigate the developmental phase to adulthood.

5. AMEND THE CHILDREN AND YOUNG PEOPLE (SAFETY) ACT 2017 (SA) TO INCLUDE PROCEDURAL FAIRNESS AND CARE CONCERNS AS A PRESCRIBED FUNCTION ensuring it is a reviewable decision and to establish a legislative underpinning for the Care Concerns Investigations Unit.

SA-BEST has consulted with Connecting Foster and Kinship Carers SA on a number of occasions in relation to this amendment. While we appreciate the devastating impacts a care concern investigation can have on carers, and as a matter of course support principles of procedural fairness, the process by which it is achieved must be appropriate, and importantly, it must not undermine the intent of the legislation.

Laws that bypass processes such as procedural fairness are not passed by Parliament lightly, but rather are only ever reserved for very exceptional circumstances. In this instance, those circumstances concern the care, safety and wellbeing of the most vulnerable cohort of children and young people. Whilst we acknowledge the concerns raised by Connecting Foster and Kinship Carers SA and the request for legislative reform, this requires a very fine balancing act.

The advice provided to our office is the changes discussed with us to date are inconsistent with the underlying principles of the legislation in question, in particular the paramount safety of the child.

We anticipate the current Inquiry and impending review of the Act later this year will address this issue and remain open to proposals that seek to strike the right balance between the paramount safety of children and young people on the one hand and procedural fairness issues on the other. Any such process must be evidence based. We believe the Inquiry and the review will canvas this issue with the level of detail it warrants.

6 FUND RESEARCH INTO FOSTER AND KINSHIP CARE; SUPPORT INNOVATION AND BEST PRACTICE to justify a range of system improvements with the potential to reduce multiple placements for children and young people, increase stability for Carer families, reduce the over reliance of costly residential

care and better support Carer families to manage challenging behaviours (including appropriate responses to trauma) for the young people in their care.

SA-BEST's mantra is to consistently listen to the experts. We fully support research into best practice.

The Minister for Child Protection is not an expert on how to best address the complex trauma-impacted needs of children and young people in care and should be looking to those who are.

7. COLLABORATE WITH THE PEAK REPRESENTATIVE BODY FOR FOSTER AND KINSHIP CARERS ensuring the child protection system can better involve the voice of Carers to build and enhance the protective factors around children and young people in care through legislation, policy, procedure and practice.

SA-BEST is in regular dialogue with Connecting Foster and Kinship Carers SA as the state's peak body representing over 1000 carers in South Australia. Our door is always open to hear the voices of those with lived experiences and advocate where we can for those without a voice.