

31 January 2024

Ms Rachel Stephen-Smith MLA  
Minister for Children, Youth and Families  
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Canberra, ACT 2601  
Email: [stephen-smith@act.gov.au](mailto:stephen-smith@act.gov.au)

CC: [budgetconsultation@act.gov.au](mailto:budgetconsultation@act.gov.au)

Dear Minister,

As you know, the CREATE Foundation is the national peak body representing the voices of children and young people with a care experience. In this capacity, we engage with children and young people across a range of programs and services to understand the issues of importance to them and translate these insights into priorities for reforming child protection and care systems. As such, we welcomed the ACT Government's call for submissions to inform the direction of the 2024-25 State Budget.


We hope that the ACT Government will also use the Budget to fully resource legislative amendments to the *Children and Young People Act 2008*. CREATE's view, as outlined in our [submission to the ACT Government on the proposed Children and Young People Amendment Bill 2, 2024](#) (see attachment 1), is that practice reform must occur alongside these important legislative amendments to ensure the reforms succeed in both diverting vulnerable families from contact with the child protection system and in improving experiences and ensuring the wellbeing of those already engaged with the system. CREATE also sees the upcoming 2024-25 Budget as an opportunity to provide further and more targeted investment to meet the needs of children and young people in care, to support kinship and foster carers, and to support young care leavers in the face of ACT's cost of living crisis.

CREATE would like to highlight the following priority areas for investment:

### **Resourcing critical reforms to the ACT's child protection system**

CREATE strongly urges the ACT Government to leverage the 2024-25 Budget to ensure that proposed legislative reforms to the *Children and Young People Act 2008* can be translated into positive outcomes for children, young people and families. This will require considerable resource allocation, including investment, workforce development and robust and transparent monitoring and evaluation of reform implementation and impact. These are outlined in more detail in [CREATE's submission](#) on the proposed changes. Further, we encourage the ACT Government to build on its commitment to participation by including the voices of children, young people and families with lived experience as a vital source of evidence in relation to how the system is operating.

The release of the recent *Counting the Costs* report documented pressures on the existing community services workforce. *Counting the Costs* tells a story of increasing demand and complexity of needs that compound broader sustainability concerns across the community services sector, including chronic underfunding that has not kept pace with the true cost of delivering services (Cortis, Blaxland, & Adamson, 2021). While CREATE is supportive of changes that will reorient the



system to prioritise early support as proposed in the *Children and Young People Amendment Bill 2, 2024*, such changes require time to be fully embedded and to realise diversionary impacts. In this context, CREATE urges the ACT Government to use the upcoming Budget to plan for how additional family preservation supports will be delivered in practice, including the practice frameworks that will underpin family preservation models. Consideration should also be given to balancing resourcing for these reforms (both now and into the future) with funding required to ensure support is provided to those children, young people and families who are already deeply engaged with the child protection system in an effort to improve experiences and support their wellbeing.

### **Improving outcomes for young people transitioning from care to independence**

Research has shown that young people with a care experience have poorer outcomes compared to peers across all major life domains. They are less likely to graduate from high school or enrol in tertiary education. They experience greater difficulty securing employment and housing. They are more likely to be involved with the justice system. And they experience a greater incidence of mental health and substance use problems (McDowall, 2020; Stein, 2016). The Australian Institute of Health and Welfare's (AIHW) *Young people in out-of-home care study*' (2021) showed 56% of young people with an out-of-home care experience were on income support, which is three times higher than the general population.

Further, in 2022 CREATE Foundation asked 25 young people with a care experience aged 17–21 years and living in the ACT about their thoughts and experiences of finding housing after leaving care. Young people told us:

- 58% didn't know where to start when finding a place to live
- 47% had experienced homelessness at some point since leaving care
- 89% thought it helpful to some degree to be able to return to a supported place
- 32% were concerned about inadequate caseworker support.

Young people's experiences are also set against a social housing safety net that is under significant pressure, pushed almost to the brink. As of 1 January 2024, the ACT Government indicated there are currently 140 wait-listed priority housing applications, with an average wait time of 256 days; 2,029 wait-listed high needs housing applications, with an average wait time of over 3 years (1207 days); and 976 waited listed standard housing applications; with an average wait time of over 5 years (1,946 days) (Housing ACT, 2024).

Safe, secure and affordable housing is necessary for safety and wellbeing, sense of security, physical and mental health, engagement in education and employment, and social and community connectedness. It is one of the critical building blocks for young people transitioning from care. The 2024-25 Budget presents the ACT Government with an opportunity to strengthen the package of support available to young care leavers. CREATE urges the ACT Government to commit funding and resourcing to extend transition supports, making them available to all young people leaving care until the age of 25. To do this, the ACT Government must remove discretionary principles and caveats around providing support and services only when considered reasonably necessary in the circumstances. Such revisions should also be supported by enhanced financial allowances for young care leavers up to age 25, including:

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- A specific 'Independent Living Allowance' offered to all young people leaving care of \$16,000 per year to better support their transition from the care system and cover the true costs of independent living. This allowance should be opt-out rather than opt-in to ensure young people do not miss out on the support available and to reduce the administrative burden of processing applications. Further, the ACT Government should systematically review this allowance to appropriately index this payment to increases to the cost of living.
- In recognition of the difficulties young people transitioning from care in the ACT face in securing safe and affordable housing, the ACT Government should consider a rental subsidy that is targeted for young people leaving care up to age 25 to help them enter the private rental market and maintain their tenancies. This should form part of a broader commitment from the ACT Government to provide guaranteed housing placements for young people with a care experience up to the age of 25.

### Adequately resourcing Aboriginal-led child and family support services

CREATE strongly supports strengthening and increasing capacity in the Aboriginal community-controlled sector. In June 2022, 216 (31%) of the 688 children and young people in out of home care in the ACT identified as Aboriginal or Torres Strait Islander (Australian Institute of Health and Wellbeing, 2023). This is particularly concerning given that only 9,000 people identified as Aboriginal and/or Torres Strait Islander in the ACT in the 2021 Australian Bureau of Statistics (ABS) Census; making up only 2.0% of the ACT population (ABS, 2022). Further, in 2021-2022 the rate of Indigenous children admitted to out-of-home care in the ACT was 13.9 per 1,000 while the rate of non-Indigenous children was 1.1 per 1,000 (AIHW, 2023). More needs to be done to interrupt cycles of contact with child protection and care systems for Aboriginal and Torres Strait Islander children, young people and families that have resulted in the enduring over-representation of Aboriginal children.

The *Our Booris, Our Way Review* report called for meaningful early family supports and services delivered by Aboriginal Community Controlled Organisations (ACCOs) to reduce the need for entries to care (Our Booris, Our Way Steering Committee, 2019). The need for this was subsequently reiterated by Natalie Brown, Chair of the *Our Booris, Our Way* Implementation Oversight Committee in its July-December 2022 update (ACT Government, 2022). Despite some prevention efforts, including the Functional Family Therapy – Child Welfare Program (FFT-CW), rates of overrepresentation remain unacceptably high (SNAICC, 2023). SNAICC's *Family Matters* Report (2023) paints a disappointing picture, highlighting a lack of resources for ACCOs to support families to participate in child protection processes, the proportion of expenditure on family support and intensive family support below the national average, and a continuing level of distrust between Aboriginal sector and the Government, despite progress made to increase investment in ACCOs.

In the spirit of self-determination, the CREATE Foundation strongly believes that the care and protection of Aboriginal and Torres Strait Islander children and young people should be led by Aboriginal and Torres Strait Islander organisations and communities. We urge the ACT Government to use the 2024-25 Budget to genuinely engage with and provide meaningful and proportional funding for Aboriginal-led and self-determined approaches to keeping Aboriginal and Torres Strait Islander children safe, well and connected to culture.

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## Improving carer supports

The rising cost of living for carers in the ACT is likely to place pressures on and impact carers' ability to keep caring for children and young people in foster and kinship arrangements. In 2022, 93.4% of children and young people in out-of-home care were either in foster (34.7%) or relative/kinship (58.7%) care (AIHW, 2023). While the ACT Government provides the *Foster and Kinship Care Subsidy* to assist with the costs associated with the care and support of children in their care, this subsidy is falling behind the cost of living. Between December 2017 and December 2022, Canberra experienced significant increases in prices for fuel (37%), transport (23%), electricity (25%), medical and hospital services (19%), housing (21%), education (20%) and food (18%) (ACTCOSS, 2023). Without further revisions to allowances, carers will be challenged in their ability to cover the cost of essentials and meet the needs of children and young people in their care.

We hope to see the ACT Government prioritise these initiatives to improve the lives of children, young people, carers and families in contact with child protection and out-of-home care systems. Embedding change will require adequate resourcing of reform efforts, both now and into the future. This is what children in the ACT deserve.

We look forward to discussing these priority areas for investment with you further and we appreciate your continued efforts to reform child protection and care systems in the ACT to keep kids safe, well and connected to culture.

Should your team have any questions about this submission, please do not hesitate to contact Imogen Edeson, National Advocacy and Influencing Manager on 0466 850 867 or at [imogen.edeson@create.org.au](mailto:imogen.edeson@create.org.au).

Yours faithfully,



Jacqui Reed  
**Chief Executive Officer**  
**CREATE Foundation**

### Attachment 1:

[CREATE submission to the ACT Government on the proposed Children and Young People Amendment Bill 2, 2024](#)

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