



**SPECIAL COMMISSION OF INQUIRY INTO
CHILD PROTECTION SERVICES IN NEW SOUTH WALES**

PUBLIC FORUM

OUT-OF-HOME CARE

29 FEBRUARY 2008

FACTS SHEET

1. Numbers of children and young people in out-of-home care in NSW

- a. At 30 June 2007 there were 12,712 children and young people in NSW who were unable to live with their family and were in out-of-home care.^{1 2}
- b. The rate of children and young people per 1,000 in out-of-home care in NSW at 30 June 2006 was 6.7. At 30 June 2007 this rate increased to 8.1.³
- c. At 30 June 2007 of the 12,712 children and young people in care:
 - a. 3% (352) were less than 1 year old
 - b. 19% (2,384) were 1 to 4 years old
 - c. 44% (5,664) were 5 to 11 years old
 - d. 26% (3,287) were 12 to 15 years old
 - e. 8% (1,025)⁴ were 16 to 17 years old.⁵
- d. There has been a 37% increase in the number of children and young people in out-of-home care from June 2002 until June 2007.⁶
- e. At 30 June 2007, there were an estimated 7,300 non-high needs children and young people in out-of-home care who had an allocated caseworker. Unallocated cases are generally those children and young people in long-term stable placements.⁷

¹ Excluding the children and young people in custody. *Department of Juvenile Justice Annual Report 2006/2007* shows an average daily number of 331 children and young people were in custody.

² *NSW Department of Community Services Annual Report 2006/07* p 54

³ NSW Department of Community Services response to Summons No 2 E5 p 26

⁴ This number includes 7 not known.

⁵ NSW Department of Community Services response to Summons No 2 E3 p 2

⁶ Page 1 Overview of Out-of-Home Care Presentation to Special Commission of Inquiry 11/12/07

⁷ Statistics supplied by NSW Department of Community Services.

2. Numbers of Aboriginal and Torres Strait Islander children and young people in out-of-home care in NSW

- a. Under s 13 of the *Children and Young Persons (Care and Protection) Act 1998* (“the Act”), Aboriginal and Torres Strait Islander children and young people are to be placed with their extended family or kinship group, a member of their community, an Aboriginal or Torres Strait Islander family residing in the vicinity or otherwise with a suitable person approved by the Director General of the Department of Community Services (DoCS) following consultation with extended family, kinship group or community organisations.
- b. At 30 June 2007 there were 3,865 Aboriginal and Torres Strait Islander children and young people in out-of-home care,⁸ 85% of whom were placed in accordance with the Aboriginal Child Placement Principle.⁹
- c. There has been a 65% increase in the number of Aboriginal and Torres Strait Islander children and young people in out-of-home care from June 2002 until June 2007.¹⁰

3. Categories of care for the children and young people in out-of-home care in NSW

- a. At 30 June 2007, 63% were in statutory care, which is where the Minister for Community Services or another person has parental responsibility following an order made by the Children’s Court.¹¹
- b. At 30 June 2007, 36% were in supported care, which is either in kinship care, temporary care or on a court order for less than 14 days. The Minister does not have parental responsibility of a child or young person in any of these categories of care. The carer has care responsibility for children and young people in kinship care and the Director General has care responsibility for those in temporary care and for those on court orders for less than 14 days.
- c. At 30 June 2007, about 1% were in voluntary care where arrangements are made between the parents or guardian and an agency.

4. Designated agencies authorised to provide foster or residential care to children and young people in out-of-home care in NSW

- a. At 30 June 2007 there were 59 government, non-government or private agencies, including DoCS and the Department of Ageing, Disability and Home Care, approved as designated agencies to provide foster or residential care to children and young people in NSW.¹²

⁸ NSW Department of Community Services response to Summons No 2 E10 p 31

⁹ *NSW Department of Community Services Annual Report 2006/07* p 55

¹⁰ Page 1 Overview of Out-of-Home Care Presentation to Special Commission of Inquiry 11/12/07

¹¹ NSW Department of Community Services response to Summons No 2 E7 p 28

¹² *Office for Children Annual Report 2006-2007* p 95

- b. The Children's Guardian promotes the best interests of all children and young people in out-of-home care, ensures their rights are protected, accredits designated agencies to provide out-of-home care and monitors the Quality Improvement Program for agencies with interim accreditation. The Children's Guardian is also responsible for accrediting and monitoring non-government adoption service providers under the *Adoption Act 2000* and *Adoption Regulation 2003*.
- c. At 30 June 2007, of the 59 designated agencies, 27 were participating in the Quality Improvement Program including DoCS and the Department of Ageing, Disability and Home Care.

5. Types of carers

- a. At 30 June 2007, 4,645 children and young people in out-of-home care were placed with foster carers.¹³
- b. At 30 June 2007, 4,601 children and young people in out-of-home care were in relative or kinship care.¹⁴
- c. The remaining children and young people were in residential care, independent living, supported accommodation or with a parent or non-related person.¹⁵

6. Parental responsibility for children and young people in out-of-home care

- a. At 30 June 2007 of the 12,712 children and young people in out-of-home care:
 - i. Parental Responsibility was to the Minister for 61.3%
 - ii. Parental Responsibility was to a relative for 16.5%
 - iii. Parental Responsibility was to a non-relative for 1.1%
 - iv. Parental Responsibility was to an agency for 0.5%
 - v. There was no court order for 15.2% in relative/kinship care.¹⁶
- b. DoCS is the case manager for the majority of children and young people in out-of-home care.¹⁷

¹³ NSW Department of Community Services response to Summons No 2 E9 p 30

¹⁴ NSW Department of Community Services response to Summons No 2 E9 p 30

¹⁵ NSW Department of Community Services response to Summons No 2 E9 p 30

¹⁶ NSW Department of Community Services response to Summons No 2 E7 p 28. The remaining children and young people were in temporary care, parental responsibility of parents, care responsibility of the Director General, protected persons, pre adoption, care responsibility of the Director General or were detached refugees/non-citizen children.

¹⁷ Case management for all children placed with Barnardos has been delegated to Barnardos and parental responsibility for all of those non-indigenous children and young people placed with Barnardos has also been delegated.

7. Number of placements of children and young people in out-of-home care

- a. At 30 June 2007, of the 12,712 children and young people who were in care:
 - i. 48.6% had had one placement
 - ii. 23.6% had had two placements
 - iii. 12% had had three placements
 - iv. 15.8% had had four or more placements.¹⁸

8. Health and well-being of children and young people in out-of-home care

- a. Studies have shown that children entering out-of-home care have a high prevalence of acute and chronic health problems and developmental disabilities.¹⁹
- b. Studies have also shown that young people leaving care are one of the most vulnerable and disadvantaged groups in the community.²⁰

9. Expenditure on out-of-home care

- a. The actual expenditure for 2006/07 on out-of-home care by DoCS was \$364.688 million with an average cost per child or young person in care of \$28,688.²¹ The cost of each child would obviously vary depending upon the needs of the child.

¹⁸ NSW Department of Community Services response to Summons No 2 E11 p 32

¹⁹ Nathanson D, Tzioumi D, 'Health needs of Australian children living in out-of-home care' *Journal of Paediatrics and Child Health* 43 (2007) 695-699; Piper A, (2004) 'Kari Clinic Pilot Program Comprehensive Health Assessment for Children Entering Short Term Foster Care' Presentation at ACWA Conference 2004 retrieved 21 February 2008

http://www.acwa.asn.au/Conf2004/acwa2004papers/25_PiperRalph.pdf ; CREATE Foundation, 'Australian Children and Young People In Care Report Card on Health' January 2006.

²⁰ Paxman J, Cashmore J, 'Longitudinal Study of Wards Leaving Care: 4-5 years After Leaving Care' Social Policy Research Centre University of New South Wales 2007

²¹ NSW Department of Community Services Annual Report 2006/07 p 55