

Australian Youth Forum: A new era in youth consultation

Submission from Victoria's Child Safety Commissioner

The Victorian Child Safety Commissioner provides advice to the Victorian Government about issues relevant to the safety and wellbeing of children, and is directly accountable to the Minister for Community Services.

Under provisions contained in the *Child Safety and Wellbeing Act 2006*, (CS&W Act 2005) the Child Safety Commissioner is required to:

- Promote child-safe environments;
- Monitor Victoria's out-of-home care system;
- Conduct inquiries into the deaths of children known to the child protection service system and into other matters referred by the Minister;
- Review the administration of the *Working with Children Act 2005 (Vic)* and educate and inform the community about the Act.

Under the Child Wellbeing and Safety Act, a **child** is defined as being aged up to 18 years. This age range of course captures a large group of children who are in fact young people or 'youth'.

A key feature of the work of the Office of the Child Safety Commissioner (OCSC) is listening to children and young people, and therefore strongly supports the development of mechanisms that enhance the ability of children and young people to have a say in decisions that impact on their lives.

The work of the OCSC is guided by the principles of the United Nations Convention on the Rights of the Child, which recognises that children's human rights are fundamental to their human dignity and harmonious development. Article 12 of the Convention states that

"Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."

The OCSC welcomes the establishment of the Australian Youth Forum (AYF) and the allocation of resources in the 2008-09 federal budget to establish the forum. The OCSC believes the AYF has an opportunity to facilitate greater partnerships between young people, the youth sector and the Australian Government and provide a mechanism for young people to engage in policy processes and voice their views at a national level.

The OCSC actively promotes the interests and wellbeing of children and young people in policy development in Victoria and looks forward to working with the AYF to promote youth issues at a national level.

Before responding to the ten questions posed in the *Australian Youth Forum: A new era in youth consultation* discussion paper, detailed below is some of the work the OCSC has undertaken with young people and the youth sector that may link well with the work of the AYF.

Listening to children and young people

The Victorian Child Safety Commissioner, Bernie Geary takes every opportunity to meet with children and young people and those that work closely with them. He and his staff meet and talk with children living in residential care facilities and foster care, those exposed to the justice system, representatives of the CREATE Foundation¹, young people involved in generic youth service organisations, children in primary and secondary schools, preschools, kindergartens and child care centres across Victoria. The Commissioner also meets with service providers, parents and carers to hear about their experiences of the services provided to children and young people.

This high level of direct interaction with children and those who care for them or work with them is vital to the office's policy development and research activity in relation to child wellbeing and safety and to inform government.

The Commissioner recognises that listening to children and young people is central to understanding their experiences of life. To support this, the office has established a range of mechanisms and processes to maximise hearing their views.

These involve direct and indirect means of engaging with children that include: forums, workshops and meetings.

The primary aim is to ensure that children and young people, particularly Victoria's most vulnerable children are heard.

In regard to children in the care of the state, the office supports the establishment of processes that ensure children's views are heard, in particular in regard to any decision making processes relevant to their lives. The OCSC has encouraged children and young people's voices to be heard through a number of avenues including:

1. Participation in the development of the Charter for children in out- of-home care and its application to their lives. The Charter outlines what children living in out-of-home care should expect from the people looking after and working with them. It is a tool which helps service providers and decision makers to listen to the voices of children living in out-of-home care.
2. Meeting with and talking to young people - In 2006/7, a project entitled "What makes a good home captured, first hand, the experiences of children and young people living in residential care. Young people sought information from their peers about their experiences of out-of home care and identified characteristics of good out-of-home care placements, in particular residential care.
3. Meeting with the Commissioner when he visits services and agencies. The Commissioner has initiated a comprehensive program of visits to residential care facilities, foster carers' homes and schools to hear directly from the children and carers about their experiences that most matter to them. Experiences tell us that young people feel most comfortable when the visits occur in their own space and environment.
4. Travelling 'out bush' with the Commissioner in the Northern Territory - In August and September 2006, Salvation Army Westcare provided a group of Victorian young people with the opportunity to travel in the Northern Territory as part of their Going Places – Creating Memories program. The Child Safety Commissioner joined the group for a part of their trip.

¹ The CREATE Foundation was established in 1993 to provide an independent voice for children and young people in out-of-home care in Australia.

Participating in this experience gave the Commissioner the opportunity to spend quality time with a group of young people and gave them a chance to share concerns and issues with him.

5. In April, 2008, an OCSC staff member was invited to travel with a group of 12 young people and staff from Berry Street, Victoria to Litchfield and Kakadu National Park in the Northern Territory. Throughout the program the group of young people from both rural and metropolitan areas across Victoria, spoke about many life matters important to them in an informal, supportive environment.
6. Participating in a debutante ball - Young people who live in out-of-home care told the Commissioner that they wanted to have the same opportunities and rites of passage as those children who live with their families. For some, this included their desire to make their debut.

The OCSC planned a debutante ball for 50 young people in care in October 2007. This event gave the young people an opportunity to participate in a significant life event, develop new skills, have fun, and directly communicate with the Commissioner and his staff over a 16 week period.

Collaboration with carers and service providers to further identify the needs of children and young people.

The Commissioner highly values the input of the range of people who nurture, support and care for children including parents, grandparents and other carers, volunteers and professionals, and relies on the information they provide him with at meetings and visits to inform the work of his office. Examples of this collaboration include regular meetings with the Foster Care Association, Kinship Carers and CREATE.

The Commissioner also highly values the advice of those who deliver services or activities for children.

The OCSC has established a Sector Consultation Group to discuss matters relevant to the safety and wellbeing of Victorian children and young people. These meetings have provided a forum for discussion about specific challenges relevant to binge drinking, mental health services integration, cyber safety and child-safe organisations; as well as identification of strategies to support the promotion of resources produced by the OCSC, and to facilitate opportunities for ongoing collaboration.

The Office brought together key stakeholders to participate in a roundtable discussion to examine the issue of underage binge drinking. Participants represented government departments, research organisations, counselling and treatment services, community service organisations and emergency services in Victoria. The preliminary outcomes from the roundtable discussion may support the future work by the Australian Youth forum and the National strategy that aims to address binge drinking among young Australians.

The OCSC works closely with state peak bodies such as the Youth Affairs Council of Victoria (YACVic). Over the past two years the OCSC has assisted YACVic to develop a Code of Ethical Practice for the youth sector in Victoria to encourage organisations to think and be consciously 'child safe'. The Code was launched in 2007. Recently, the OCSC has been working with YACVic to look at the issue of young people and the media. This work could be furthered at a national level with a peak body such as the AYF.

The Commissioner is a member of the Australia and Pacific Association of Children's Commissioners and meets with his contemporaries at least twice a year to discuss issues impacting on children and young people in their jurisdictions.

The Commissioner sits on the Victorian Children's Council, Victorian Drug and Alcohol Preventive Council, Interdepartmental Committee on Out-of-home care and the Sentencing Advisory Committee.

These partnerships at national and state levels could readily input into the future work of the AYF.

Question 1. What should be the role(s) of the AYF?

The OCSC endorses the elements of the AYF outlined in the discussion paper namely:

- Meaningful and inclusive youth participation utilising a range of mechanisms.
- Coordinating dialogue between youth sector organisations, autonomous youth services and government.
- Being grounded in evidence and drawing on research.
- A capacity for the Minister to engage with young people on a regular basis by way of face-to-face forums.
- A whole of government approach to raising issues.

The AYF should be established to provide young Australians with a voice in national policy development processes and to give them an opportunity to influence government decisions. The AYF should also support the youth sector to ensure that the sector has the capacity to provide the best possible services and quality programs to young people. Youth programs must consider new approaches to ensure children and young people remain and/or are connected to their local geographical community or alternatively communities of interests. Eg passive/active recreational and social groups, peer, clubs and/or sporting activities.

The OCSC is aware that the absence of a national peak body over the last decade has limited the capacity of young people and the youth sector to coordinate responses to national policy issues.

We believe the AYF should undertake this co-ordination role.

The principles that would underpin the work of the AYF should include:

Youth participation – involving young people in processes that help to develop their skills and capacities and to influence decisions.

Equal representation – young people and the youth sector should be equally represented by the AYF.

Collaboration – the AYF should work collaboratively with young people, community organisations and all levels of government across Australia.

Whole-of-government – the AYF would provide advice across all government portfolios.

Question 2. What functions should the AYF undertake?

The OCSC believes that the AYF should be established as an independent national peak body. The primary functions of this body would be to;

Represent the rights and interests of young people to the Australian Government;

- Develop a variety of mechanisms to ensure young people are directly involved in the advocacy work of the AYF;
- Encourage and support greater youth participation at all levels of government;
- Exchange information between the government, young people and the youth sector;
- Coordinate collaborative policy work within the youth sector;
- Promote best practice in the delivery of youth services based on research;
- Initiate and undertake research on issues that have an impact on young people;
- Provide professional development opportunities for the youth sector and training for young people that seeks to enhance their advocacy skills;
- Coordinate forums and consultations with young people and the youth sector across Australia to help identify priority youth issues; and
- Meet with young people in their own environment and space drawing upon informal, yet innovative ways to listen to their views, aspirations and needs.

Question 3. How will the AYF consult?

The OCSC recommends that the AYF develop a range of consultation processes that are inclusive of the diversity of young Australians, that utilise existing and emerging technologies and that connect with young people in their own communities. As part of our work with young people we have learnt that the process of consultation is as important as the outcome. As mentioned above, the Commissioner aims to go out to where young people are, as much as possible. His preferred approach is to meet young people for meals and to attend camps, rather than always asking young people to come into our office for one-off consultations. The Office has found that this process helps us to develop deeper and more trusting relationships with the young people and so gain a clearer understanding of their experiences, aspirations, needs and issues.

The AYF should also organise forums where young people can come together such as regular summits and conferences as well as issue-based consultations across Australia, covering rural and remote areas. Consultation methods will have to consider how to involve the diversity of young people. For example, young people from regional and remote Australia, young people from culturally diverse backgrounds, Indigenous young people and vulnerable young people such as the young people we work with who may not engage in traditional consultation methods.

We recognise that one body cannot consult with all young people across Australia. The AYF will need to utilise existing structures such as state peak bodies, youth organisations, state and territory government processes and organisations such as state and territory children's commissions to ensure that a diversity of voices are heard at the national level. Organisations across Australia would provide information and advice to the AYF which would then coordinate the advice and develop a policy position to put forward to government. The AYF should build on the structures and knowledge that exists across Australia rather than starting from scratch. For example, as mentioned above the OCSC convened a roundtable to consider the issue of binge drinking and young people. We could provide the outcomes of this process to assist the policy work of the AYF in this area.

Question 4. Who will the Australian Youth Forum 'represent'?

The AYF should equally represent all young people and the youth sector organisations that engage with and support young people. The AYF should be a membership based organisation and it would draw on its members to inform its advocacy, policy and research work.

The AYF should ensure it represents the voice of vulnerable young people such as Aboriginal and Torres Strait Islander young people, young people in out of home care, detention centres and youth justice centres, young people from culturally and linguistically diverse backgrounds, same sex attracted young people and those that are disadvantaged because of disability, homelessness or geographic isolation.

Question 5. What type of organisation should the Australian Youth Forum be?

The OCSC supports the establishment of an independent youth peak body that advocates on behalf of its members. It is essential for the functions of the peak to be provided by a single organisation sitting outside government and has a lobbying and monitoring role.

The OCSC is aware of the work of the Australian Youth Affairs Coalition (AYAC) as the unfunded national youth peak and support AYAC submission in this regard.

Question 6. Who would the Australian Youth Forum include?

The AYF should be a membership based organisation that includes young people and youth sector organisations across Australia.

Young people aged between 12-25 should be encouraged to become members of the AYF and be involved at all levels of the organisation. The AYF should also include youth-led organisations which are run by and represent young people,

The AYF should also represent the youth sector which comprises a diverse range of government and non government services at state, territory and national levels that provide services, programs and support for young people.

Question 7. What capacity should the Australian Youth Forum have?

As an independent, non-government organisation the AYF should have the capacity to fulfil its roles and functions. The AYF should have recurrent funding which provides for a core staff team, office space, research and sector development activities and consultations and forums across Australia. Importantly, funding should support the participation of young people in consultation processes and in the governance structures of the AYF.

Question 8. What role would young people have in the Australian Youth Forum?

Principles of youth participation must provide the foundation of the AYF and participation opportunities should range from consultation to youth led and directed activities.

Young people should be involved in all aspects of the organisations including:

As members.

As members of the AYF board and any committees that are established.

In meetings with ministers and government.

As media spokespeople

Advocates representing their broader community

Question 9. How can the AYF ensure all young people have the opportunity to be heard?

The AYF will need to develop a range of mechanisms to engage young people in its work. The AYF should work with young people and the myriad of organisations around Australia which practice youth participation principles to develop a range of participation models that account for the diversity of young people across Australia. A strong membership base will also ensure the AYF represents a diversity of young people.

The AYF should tap into existing youth participation processes used by youth peaks, youth organisations and state and territory governments. In this way the AYF would not duplicate the work done at a state or territory level but rather draw on this expertise and coordinate the information at a national level.

A variety of informal consultation mechanisms will need to be developed to engage diverse groups of young people such as young people with disabilities and disconnected young people in out of home care, and those that are homeless. These young people may not engage in traditional consultations. However, the work we undertake with them can feed into national processes where relevant.

Consultations should also be culturally appropriate and take into account the needs of culturally and linguistically diverse (CALD) young people and Indigenous young people.

Consultations methods will also have to utilise a range of technologies to engage young people in rural and remote Australia in particular.

For one-off consultation forums the AYF should support young people to be involved though offering financial assistance such as travel and other allowances. Preference for such forums to be convened in local neighbourhoods would enable a greater engagement of participants from vulnerable backgrounds.

Participants should also be informed of the outcomes of the consultations through feedback processes.

Question 10. What role would youth organisations have in the AYF?

Membership of the AYF should be open to youth sector organisations. Organisations would also be represented on the AYF Board and other organisational structures.

The AYF would maintain a database of youth organisations across Australia to assist its consultation processes and youth organisations would help to shape policy advice to government.

As well as coordinating policy advice from the sector to government, The AYF could also consider issues such as professional development and workforce issues as these have an impact on the young people the sector works with. As noted above, the OCSC worked closely with the Youth Affairs Council of Victoria to develop the Victorian Code of Ethical Practice as we believe that a code will guide workers' professional and ethical practice which will lead to more 'child safe' organisations.

Priority Youth Issues

1. Children and young people connection to community.

For many reasons, some children and young people are disconnected from their family, friends and social networks in the local community. Specific attention is needed for youth services providers to work closely with community leaders and local neighbourhoods networks to ensure children and young people are given opportunities to link in with their local community.

2. Children who are homeless

Currently there are unaccompanied children under the age of 16 years residing in homelessness and Supported Accommodation Assistance Program services. The Commissioner is exploring the present child and family support services system and working with stakeholders to develop approaches that can better address the safety needs of these very vulnerable children.

3. Binge drinking

In April 2007, the OCSC hosted a roundtable discussion to examine the issue of underage binge drinking. The roundtable brought together representatives from government departments, research organisations, counselling and treatment services, community service organisations and emergency services in Victoria. The information from this roundtable helped to inform a government strategy about how best to protect children from the serious health and safety impacts of binge drinking. Given the Rudd Government has recently announced a national strategy to address binge drinking among young Australians, the work we have undertaken could feed into policy work undertaken by the AYF around this issue.

4. Cyber safety

The OCSC is highly aware of the vulnerability of children using the internet, in particular those who are already vulnerable through having been removed from their families. The OCSC has developed a DVD to assist carers to discuss 'how to safely access the net' with children in their care. It is possible that the OCSC work in this area could contribute to a national strategy for those caring for young people.

5. Education

The OCSC is aware of the particular learning needs of those children and young people placed in care, who experience trauma and are struggling to stay connected to alternative and/or mainstream schools. The OCSC has developed a highly sought after resource for teachers entitled *Calmer Classrooms*, designed to assist teachers dealing with traumatised children and a follow up publication; *Great expectations*, supporting children and young people in out-of-home care to achieve at school. Perhaps both works could inform strategies for the AYF.

Office of the Child Safety Commissioner (Victoria), 6 June 2008