

DEVELOPMENT of the CHARTER FOR CHILDREN IN OUT-OF-HOME CARE

In 2003, the Minister Sheryl Garbutt requested the Advocate for Children in Care develop a draft charter of rights for children in out-of-home care.

Work on the project commenced in December 2004 and a discussion paper entitled *Development of a charter of rights for children and young people in care* was released in May 2005 to assist and promote dialogue within the sector on the potential content of a charter.

In April 2005, the Office of the Child Safety Commissioner (OCSC) was formally created and in May 2005 Victoria's first Child Safety Commissioner was appointed. With the creation of this new office the responsibilities of the Advocate for Children moved to the OCSC, including the development of the charter of rights for children in out-of-home care.

A stakeholder focus group comprised of key organisations in the out-of-home care sector was formed to assist in the development of the charter as well as a working group comprised of key peak Aboriginal organisations to assist the office in consultations with Aboriginal communities.

Extensive consultations were undertaken from May to November 2005. Consultations occurred in all DHS regions in Victoria and included departmental staff, out-of-home care services, parents and other family members of children in care, carers, and associated services that work with children in care. In excess of 500 people participated in discussions on the charter.

Most importantly, the consultations involved direct discussions with 107 children who resided in out-of-home care as well as young adults who recently left care. These consultations were coordinated and undertaken by the CREATE Foundation.

In addition to these forums, 48 submissions were received from interested individuals and organisations responding to issues raised in the discussion paper.

Consultations about the preparation of a draft charter concluded in November 2005.

A draft charter together with a detailed report summarising feedback received in consultations prepared by the Child Safety Commissioner and a report prepared by the CREATE Foundation on the consultations with children and young people was presented to the department in February 2006.

A draft charter, endorsed by the Office for Children, was presented to the Secretary, DHS on 1 November 2006.

A further amendment was proposed to strengthen and enhance the Charter in relation to Aboriginal children.

On 27 April 2007, The Secretary of DHS advised my office that she endorsed the revised Charter as the finalised Charter for children in out-of-home care.

The *Children Youth and Families Act 2005* states the Secretary has responsibility for publishing and promoting the charter. The leading role of the Child Safety Commissioner's Office in developing the draft charter concluded with the presentation of the charter to the Secretary on 1 November 2006.

The Office of the Child Safety Commissioner looks forward to working with the Secretary department, carers and broader service sector in the processes of launching, publishing and promoting the charter for children in out-of-home care. The department has set up a working group of stakeholders to this end.