

Part 4: Major protective system elements

**Chapter 11:**

The experiences of children and young people  
when leaving out-of-home care

## Chapter 11: The experiences of children and young people when leaving out-of-home care

### Key points

- The Inquiry was asked to investigate the quality, structure and functioning of out-of-home care including transitions and improvements to support better outcomes for children and families.
- Around 400 young people leave out-of-home care annually following the expiry of their guardianship or custody order. The limited evidence and research available suggests a significant proportion experience major issues in the transition to independent living and have long term negative life outcomes.
- The *Children, Youth and Families Act 2005* included for the first time a legislative responsibility for the Secretary of the Department of Human Services for the provision of transition and post-care services to assist the transition of young people under the age of 21 years to independent living.
- In recent years the Department of Human Services has developed and implemented specific leaving care and post-care services and programs and further funding was allocated in the 2011-12 Budget, including provision for the new Leaving Care Employment and Education Access Program.
- However, contemporary and comprehensive research and information on the experiences of Victorian young people leaving care and their access to, and impact of, leaving care and post-care services are not available.
- The limited research available suggests three factors are critical to achieve better post out-of-home care outcomes: improving the quality of care; a more gradual and flexible transition from care including access to stable accommodation arrangements; and more specialised after-care supports.
- A number of submissions to the Inquiry referred to the need for the legislative provisions to reflect the broader community trend where the majority of young people remain with their parents until their early 20s.
- The Inquiry makes a number of recommendations including:
  - the urgent need to gather information on current post-care experiences and the access to and impact of current arrangements;
  - the Secretary of the Department of Human Services should have the capacity to extend out-of-home care placements on a voluntary and needs basis to young people beyond 18 years;
  - enhancing current leaving care arrangements including stable initial accommodation arrangements and the level, range and integration of leaving care and post-care assistance; and
  - consideration in the medium-term of extending post-care assistance on a needs basis to the age of 25 years.

## 11.1 Introduction

In Victoria during 2010-11, some 1,730 children and young people who were in care for one month or longer exited care. Around 70 per cent of these children and young people were aged under 15 years and the majority were reunited with their family. The remainder, or more than 550 young people, were aged 15 years and over and some of these young people return to the family home, while others exited care into independent living. Approximately 400 young people have their custody or guardianship order expire each year.

This chapter is focused on the group of young people whose custody and guardianship order has expired and who exit into independent living. This group is often referred to as the 'leaving care population'.

This consideration responds to the Inquiry's Term of Reference relating to the role and functioning of the out-of-home care system including transitions from care.

The chapter outlines the relevant legislative and policy framework relating to leaving care; the range and nature of assistance available to those leaving care and post-care; the available statistics and research on the characteristics and experiences of young people leaving care; and the key issues identified as part of the Inquiry's submission and consultation process. The concluding section sets out a number of key recommendations.

## 11.2 Current legislative, policy and service framework

### 11.2.1 Legal framework

Statutory child protection provisions in the *Children, Youth and Families Act 2005* are restricted to children and young people under the age of 17 years or, if the young person is subject of a protection order, continue until the young person is 18 years. As a consequence, the out-of-home care system outlined in Chapter 10, including the provision of residential care placements and home-based caregiver re-imbursments, generally ceases to apply once a young person turns 18 years. From a legal perspective, leaving care has historically been defined as the cessation of legal responsibility by the State for young people living in out-of-home care.

A major finding of the 1989 report of the *National Inquiry into Homeless Children* (Burdekin report) by the Human Rights and Equal Opportunity Commission was that a large number of homeless young people came from a State care background. This was the beginning of a significant debate on the importance of youth transition and the issue of State responsibility for transition and post-care support. The *Children, Youth and Families Act 2005* included, for the first time, legislative responsibility for the provision of transition and post-care services for young people leaving out-of-home care. Section 16 (1) of the Act outlines, as part of the responsibilities of the Secretary of the Department of Human Services (DHS), a responsibility to assist the transition of young people to independent living as follows:

- ... (g) to provide or arrange for the provision of services to assist in supporting a person under the age of 21 years to gain the capacity to make the transition to independent living where the person –
  - (i.) has been in the custody or under the guardianship of the Secretary; and
  - (ii.) on leaving the custody or guardianship of the Secretary is of an age to, or intends to, live independently.

Section 16 goes on to state:

- ... (4) The kinds of services that may be provided to support a person to make the transition to independent living include –
  - a) the provision of information about available resources and services;
  - b) depending on the Secretary's assessment of need –
    - (i.) financial assistance;
    - (ii.) assistance in obtaining accommodation or setting up a residence;
    - (iii.) assistance with education and training;
    - (iv.) assistance with finding employment;
    - (v.) assistance in obtaining legal advice;
    - (vi.) assistance in gaining access to health and community services;
  - c) counselling and support.

### 11.2.2 Policy and processes framework

The DHS *Child Protection Practice Manual*, and a number of recent policy papers, set out the broad principles and processes that have been developed for young people leaving care and making the transition to independent living.

The following presents a summary of the principles, standards and procedures set out in DHS' manual (DHS 2011k, advice no. 1418):

- To ensure young people leaving out-of-home care have optimal success preparation needs to be considered as part of a continuous process of personal development, not as an event that starts only as a young person nears the end of the time in care. It is important that young people leaving care have the necessary support and skills to maximise their opportunities and feel ready and prepared to leave care (p. 1);
- Each person who leaves an out-of-home care placement should do so in a planned and supported manner to enable a successful and sustainable transition. Young people should have:
  - ongoing opportunities to develop independent living skills;
  - involvement in decision making;
  - have a detailed post-placement support (or after care) plan; and
  - should leave care with relevant documentation, possessions and life records.
- Members of the young person's care team share responsibility for the preparation of young people for independent living (p. 2).
- Preparation for independence: preparation and planning for leaving care should ideally commence two years prior to a young person's transition from care. Young people need time and experience to learn the skills necessary for successful independent living. Young people learn through observation, role modelling, practice and support during times of success and failure (p. 2).
- Conversations should commence with the young person about what they see themselves doing as an adult. These conversations should occur incrementally to allow the young person to deal with these life decisions in a supported manner. Preparation for leaving care must be included as a component of best interests planning and include the following considerations:
  - reunification with family;
  - an appropriate alternative long-term care environment, links into disability services if required;
  - remaining in the current care environment with a change of goals and timeframes for the placement reflected in a revised placement agreement;
  - an independent or semi-supported living situation, if the young person has sufficient living skills to safely sustain such an arrangement;
  - a less intensive care environment in the case of young people placed in intensive support arrangements, particularly non-family based care; and
  - whether a review of the existing child protection order is required (pp. 2-3).
- Post-placement support. As part of the best interests planning process the care team should ensure the best interests plan clearly outlines who is responsible for the tasks that are required when a child or young person transitions from placement. These tasks include:
  - to ensure access to the necessary supports to maintain the young people safely at home, where the young person returns to their parents care, or in their transition to an independent living situation (including links to community support agencies);
  - to clarify any ongoing living, contact or respite arrangements between the young person and their carer;
  - to review the best interests plan for the young person, using the relevant assessments and decision making tools to determine whether ongoing intervention is required to meet the young person's protection and care needs; and
  - in relation to the carers discuss the outcomes of the placement, including:
    - identified strengths demonstrated in managing the placement; and
    - learning and support needs for future placements (p. 3).

### 11.2.3 Leaving care initiatives and services

Against this legislative and policy and procedures framework, DHS in recent years has developed and implemented a range of specific leaving care services and housing initiatives specifically focused on the leaving care population. The specific leaving care services developed and funded by DHS include:

- A leaving care mentoring program to provide young people transitioning from State care aged 15 to 18 years with the opportunity to interact with adults in community settings and promote personal relationships beyond out-of-home care;
- Post-care support, referral and information services to support young people who require assistance in transitioning to independence or subsequent to leaving State care; and
- Leaving care brokerage funding to provide a flexible support fund for care leavers, both those transitioning from State care and those young people up to 21 years who need support subsequent to their leaving State care.

These services are accessed through a network of more than 20 community service organisations (CSOs) funded by DHS to provide all or a selected range of these services. In addition, funding is provided for the Leaving Care Helpline.

The leaving care brokerage funding, which accounts for the major proportion of funding, provides financial help to assist with specific expenses such as accommodation, education, training and employment, access to health and community services and life skill education for young people up to 18 years who are transitioning from care, as well as young people who have transitioned from care but have subsequently presented with specific needs.

As part of the 2011-12 State Budget the Government announced funding of \$16.9 million over four years to support young care leavers up to 21 years of age improve their educational and employment outcomes. The funding included provision for a new Leaving Care Employment and Education Access Program, additional brokerage and mentoring, a new statewide support system specifically for young Aboriginal people leaving care, and expanded post-care support and information services, particularly in rural regions.

The housing initiatives by DHS' Office of Housing and Community Building span alternative and semi-independent accommodation settings for young people prior to leaving care and the availability of property resources dedicated to young people leaving care. These alternative out-of-home care accommodation settings include the 'foyer' model of youth housing consisting of studio/bed-sits or one-bedroom flats where a range of young people including those leaving care can develop and trial independent living skills in a supported environment.

More broadly, the focus on alternative and stable accommodation arrangements is linked to the Council of Australian Governments (COAG) auspiced *National Framework for Protecting Australia's Children 2009-2020*, which outlined strategies to expand housing and homelessness services for families and children at risk and improve support for young people leaving care. Actions identified under the strategies include additional specialist support to children who are homeless including closer links between homelessness and child protection services and implementing a policy of 'no exits into homelessness' from statutory services.

The housing and homelessness actions in respect of young people in out-of-home care in the *National Framework for Protecting Australia's Children 2009-2010* are linked to the *National Partnership Agreement on Homelessness*. In Victoria, DHS' Office of Housing and Community Building has developed the Leaving Care Housing and Support Initiative for young people whose custody and guardianship orders are due to expire and where the young person has been assessed as at risk of homelessness. The initiative is focused on funding proactive and intensive support for young people, with an emphasis on early intervention housing support.

In addition, DHS has, since 2003, provided reimbursements to the home-based carers of young people who turn 18 and are enrolled in secondary education. In 2010, in recognition of the need to support young people in home-based care to complete their secondary education, DHS extended the policy to include the year beyond which young people turn 18, when they are attending school. Currently this policy applies to over 50 young people.

Finally, in terms of financial assistance available to those leaving care, the Commonwealth Government, through the Transition to Independent Living Allowance, provides up to \$1,500 to assist eligible young people who are making the transition from informal and formal care to independent living. Eligibility is based on a range of factors including age and assessed as being at risk of or experiencing an unsuccessful exit from care.

### 11.3 Leaving care population: characteristics and experiences

There is only limited statistical and research information available on the characteristics and experiences of those children and young people leaving care in Victoria and elsewhere in Australia.

#### 11.3.1 Characteristics

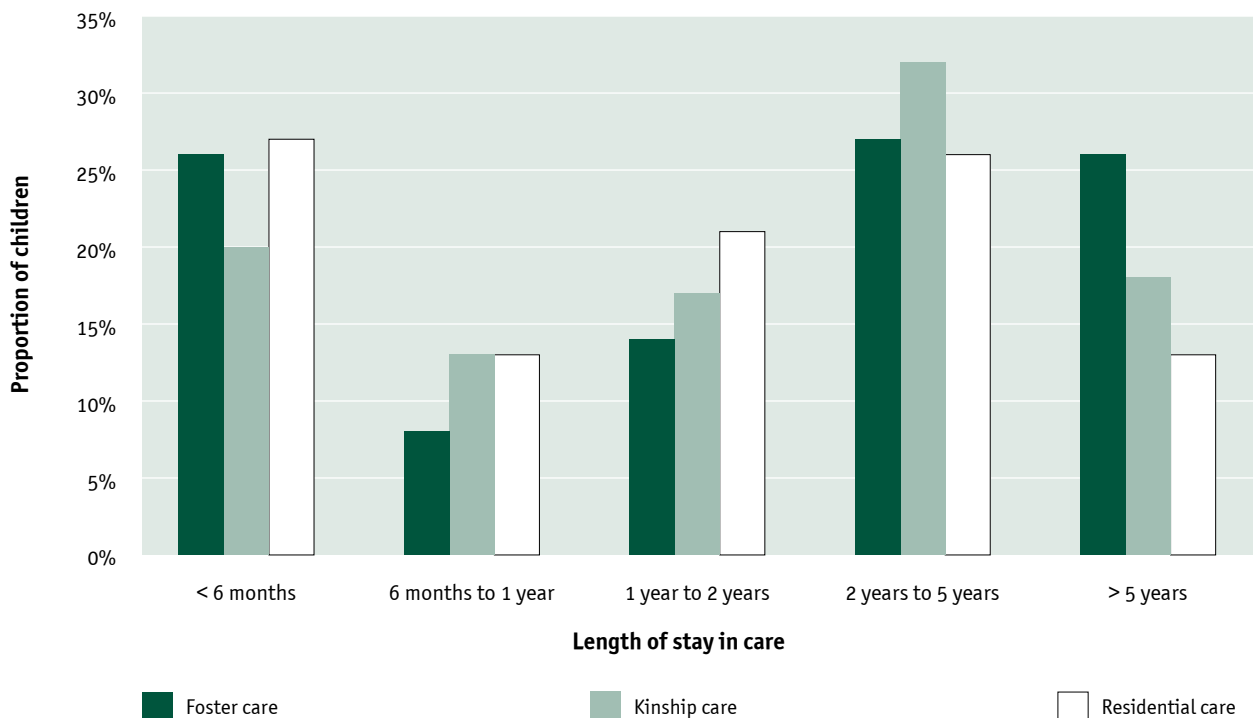
An analysis of the characteristics of the 590 children aged 15 years or over who exited care in 2009-10 after more than one month in non-respite care provides some approximate information. This analysis indicates:

- 46 per cent were male and 56 per cent female;
- 13 per cent of those leaving care were Aboriginal young people;
- Foster care, kinship and residential care each accounted for around 30 per cent of the exited placements;
- Females were more likely to be exiting from foster care and kinship care and males from residential care;
- Nearly 50 per cent had been in care for more than two years, which compares with just under 30 per cent for all children and young people who exited care in 2009-10;

- Children exiting residential care generally had shorter periods in care than those exiting from foster care and kinship care (see Figure 11.1);
- As depicted in Figure 11.2, 65 per cent of the 590 young people who exited care had their first interaction with the out-of-home care system after turning 12 with significant numbers at 14 and 15 years of age. For those whose first interaction was prior to 12 years, the numbers were evenly spread across the individual ages; and
- Children exiting residential care were more likely to have experienced multiple instances of care, with some 52 per cent having had two or more instances compared with 44 per cent for those exiting from foster care and 40 per cent for those leaving kinship care.

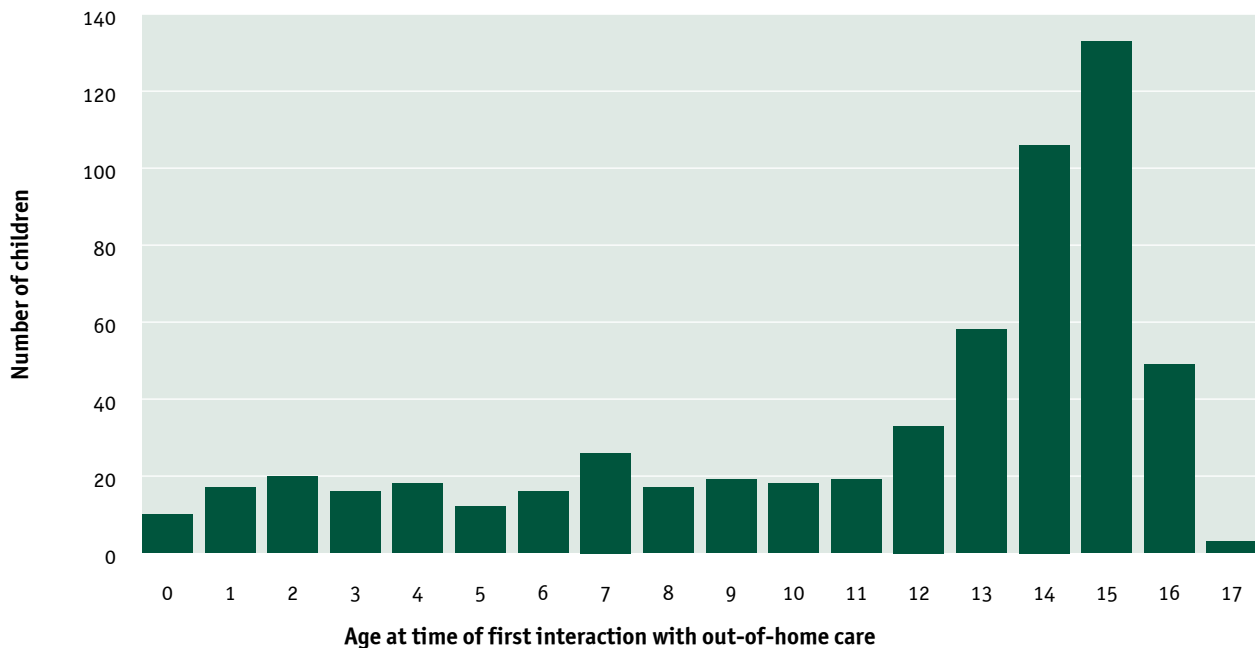
Further, in line with the results presented in Chapter 10 addressing the needs of children in out-of-home care on educational attendance and attainment levels, a significant proportion of those leaving care can be expected to have significantly below average educational attainment levels, with a minority in or having completed Year 12 or the equivalent.

**Figure 11.1 Children aged 15 years and over who exited out-of-home care in 2009-10, by length of placement and type of care, Victoria**



Source: Inquiry analysis of information provided by DHS

**Figure 11.2 Children aged 15 years and over who exited out-of-home care in 2009-10, by age of first entry into care, Victoria**



Source: Inquiry analysis of data provided by DHS

### 11.3.2 Research

Comprehensive and regular data on the experiences of those leaving care in Victoria are not available. Over the past 15 years there have been a small number of research studies conducted in Australia on the experiences of those leaving State care. However, the studies have tended to be small-scale studies of care leavers that are mostly descriptive with limited statistical analysis of the factors associated with successful and unsuccessful leaving care experiences and the effectiveness of specific programs.

In 2007 Osborn and Bromfield summarised the available Australian research on the outcomes for young people leaving care in the following terms:

- Young people leaving care are at great risk of experiencing negative life outcomes;
- Periods of homelessness and committing offences affect close to half of the young people leaving care;
- There are a range of factors that inhibit the transition of young people that need to be acknowledged and addressed prior to the young person transitioning from care to independence. These include: unresolved anger towards family members, workers or the system; unsuitable and unstable placements and multiple changes of carers and workers; lack of long-term goals (such as education, vocation and living arrangements); lack of sufficient income; contact with the juvenile justice system and imprisonment; lack of preparation for leaving care; and lack of later contact with the care system; and

- Young people need to develop more employment and independent living skills and more social and emotional skills before they can be expected (or are able) to live independently (Osborn & Bromfield 2007).

In terms of Victorian studies, in 2005 Raman et al. published the research results of a study undertaken by the Centre for Excellence in Child and Family Welfare in partnership with Monash University on the economic benefits of supporting young people leaving care. The study included a detailed survey of 60 young people aged 18 and 25 years who had been in foster care, kinship care or residential care in Victoria for at least two years as teenagers.

In summary, the study found:

- 60 per cent of participants first entered care at age 12 or more and were fairly evenly split between residential care and foster care, with a small number in kinship care;
- 47 per cent of survey participants were discharged from care before the age of 18 years and only just over 50 per cent had a case plan involving stable accommodation;
- Almost 50 per cent were unemployed, in jail or taking on parenting roles at the time of leaving care;
- 43 per cent indicated they did not receive any help from any family member in the first two years after leaving care;
- Only 5 per cent were in full-time work, with 53 per cent neither working or studying;

- 35 per cent had moved living situations more than five times in the past 12 months and 47 per cent were in some kind of temporary or transitional housing;
- 50 per cent had sought help from a mental health professional in the past six months;
- 35 per cent had accessed drug and alcohol services in the past 12 months; and
- 37 per cent had been charged with an offence in the past 12 months.

In terms of the factors that had a significant positive impact on the leaving care experience, the study found:

- Young people who had a stable housing plan at their exit from care were also three times more likely to be employed at the time of the survey; and
- Young people who received help from anyone of any kind at the leaving care stage, including help to find employment, financial assistance, emotional support or finding accommodation had significantly improved outcomes, for example, employment, sense of wellbeing and resilience and reduced involvement with police and crime.

The 2005 survey also serves to highlight a sub group of the leaving care population that require particular support, namely young parents, particularly expectant mothers. Chapters 7 and 8 discuss this group of vulnerable young people in further detail and the provision of appropriate support and assistance.

A 2006 Australian study by Morgan Disney & Associates and Access Economics focused on documenting the pathways typically experienced by young people leaving care. Based on an examination of the available data, including a random sample of young people who accessed the Transition to Independent Living Allowance and extensive interviews with practitioners in the adult service systems, the researchers developed a number of representative pathways in terms of frequency and depth of usage or interaction with the general health, income support, employment support, housing support, mental health, drug and alcohol and justice systems. The researchers also simulated the lifetime and annual costs to government of this service usage.

The researchers postulated that around 45 per cent of young people who leave care in any one year are likely to be very low or low service users and make a significant contribution to the economy and the community. Conversely around 55 per cent were postulated to be in pathways that incur higher service costs across their life with these costs increasing over time. It was estimated that individuals in the high service use pathway cost governments, on average, approximately \$2.2 million per person over the lifespan from 16 up to 60 years, with an overall estimated average cost per annum of \$50,000 in 2006 dollars.

The emphasis on housing as a necessary pre-condition for successful transition identified in Raman et al. (2005) was the focus of a recent study undertaken for the Australia Housing and Urban Research Institute by academics from a number of the institute's research centres. The study included a survey of young people aged 18 to 25 years who had been in State out-of-home care in Victoria and Western Australia in inner city, suburban and regional locations. In keeping with the Raman et al. (2005) and Morgan Disney & Associates et al. (2006) research, the study identified two distinct pathways from care – those who experienced a smooth pathway from care and those who experienced a volatile transition. While the study found that housing was a critical element in responding to care leavers' needs, the presence of reliable, sustainable social relationships was found to be equally important.

The study also explored the links between the care experience and transition from care. In particular, the study found:

... those who had a smooth transition from care:

- Had few placements in care;
- Generally felt safe and secure in care;
- Felt involved in the planning process;
- Left care at a later stage;
- Felt they were better prepared for leaving care; and
- Had a successful first placement, which facilitated a smoother transition from care (Johnson et al. 2010).

In contrast, those whose transition from care was volatile were likely to have:

- Had a high number of placements in care;
- Experienced physical and/or sexual abuse prior to, or while they were in care;
- Rarely had an exit plan;
- Left care in crisis at a younger age; and
- Been discharged into inappropriate accommodation, such as refuges or boarding houses.



### 11.3.3 Usage of leaving care services

DHS allocates nearly \$4 million annually for leaving care services covering post-care support; information and referral; mentoring; and financial assistance.

There is currently limited information available on the usage of these services by the leaving care and post-care population. No formal evaluation of the impact of the leaving care services and programs introduced in recent years has been conducted. However, anecdotal information suggests the support, information and referral and financial assistance components are accessed more than mentoring services. DHS advised the Inquiry that an audit in September 2010 of 95 young people who were on custody or guardianship orders and aged 17 and 18 years found that 85 per cent of the client files reviewed had documented evidence of transition planning and 15 per cent lacked evidence.

### 11.4 Perspectives on Victoria's leaving care arrangements

The available research findings all indicate that many young people leaving care face significant barriers to accessing educational, employment and other transitional and developmental opportunities. The submissions and views presented to the Inquiry on the leaving care issue focused on the vulnerability of young people leaving care at 18 years and the requirement for a more graduated system with support and access to a comprehensive range of services and assistance.

Mendes identified the main reasons for vulnerability of many young people leaving as:

First, many have experienced or are still recovering from considerable abuse or neglect prior to entering care. Secondly, many young people have experienced inadequacies in state care. That is, the state as corporate parent fails to provide the ongoing financial, social and emotional support and nurturing offered by most families of origin. Thirdly, many care leavers can call on little, if any, direct family support or other community networks to ease their involvement into independent living.

In addition to these major disadvantages, many young people currently experience an abrupt end at 16-18 years of age to the formal support networks of state care. (Mendes submission, p. 1).

As outlined in Chapter 5, some submissions argued to the Inquiry that 18 years is not a realistic age for a child or young person to be living independently by today's standards. For example, The Salvation Army submitted:

It is unreasonable to expect all young people who have experienced significant trauma and who have lived in out-of-home care to transition to independent living by the age of 18 years of age. Whilst these young people may have reached the chronological age of 18 years developmentally they may be significantly younger. These young people in particular need access to a secure base and support that is tailored to their needs. Once again, we ask children and young people, who have experienced instability and trauma in childhood, to cope with significantly less support than we expect and provide to our own children (The Salvation Army submission, p. 21).

Anglicare Victoria put this position more starkly:

Anglicare Victoria believes the concept of 'leaving care' is an artificial construction. The physiological, emotional, economic and social realities require delivery of ongoing care and guidance from significant adults well past the age of 18 years. Yet, we have created systems and policies around this chronological age (Anglicare Victoria submission, p. 39).

The CREATE Foundation submission referred to the Australian Bureau of Statistics (ABS) *2006-2007 Family Characteristics and Transition Survey*, which showed that 82 per cent of 18 to 19 year olds were still living with their parents; 47.2 per cent of 20 to 24 year olds were still living with their parents; and the median age for first leaving home for 18 to 34 year olds was 20.9 years for males and 19.8 years for females (CREATE Foundation submission, p. 4).

The final report of the CREATE Foundation on the views and opinions of children and young people about the out-of-home care system commissioned by the Inquiry observed:

Those young people who had begun leaving care planning or were at an age to begin thinking about their transition to adulthood, stated they all struggled with the leaving care process, particularly having to think about how they were going to get to independent adulthood at an age younger than young people in the general population. They suggested that the age for leaving care be raised to at least 21, with options for support until the age of 25. All the young people in the focus groups held a sense of unfairness that 'normal young people' didn't need to leave home until a much later age, and they were forced to consider their adult needs prior to 18 years of age (CREATE Foundation 2011, p. 14).

To address this vulnerability and to achieve better outcomes, Mendes identified three key areas: improving the quality of care; a more gradual and flexible transition from care; and more specialised after-care supports:

The first necessary reform is improving the quality of care as positive in-care experiences involving a secure attachment with a supportive carer are essential in order to overcome damaging pre-care experiences of abuse and neglect. This involves providing stability and continuity, an opportunity if at all possible to maintain positive family links which contribute to a positive sense of identity, and assistance to overcome educational deficits and holistic preparation.

The second component is the transition from care which includes both preparation for leaving care, and the actual moving out from the placement into transitional or half-way supportive arrangements from approximately 16 to 21 years. This transition needs to be less accelerated, and instead become a gradual and flexible process based on levels of maturity and skill development, rather than simply age ...

The third component is ongoing support after care till approximately 25 years of age. This may involve a continuation of existing care and supports/or specialist leaving care services in areas such as accommodation, finance, education and employment, health and social networks (Mendes submission, pp. 2-3).

The transition from care and post-care support issues identified by Mendes were emphasised and elaborated in a number of other submissions. For example, St Luke's Anglicare's submission contained the following recommendations:

- That the current legislation is changed to ensure support to care leavers up to 25 years of age;
- That specific vocational and educational responses for care leavers be developed to ensure all care leavers have access to stable accommodation and housing;
- That targeted housing resources be allocated to ensure all care leavers have access to stable accommodation and housing; and
- That the current funding for care leaver support services be increased to ensure all care leavers up to the age of 25 have access to support (p. 23).

Berry Street went further and identified an explicit set of actions at state and Commonwealth government level including:

- That the Children, Youth and Families Act be amended to require the continuation of all forms of financial and other forms of support directed towards the care, protection and wellbeing of children and young people in out-of-home care (including permanent care) at least until the age of 21 years, and the continuation of financial and other forms of support to age 25 as required;
- That children and young people who are or have been the subject of a care and protection order and/or placed in out-of-home care be the highest priority for access to state government housing assistance and accommodation;
- That the state government initiate negotiations with the Commonwealth to establish a Commonwealth-State funding agreement for a range of measures to support care leavers to access post-compulsory education, labour market and employment assistance and housing including:
  - specialised employment assistance and labour market participation care management;
  - fee waivers under the Higher Education Contribution Scheme; and
  - youth allowance at the independent rate for care leavers living in CSO managed residential or lead tenant services.
- That the State Government introduce a fee waiver for all TAFE fees and charges for children and young people that are, or have been, in the care and protection system (Berry Street submission, p. 35).

While noting that the quality of leaving care support in Victoria has been significantly strengthened in recent years, the CREATE Foundation submission observed that the greatest weaknesses in the supports offered to young people leaving care relate to:

- The period of legislated support provision in Victoria for young people transitioning from care to independence is inadequate;
- A lack of compliance with the legislated requirement that all young people leaving care have a leaving plan or transition plan;
- The delivery approach to support services does not provide seamless provision; and
- The awareness and availability of support services and referrals is inconsistent and insufficient (p. 3).

Other significant issues relating to leaving care raised by submissions were the importance of engaging young people in developing relevant care plans and the potential role of mentors. The Salvation Army commented:

Young people are often not invited to attend care team meetings therefore do not have any input into their future. Furthermore, even when they are invited, young people are not always supported to fully participate in their care team meetings which could be a contributing factor to attendance. Work needs to be done with young people to recognise the importance of participating in goal setting and having a voice in their future (The Salvation Army submission, p. 22).

Mentoring forms a part of DHS' funded post-care service provisions. However, the Victorian Youth Mentoring Alliance contended in their submission that young people are often not referred to youth mentoring until they are just about to leave the care system and recommended:

That child protection workers consistently refer young people to youth mentoring programs when they are 16 years old to ensure they have the opportunity to effectively engage with a mentor prior to leaving care (Victorian Youth Mentoring Alliance submission, p. 3).

## 11.5 Conclusion

While recent and comprehensive data are not available, it is most likely that a significant proportion of young people who leave care in Victoria following the expiry of a guardianship or custody order encounter major issues in the transition to independent living and have long-term negative life outcomes. This is likely to be particularly so for young people in residential care.

A wide range of factors impact on the likelihood of successful transitions of young people leaving care, with many of them similar to the youth cohort generally, such as level of education and availability of personal supports. However, many of the factors are unique for young people in care, namely the expiry of the specific accommodation and specialist supports for young people in care and the automatic requirement to transition to independent living when this is not the norm for the majority of their age cohort.

The Inquiry acknowledges, as indeed did a number of the submissions, that there has been a significant albeit overdue improvement in the Victorian legislative and service provisions for young people leaving care in recent years. In the critical area of post-care employment and education, the Inquiry is also aware the objectives and delivery arrangements for the Victorian Government's Leaving Care Employment and Education Access Program announced in the 2011-12 State Budget are still being developed.

However in this area – as indeed is the case in a number of other areas – there is a significant absence of contemporary data and research on the experiences of those leaving care and their access to, and effectiveness of, the various services and programs that have been put in place to facilitate the transition. Given the government has assumed parental responsibility for these young people, it would seem incumbent that this role extends in to maintaining contact and supporting the young people through this important life 'transition' as a good parent would.

### Recommendation 28

The Department of Human Services should collect regular information on the experiences of young people leaving care and their access to leaving care and post-care services and report the initial findings to the Minister in 2012 and thereafter on an annual basis to the proposed Commission for Children and Young People.

The quality of out-of-home care placements in terms of addressing the impact of abuse and neglect on a child or young person and the full range of their development needs, will be critical determinants of the success or otherwise of the transition. In particular, without a significant improvement in educational attendance and attainment for many children and young people in out-of-home care, the leaving care process will inevitably be problematic for many individuals.

However, the Inquiry also considers that there a number of key aspects of current leaving care and post-care arrangements that need to be revised and strengthened. In particular, there is considerable diversity in care leavers in terms of their pre-care and care experiences, their levels of education, social and general living skills and their capacities at the age of 18 years to successfully transition to independent and sustainable lifestyles.

### **Recommendation 29**

The Department of Human Services should have the capacity, including funding capacity, to extend the current home-based care and residential care out-of-home placement and support arrangements, on a voluntary and needs basis, for individual young people beyond 18 years of age.

The Inquiry considers that this extension would be focused on young people whose levels of intellectual, emotional and coping skills are assessed as requiring further development and bolstering if a successful transition is to be achieved.

### **Recommendation 30**

The Department of Human Services should:

- Ensure all leaving care plans identify stable initial accommodation options and that a 'no discharge to temporary and inappropriate accommodation policy' is adopted;
- Review the levels and range of leaving and post-care financial assistance provided to care leavers as part of the development and implementation of the proposed Leaving Care Employment and Education Access Program, including appropriate representations to the Commonwealth Government on their current employment and education assistance programs; and
- Assess the impact of the current leaving care services and programs, as a matter of priority, to determine whether the necessary access to, and integration of, post-care support across the full range of health, housing and other services is being achieved.

As noted, a number of submissions proposed that the Secretary of DHS' statutory responsibilities be amended to provide assistance to care leavers up to 25 years of age. The Inquiry recommends that this should be considered in the medium term following the assessment of the current range of leaving and post-care services and potentially the results of the long-term study assessing the impact of out-of-home care on children announced in the 2011-12 Budget.

### **Recommendation 31**

The Government should consider, in the medium term, the availability of post-care support and periodic follow-up being extended, on a needs basis, until a young person reaches the age of 25 years.