

# COMMISSION FOR CHILDREN AND YOUNG PEOPLE

ANNUAL REPORT 2013–2014



Commission for Children  
and Young People

*improving young lives*





## Cover image

Cover artwork by Lisa Kennedy (Trawwoolway), from the book 'Wurramatyenna and the Call from the Sea', Published 2014 by dreamingpathbooks.com

## Logo

The Commission developed its overall logo to reflect its aspiration for a joined-up approach between services and the community, to better support all children and young people to thrive and grow.

This year we incorporated a new logo for the Commissioner for Aboriginal Children and Young People. The circular image represents our vision for all Aboriginal children to be healthy; well educated; strongly connected to their culture, family and community; facing the world with confidence. Circles have special significance in Indigenous cultures, representing the cosmos, seasons and waterholes around which traditional values and lores, stories and family histories are passed on.



Commission for Children  
and Young People

*improving young lives*





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and Young People

improving young lives



1 September 2014  
CCYPD/14/412

The Hon. Mary Wooldridge MP  
Minister for Community Services  
Level 22  
50 Lonsdale Street  
Melbourne Vic 3000

Dear Minister Wooldridge

In accordance with the *Financial Management Act 1994*, I am pleased to present the Commission for Children and Young People's Annual Report for the year ending 30 June 2014.

Yours sincerely

**Bernie Geary OAM**  
Principal Commissioner

## Language used in this report

The term Aboriginal refers to both Aboriginal and Torres Strait Islander peoples. Aboriginal is used in preference to Indigenous or Koorie/ Koori; however they are retained when part of a quotation, title of a report or program name.

## Case studies

Case studies have been included to illustrate the work of the Commission and key themes arising from our inquiries. The case studies have been de-identified and details of some have been altered to protect privacy.

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The Commission for Children and Young People respectfully acknowledges the Traditional Owners of the country throughout Victoria and pays respect to the ongoing living cultures of First Peoples.

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# From the Principal Commissioner

It is my privilege to present the first full-year annual report of the Commission for Children and Young People.

The legislated objective of the Commission is to promote continuous improvement and innovation in:

- policies and practices relating to the safety and wellbeing of children and young people generally and in particular those who are vulnerable
- the provision of out-of-home care services for children.

This objective underpins the very real commitment shared by all members of the Commission staff.

In July 2013, Andrew Jackomos began his role as Australia's first Commissioner for Aboriginal Children and Young People. Andrew inspires and encourages all those he connects with, including the Commission as a whole. With Andrew guiding us, we are bound to make a positive difference to the lives of Aboriginal children.

Along with undertaking a range of new projects pertaining to Aboriginal children and young people, the Commission has expanded its capacity to monitor the service system, undertake inquiries, provide policy advice and share what it has learned. The government and community rightly have high expectations that the creation of the Commission will generate enhanced transparency, accountability and quality in the services provided to children and young people.

To enable us to be well positioned to meet these high expectations within the resources allocated to us, the Commission has refined its governance arrangements and implemented a strategic plan (*Strategic Plan 2014–16*). The plan articulates the Commission's objectives, key outcomes and strategic priorities for a better service system for children and young people. Our new Monitoring Framework is also an important tool to guide us in the years ahead. The process of refining and enhancing our own structures, procedures and capability is an ongoing one. Following an extensive review of our data and information technology systems, I have determined that these will be significantly upgraded in the coming year.

I am grateful to our former chief executive officer, David Ali, for his support in progressing these important initiatives. I am also very pleased that Brenda Boland has agreed to act as the chief executive officer following David's retirement. Brenda has an extensive background in leadership positions in the children, youth and families area; her energy and wisdom are most welcome.

*Victoria's Vulnerable Children: Our Shared Responsibility Strategy 2013–2022* is filled with promise and the Commission's role will be to monitor and report on the delivery of these promises. While it is early days, we have met with the Children's Services Coordination Board and requested six-monthly progress updates, and senior staff discussions take place on a regular basis. We have shared our concerns about the lack of comprehensive performance measures in the strategy and have advocated for indicators relevant to how well Aboriginal children and young people, as well as those from culturally and linguistically diverse backgrounds, are faring. We will continue to lobby for an inclusive approach to the plans associated with the strategy.



An important way in which we gain insight to the service system and contribute to improved practice, both at a local and statewide level, is through the child death inquiries we undertake. The Commission's role in this complex area is invaluable. This report describes the key themes identified in 27 inquiry reports reviewed by the Commission Review Committee this year. The Commission has also committed to publish an annual research report which will explore in more detail the themes and opportunities for service improvements identified through child death and other inquiries.

The enormous amount of cooperation we are given as we fulfil our role in relation to reviewing the impact of services to those children who die, and their families, is appreciated. On behalf of us all at the Commission, I extend my thanks to those who assist us, and my sincere condolences to parents, other family members and those close to the deceased children.

Consistent with our legislated objectives, the Commission continues to have a special emphasis on the approximately 6,500 vulnerable children and young people who live in out-of-home care services. Residential care services are a small but important part of the out-of-home care system. These services are responsible for the care of some of the most vulnerable children and young people and as such they have been, and will continue to be, a priority focus for the Commission. In particular, we have advocated for better trauma-informed responses from residential care services.

I have commenced an own motion review relating to sexual assault and sexual exploitation in the state's residential care services. This is an area that troubles me deeply and the Hon Mary Wooldridge MP, Minister for Community Services, has agreed to support the Commission in every way, in its efforts to protect children and enhance the system.

This report describes a range of other activities we are undertaking in relation to residential care services, including scoping a pilot residential care independent visitor program and the launch of *Residential Care Matters: A resource for residential care workers, supervisors and managers caring for young people*.

Kinship care is another area of significant concern to the Commission. I have had the privilege of meeting kinship carers, many of them grandparents, and have heard how they struggle with the cost of bringing up a child while living on a retirement income. I am particularly concerned about ensuring there are appropriate assessments of, and supports for, kinship carers. We have expressed, and will continue to express, concerns about caregiver reimbursement rates for kinship carers and foster carers.

I believe that strengthened and better-resourced home-based care, kinship care and foster care would reduce the over-reliance on the beleaguered and reactive residential care system. It would mean a better life for many of the children and young people in state care.

The Commission undertakes a range of innovative projects to encourage community connections; reflecting the importance of linking vulnerable children and young people to their community. Our Community Integration Program promotes positive connections between young people in residential care and the community in which they live. The *As Eye See It* project provided an opportunity to experience the world through the eyes of some of the most vulnerable children and young people in our community. For the fourth time we will host a debutante ball for children in out-of-home care – this year in partnership with the Centre for Excellence in Child and Family Welfare. As with previous years, we anticipate that over 500 people will attend to share in this celebration.

Our successful Independent Visitor Program at the Parkville Youth Justice Precinct has been extended to the Malmsbury Youth Justice Centre. One of the comments that I repeatedly hear from the independent visitors is that these are ordinary kids – just kids. The other factor that is highlighted is their vulnerability. These are young people who tell of a history of trauma and abuse; kids who have had little in the way of opportunities. Most have been, or are, current clients of child protection services.

We have also begun a project to develop a charter of rights for young people in Youth Justice centres and will be consulting with young people as part of this project. We have established an independent visitor program for secure welfare services and are developing a similar pilot visitor program for residential care services.

All of these activities, combined with our participation in a range of government and community sector projects and research partnerships, as well as our direct connections with children and young people and those who care for and support them, provide us with a unique capacity to contribute to policy development. We have made fulsome submissions to state and federal inquiries around issues relating to children and young people, including submissions to the Royal Commission into Institutional Responses to Child Sexual Abuse.

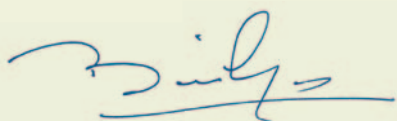
As the national convenor and host of a meeting of the Australian Children's Commissioners and Guardians this year, the Commission has benefitted from regular contact with other commissioners and guardians. This collaborative effort continues to provide an important opportunity to learn from one another and to jointly advocate for the safety, wellbeing and rights of children nationally.

The importance placed on the work of the Commission is evident through the many invitations we receive to participate in community forums, professional seminars and conferences. The media also regularly seeks the opinions of the Commissioners and provides us with the opportunity to share what we have learned with the wider community.

As an independent Commission, our role has evolved, and I am pleased with the level of cooperation, assistance and shared values shown by those in government and community service organisations. Our role as a monitor must not become an obstacle to our ability to work collaboratively with services to develop resources and connect with young people.

The coming year will bring further exciting challenges to the Commission, as we address the implementation of reforms arising from the government's response to recommendations made by the Parliamentary Family and Community Development Committee's *Betrayal of Trust* report. The Commission is very much on the front foot, and we anticipate playing a key role in developing and implementing systems and processes aimed at keeping children safe and enabling organisations to better respond to any issues that may arise.

The Commission holds its role in the lives of children and young people as a privilege and a priority. We cannot let them down.



**Bernie Geary OAM**

Principal Commissioner



## From the Commissioner for Aboriginal Children and Young People



Victoria has a rich and vibrant Aboriginal culture and history that has evolved over more than forty thousand years. The great majority of Victorian Aboriginal babies, children and young people are raised in loving and caring families that embrace education. They grow up as culturally rich individuals who contribute not only to the good of the Aboriginal community but to the entire Victorian community. They are children who are healthy and proud of their heritage, know their connection to land and have positive aspirations for the future.

In contrast to this, the *Report of the Protecting Victoria's Vulnerable Children Inquiry* released in February 2012 confirmed that the past actions of Victorian government and non-government agencies have impacted negatively on Aboriginal families. The result is a continuing inter-generational experience of trauma for Aboriginal children and families today. The inquiry also noted that the numbers of Aboriginal children involved with Victoria's statutory child protection services and out-of-home care systems continue to rise and are among the highest in the nation. This is still the case in 2014 and the numbers are rapidly rising each year.

The report recommended the creation of a dedicated Commissioner for Aboriginal Children and Young People within the Commission for Children and Young People, to bring an increased focus to improving outcomes for vulnerable Aboriginal children in Victoria across all service systems. I am pleased to be working alongside Bernie and with the dedicated staff of the Commission to drive that focus.

In my previous 14 years working with the Department of Justice I came to better understand the consequences of disadvantage, disempowerment and the loss of self-determination. I am now witnessing where those very determinants are having their greatest impact. I am alarmed about the trajectory for many of our children who as a result of family violence, alcohol and drug misuse, neglect and abuse find themselves in out-of-home care and disengaged from society.

There is no greater curse on the Victorian Aboriginal community than the criminal violence perpetrated on our women and children within the family home. Unfortunately, family violence has become an evil and unacceptable part of our culture, with more than two-thirds of our children in child protection being there as a result of this curse.

Many of these are children of parents who, themselves, were victims of family violence, experienced the child protection system and lived in out-of-home care. Sadly, Aboriginal children living in residential care under the protection of the Department of Human Services are significantly over-represented as victims of sexual abuse. When children are being removed from unsafe situations in the family home the state government has an obligation to ensure that it creates and provides safer alternatives.

All children need to be engaged in education starting in early years, continuing through to completing Year 12 and, optimistically, continuing on to tertiary or vocational studies. We are seeing marked improvements in Year 12 completions and tertiary placements for Aboriginal students, but at the same time we are seeing an over-representation of Aboriginal children being expelled, suspended and disengaged from school, and Aboriginal children in out-of-home care having poorer education outcomes than other Victorian children.

Two-thirds of Aboriginal children in the Youth Justice system have graduated from out-of-home care, and it is understood that two-thirds of those in adult prisons have graduated from Youth Justice. This pattern is not acceptable and requires innovation and effort from within community and across all areas of government to change it.

I applaud and celebrate the work and commitment from Victoria Police to improve the relationship with the Aboriginal community. Now is the time for a greater investment from Victoria Police, in partnership with the Aboriginal community, to implement Aboriginal youth cautioning initiatives across the state. Far too many Aboriginal children are in remand in the Parkville Youth Justice Precinct and there has to be a greater investment in community-based diversionary initiatives. It is broadly acknowledged that childhood experiences of custody can lead to continuing returns, ending in the adult correctional system.

Over the past year I have met many wonderful people in both community organisations and government departments, from one end of the state to the other, who are totally committed to improving outcomes for our children; I see the goodwill to do things better. I applaud them for their commitments and efforts. I also acknowledge the stretched resources available to meet the needs of our vulnerable children, let alone to satisfy basic requirements for each individual child in the care of the state.

I have also had the privilege to have seen communities developing and leading wonderful initiatives to improve outcomes for our children. I have been inspired by the energy and the passion of so many of our youth. The *Koorie Youth Summit* provided me with the opportunity to meet, see and hear the young leaders of today and I feel, in the future, we will be in good hands.

As a direct outcome from the summit, over 20 young people have formed a Koorie Youth Reference Group, which will meet regularly with the Commission to discuss views, experiences and emerging issues. I thank these young people for their commitment. The group has chosen initially to examine the impact of ice (methamphetamine) on Koorie young people in Victoria and explore opportunities for building their resilience.

Keeping our children and youth connected to their communities and strong in their identity and culture is essential to their wellbeing and the cornerstone of resilience. This year I will be commencing a systemic inquiry into the Aboriginal Child Placement Principle mandated in the *Children, Youth and Families Act 2005* to determine how this intent is implemented for children in out-of-home care.

Also crucial to the implementation of the Aboriginal Child Placement Principle is the development and implementation of cultural support planning, as mandated by the Children, Youth and Families Act, for all Aboriginal children in the guardianship of the Secretary to the Department of Human Services.

We know that as at 30 June 2013, less than 10 per cent of Aboriginal children who were required, under legislation, to have Cultural Support Plans had one. This is resulting in vulnerable Aboriginal children growing up in environments where they are deprived of their culture and history. This will and must change and is a major concern to the Aboriginal community. I am pleased this is recognised by the Hon Mary Wooldridge MP, Minister for Community Services and Department of Human Services and I look forward to program improvements being made in the forthcoming year.

I was pleased to participate in the launch of the Victorian Aboriginal Child Care Agency foster carer recruitment campaign. We know that a number of our children in out-of-home care are in placements that neither respect nor nurture their culture. I applaud the many Aboriginal and non-Aboriginal foster and kinship carers who maintain and develop children's Aboriginal identity and culture and I encourage more to join them.

The majority of Aboriginal children in out-of-home care are residing in kinship care, with their extended families, under the care of the state. Sadly these kinship carers, with many being grandparents, are not eligible for many of the training packages and higher levels of financial assistance available to kinship carers in other jurisdictions and to foster carers. Wherever possible, Aboriginal children in out-of-home care should be living with their extended Aboriginal families, particularly to ensure the passing down of culture and family connections. I will more actively promote and advocate for equitable remuneration, proactive support and access to training for kinship carers, particularly in caring for children who have experienced significant trauma.

I am deeply concerned about our most vulnerable children in out-of-home care, in the Youth Justice system, those with disabilities and those disengaged from education. My aspirations for all Aboriginal children and young people in Victoria are for them to:

- enjoy culturally rich and vibrant home environments in which they are knowledgeable about their family histories and identity
- grow up in homes with parents and families who are healthy, happy and confident in their parenting abilities, and strong in their culture
- have every chance to succeed in school and be supported to become active, valued young adults who can take advantage of education or further training, employment and career development
- have access to Aboriginal-specific services and equitable access to mainstream services and programs
- have equality in health and wellbeing outcomes.

Taskforce 1000 has been established to critically reflect on the current experiences of the approximately 1000 Aboriginal children in out-of-home care in order to improve outcomes for them. Through this partnership with the Secretary to the Department of Human Services I am positive we will create positive change. It takes commitment to do things differently, to create better outcomes for these children who, like all children, have the right to be safe and well, strong in their culture and to thrive, and I trust that the Victorian Government has this commitment.

I look forward to the government delivering on its promise to develop and launch the complementary plan for Aboriginal children and young people in out-of-home care in 2014, and to facilitating opportunities for the Aboriginal community to guide the direction of this plan and its continued implementation and review. In the coming year I will have a greater emphasis on Youth Justice, promoting diversionary options, and I look forward to the commencement of the *Koorie Independent Visitors Program* for Youth Justice. I will also continue to advocate for a strong focus on strategies to keep 'at-risk' youth engaged in school.

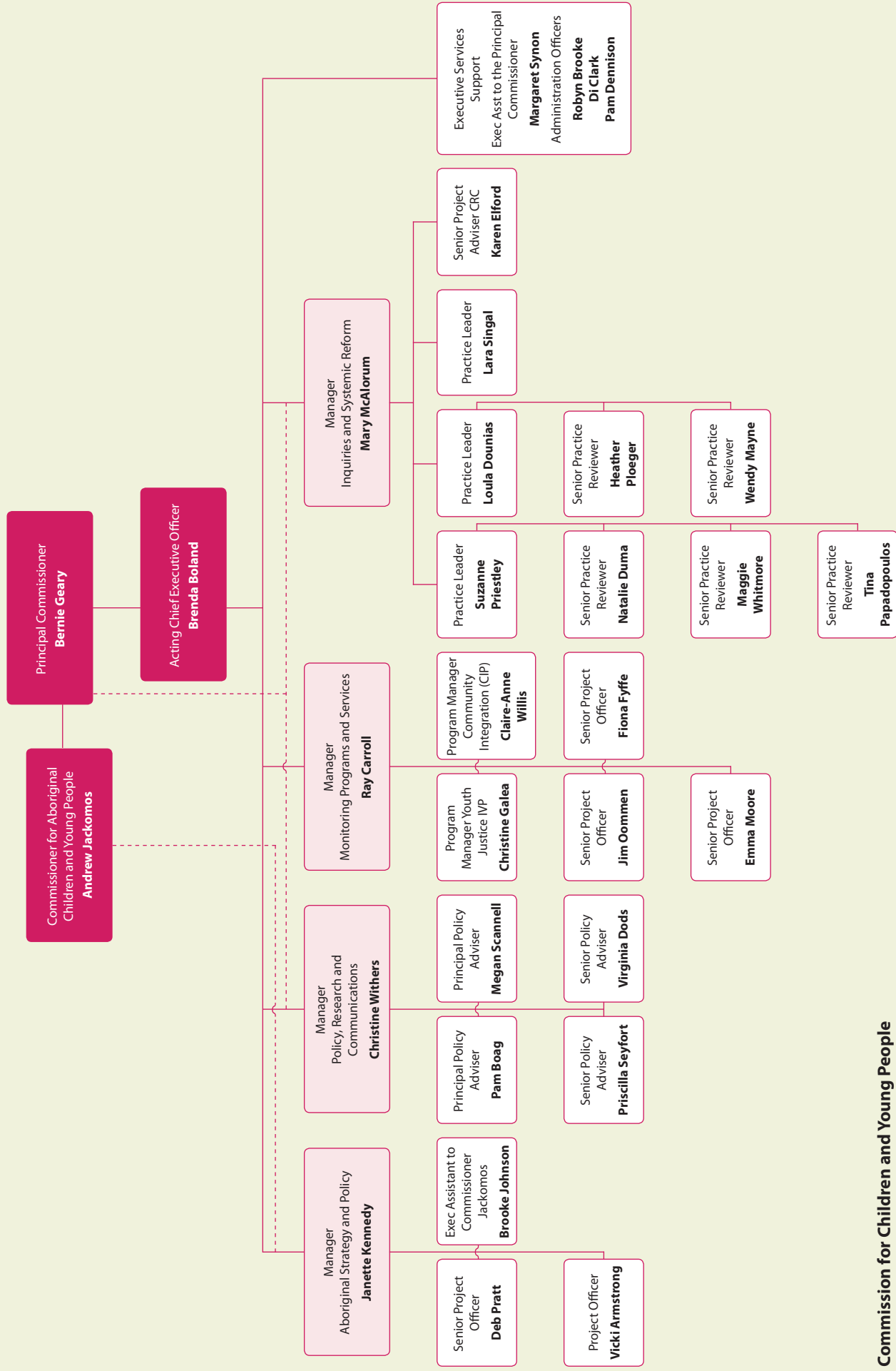
I am very proud of the Commission's leadership to develop and launch a *Koorie Inclusion Action Plan* – the first plan will be completed this year. I am excited by the passion and participation of staff in events to celebrate Aboriginal cultures and people.

Finally I would like to acknowledge the many Koorie children and young people in Victoria and I encourage them to be all that they can as they stand proudly and proud in their culture.



**Andrew Jackomos PSM**

Commissioner for Aboriginal Children and Young People



# About the Commission for Children and Young People

## Vision

Victorian children and young people: seen and heard – safe and well

## Mission

Improving young lives

## Values

Listening and advocating – independent and accountable

## Legislation

The *Commission for Children and Young People Act 2012*, available at <[www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)>, provides the legislative mandate of the Commission for Children and Young People (the Commission).

The functions of the Commission set out in the Act include:

- providing advice to ministers, government departments, health services and human services relating to the safety and wellbeing of vulnerable children and young people
- promoting the interests of vulnerable Victorian children and young people
- conducting inquiries into service provision or omission in regard to:
  - children who have died and were known to Child Protection at the time of their death or 12 months before their death
  - the safety and wellbeing of an individual or group of vulnerable children and young people
  - a health service, human service or school where there are persistent or recurring systemic concerns
- monitoring Victoria's out-of-home care system and promoting child-inclusive decision-making
- monitoring and reporting on the implementation and effectiveness of strategies relevant to the safety and wellbeing of vulnerable children and young people
- promoting child-friendly and child-safe policies and practices in Victoria
- providing advice to the Minister about child safety, as requested
- reviewing and reporting on the administration of the *Working with Children Act 2005* and educating and informing the community about that Act
- any other functions given to the Commission by the Act or any other Act.

A key feature of the Act and the role of the Commission is a focus on 'vulnerable children and young people'. The definition of 'vulnerable children and young people' in the Act encompasses:

- those who are or have been clients of Child Protection
- those who are involved in the Youth Justice service system
- those who have themselves received or whose primary carer is receiving or has received services from certain registered community services
- young people under the age of 21 who have left the custody or guardianship of the Secretary to the Department of Human Services.

The definition also includes children who die from abuse or neglect, including those who were never known to Child Protection services.

The Act also recognises that all children and young people have a degree of vulnerability, and provides that the Commission will promote continuous improvement and innovation in policies and practices relating to the safety and wellbeing of all children and young people in Victoria.

## Strategic Plan 2014–16

The Commission's *Strategic Plan 2014–16* articulates its objectives, key outcomes and strategic priorities. The plan is available on the Commission's website and will be reviewed and updated annually.

### Objective

To promote continuous improvement and innovation in policies and practices relating to the safety and wellbeing of vulnerable children and young people, and children and young people generally, and in the provision of out-of-home care services for children.

### Key outcomes

- Victoria's children and young people benefit from improved and innovative policies and practices.
- The Victorian community is engaged in the safety and wellbeing of all children and young people.
- The Commission conducts its activities in the best interests of children and young people.

### Strategic priorities

This annual report describes the work undertaken in relation to each of the Commission's six strategic priorities identified in the Strategic Plan:

- actively engaging with children and young people throughout Victoria to ensure their safety and wellbeing concerns are addressed
- promoting continuous improvement and innovation in policy and practice approaches relevant to improving the lives of all children and young people through engagement with the community, government departments and community sector organisations
- achieving improved safety and wellbeing outcomes for Aboriginal children and young people
- providing independent oversight of the implementation of *Victoria's Vulnerable Children: Our Shared Responsibility Strategy 2013–2022* (Victoria's Vulnerable Children Strategy)
- providing independent oversight of Victoria's protection arrangements for vulnerable children and young people
- maximising the Commission's operating effectiveness through the best use of its resource capabilities to ensure the achievement of its statutory obligations and strategic priorities.

# Significant achievements of 2013–14

In the financial year 2013–14 the Commission achieved the following:

## Engaging with children and young people

- Supported the third Victorian *As Eye See It* exhibition, displaying photographs created by children and young people who had experienced out-of-home care, and published the *As Eye See It Project Report 2013–14*
- Continued to conduct an Independent Visitor Program at the Parkville Youth Justice Precinct and expanded the program to the Malmsbury Youth Justice Centre
- Commenced consultations for the development of a charter for young people in Youth Justice custody
- Developed a pilot model independent visitor scheme for young people in secure welfare services and commenced development of a pilot independent visitor scheme for residential care services
- Commenced rehearsals and preparations for the 2014 debutante ball for young people in out-of-home care
- Continued to support the pilot Community Integration Program and completed an evaluation of the program

## Promoting continuous improvement and innovation

- Launched and distributed 3000 copies of *Residential Care Matters: A resource for residential care workers, supervisors and managers caring for young people*
- Completed the annual review of the administration of the Working with Children Check
- Contributed to significant policy and law reform through written submissions and participation in consultations including providing detailed submissions to the Royal Commission into Institutional Responses to Child Sexual Abuse
- Acted as the national convener of the Australian Children's Commissioners and Guardians meeting
- Presented at more than 65 community events and professional forums to share what the Commission has learned through its work and to hear from the community, children and young people and carers about their views and experiences
- Responded to more than 400 calls, emails and letters from the community seeking information and assistance, most of which pertained to concerns about child protection or out-of-home care services

## Enhancing the safety and wellbeing of Aboriginal children and young people

- Established the Aboriginal strategy and policy team to support the work of the Commissioner for Aboriginal Children and Young People
- Strengthened the ongoing focus on Aboriginal babies, children and families and the Commission's engagement with the Victorian Aboriginal community
- In collaboration with the Department of Human Services, established Taskforce 1000 in response to the significant over-representation of Aboriginal children and young people in out-of-home care
- Established a Koorie Youth Reference Group to the Commission

#### Providing independent oversight

- Undertook child death inquiries and finalised 27 reports that were reviewed by the Commission Review Committee
- Completed two ministerial inquiries pertaining to vulnerable children and young people
- Commenced an own motion inquiry into the adequacy of the provision of services to children and young people who have been subjected to sexual exploitation or sexual abuse while residing in residential care
- Announced and commenced scoping an own motion inquiry into the Aboriginal Child Placement Principle

#### Monitoring strategy and out-of-home care services

- Commenced consultations on, and the development of, our approach to monitoring and reporting on the impact of Victoria's Vulnerable Children Strategy
- In partnership with the Ethnic Communities' Council of Victoria Inc., established the CALD Strategic Partnership Advisory Committee which will support the work of the Commission in its monitoring of the impact of Victoria's Vulnerable Children Strategy
- Facilitated a joint submission by the Aboriginal child and family sector and community services organisations to produce a submission entitled *Koorie Kids: Growing Strong in their Culture* to guide the development of the five-year plan for Aboriginal children in out-of-home care.



## Engaging with children and young people

The Commission uses a range of strategies to actively engage with children and young people throughout Victoria. Through conversations with children and young people we seek to listen respectfully to their journeys and to learn from them about what makes them feel safe and well and how services can be improved.

Of particular importance is our engagement with vulnerable children and young people in out-of-home care and Youth Justice centres. The activities in which we are involved are designed to provide opportunities for vulnerable children and young people to raise any concerns they have about their safety and wellbeing. We seek to enable the voices and experiences of those most vulnerable to be heard not simply by service providers, but also by the wider community.

### Listening to the voices of children and young people

#### As Eye See It

In September 2013 the Commission hosted the launch of the third Victorian *As Eye See It* exhibition in Federation Square. The exhibition included 380 black-and-white photos created by 76 children and young people who had experienced out-of-home care.

The *As Eye See It* project is very much a collaborative effort. This year, 19 community service organisations participated in the project, which was also supported by the Department of Human Services, the CREATE Foundation, the Centre for Excellence in Child and Family Welfare and the Foster Care Association of Victoria.



**From left to right: The Commissioner for Aboriginal Children and Young People, the Principal Commissioner, the Secretary to the Department of Human Services and a participant at the launch of the *As Eye See It* project.**

As with previous years, the children and young people who participated in the project were provided with cameras and asked to take photos of things that are important to them. In addition, each child or young person provided a short written piece.

'What about children like me that are in foster care? We don't have the same stable lifestyle as everyday children; we are owned by people we have never even met; we have people in suits and fancy clothes come in and out of our life (DHS).

How are we supposed to feel normal when other children at school never have to experience what we go through?'

'I'm Aboriginal. The X family is well known – we're good drawers, we're great singers and we're great comedians.

Aboriginal culture includes paintings – there are lots of paintings. I will tell you some: dot painting, animal painting and life painting.

Aboriginal culture is important to me because we were the first people in Australia.'

The project's objectives include providing children and young people living in out-of-home care with a creative means of expression for the issues that are important to them and raising awareness in the broader community of the out-of-home care sector.

In addition to the public exhibition, the Commission produced a catalogue of the photos and text and published the *As Eye See It Project Report 2013–14*, which includes an analysis of the messages conveyed by the participants and by members of the public who viewed the exhibition. A copy of this report is available on the Commission's website.

'These young people exhibit such courage every day. Very moving exhibition. They deserve our support.'

'The display was very moving and extremely eye-opening.'

The Commission is very grateful to the children and young people who so generously and courageously revealed their personal journeys and enriched our understanding of their experiences.

## Visits

The Commissioners meet with children and young people throughout Victoria to listen to and learn from their experiences. Consistent with the Commission's mandate, the Commissioners particularly seek out opportunities to meet with the most vulnerable children and young people, including those who live in residential care services and those who are in Youth Justice centres. Most visits occur through invitation, so we are able to connect with young people, as much as possible, on their terms and in an informal and non-threatening manner.

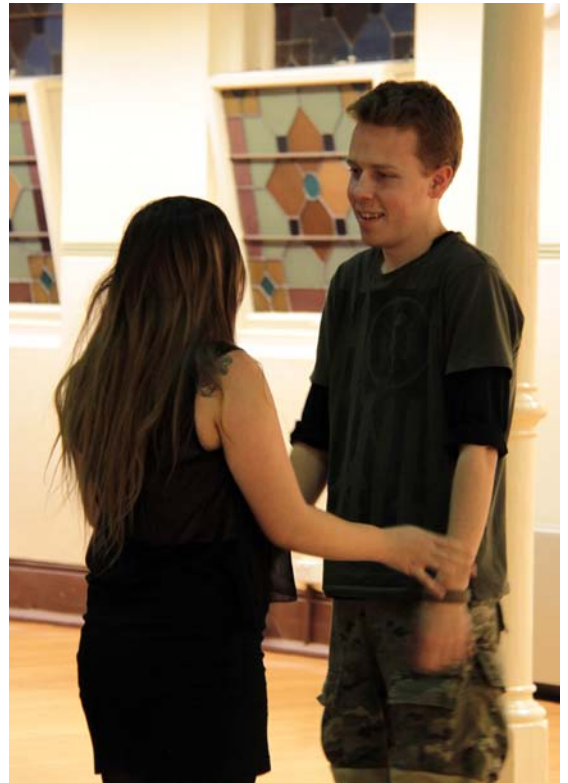
## 2014 Debutante Ball for young people in out-of-home care

Approximately 50 young people, most of whom have experienced out-of-home care, will be presented to the Hon Mary Wooldridge MP, Minister for Community Services, Minister for Mental Health, Minister for Disability Services and Reform; and the Hon Edward O'Donohue MLC, Minister for Liquor and Gaming Regulation, Minister for Corrections, Minister for Crime Prevention at the fourth debutante ball for young people in out-of-home care, which will take place at the Melbourne Town Hall in August 2014.

Traumatic childhoods, separation from family, frequent moves and disrupted schooling often characterise the lives of young people in care. As a result, many young people in care do not have the opportunity to participate in the rites of passage that their peers take for granted. For the debutantes, this ball provides an opportunity to mark and celebrate their transition to adulthood and independent living. For their family, friends and carers it is an opportunity to join together to celebrate their achievements. For the many other members of the community who attend, including government ministers, senior public servants and community leaders, it is an opportunity to hear the experiences of these young people and honour their journeys.

The actual night of the ball is an extraordinary event – but each of the steps along the way towards that night is also important. For many of the debutantes, simply committing to participating in the dance classes and the other preparatory activities is not easy. It takes courage and determination on the part of the debutantes, and the support of those who care for them. The Principal Commissioner and other Commission staff regularly attend the practice sessions, providing another opportunity to hear the voices of young people.

The Commission is grateful to the debutantes and those who support them. We also particularly appreciate the support provided by the Centre for Excellence in Child and Family Welfare, which has agreed to assist in the coordination of this year's ball.



**Debutantes at dance practice in preparation for the Debutante Ball.**

## Community Integration Program

The Community Integration Program pilot commenced in 2010. The program recruits community-based volunteers who support young people in residential care to create opportunities to explore their individual potential to move and grow towards positive community connections outside their care environment. The Commission oversees the program and works in partnership with Whitelion Inc, which employs and manages three Community Integration Leaders who recruit, train and support the community volunteers linked to young people.

Angus is 14 and has lived in several residential care services but has been in a stable placement for six months. Angus does not display the high-risk behaviours typical of a young person in residential care; however, he is very isolated and rarely leaves the residential unit unless it is with staff or to attend school.

Angus expressed interest in various physical activities: gym, basketball, running, but was not comfortable joining a basketball team with people he did not know. He attended a local gym with a residential carer. Through the support of a community-based volunteer, Angus now attends a boxing gym and undertakes a kickboxing class with his volunteer on a weekly basis. The volunteer is helping to build Angus's confidence by participating in the activity with him at the gym.

An evaluation of the program showed that there have been approximately 95 young people participate in the program and approximately 160 volunteers; two-thirds of volunteers being involved for longer than seven months. The project used an action research model to learn about how young people connect to their community.

Through a dedicated volunteer base, resourceful community integration leaders and passionate agencies, the program has achieved positive results with a cohort that is often difficult to engage. A copy of the evaluation report is available on the Commission for Children and Young People website <[www.cyp.vic.gov.au](http://www.cyp.vic.gov.au)>.

Key evaluation findings of the Community Integration Program:

- Most participating young people have explored positive social pursuits that are meaningful to them, and many report gaining valuable life and social skills.
- Participating young people reported higher self-esteem, with almost half stating that they felt better about themselves in follow-up surveys.
- The program significantly enhanced the opportunities for young people to access activities in their local community and has increased consideration of social participation and community integration in care team planning.
- Most volunteers did not have knowledge of the residential care system, and the first-hand experience through the program has 'opened their eyes' to a previously invisible group of vulnerable young people in their community.

Creating links between young people and suitable volunteers relies on a narrow window of alignment of all parties. There needs to be an interested young person in a stable placement, in the same area as an accredited, compatible and available volunteer, as well as supportive agency staff that encourage and help to support the link and activity undertaken.

Achieving the program's goal of sustained connection with community groups requires more alignments of variables than a mentoring relationship and many of these variables lie outside the program's control. The links need to be supported by local community groups willing to embrace them, and a service system able to sustain the connection.

Following the findings of the evaluation, the program will continue and will develop further approaches to enhance community connectedness for young people. The Commission will share what we have learned through our involvement in the program to encourage a broader dialogue with the wider sector and the general community, to consider how we can all assist young people to make meaningful and positive connections in their local community.

### Independent Visitor Program: Youth Justice

Following the successful implementation of the Independent Visitor Program at the Parkville Youth Justice Precinct, the Commission expanded the program to the Malmsbury Youth Justice Centre in September 2013. The Parkville Precinct is a custodial setting in Melbourne for young males aged 10–18 years and females aged 10–20 years. The Malmsbury Centre, located approximately 100 kilometres north of Melbourne, is a custodial setting for young men aged 18–21 years.

Through the visitor program the Commission is able to hear the voice of young people in custody, support them to have issues addressed, and identify ways to improve their experiences of being in custody.

The Commission recruits, screens, trains and supports the independent visitors. The visitors who volunteer their time come from a variety of walks of life. The use of community volunteers provides a fresh look and community perspective, without having any pre-conceived or expert opinions about the centres. Visitors have told the Commission that they find the role extremely rewarding and, at times, challenging.

In 2013, Aboriginal young people in Victoria were 13 times more likely than non-Aboriginal young people to be in detention. In recognition of the over-representation and specific cultural needs of Aboriginal clients, the Commission also commenced promotion of and recruitment to a Koorie Independent Visitor Program, which will commence in the next financial year.

Visits to each of the centres occur on a monthly basis. During the visits, young people have the opportunity to talk about their experiences of being in custody and raise any issues of concern with the visitors, who assist the young person to resolve these issues with staff and managers of the centre. The visitors also undertake exit interview questionnaires with young people prior to their release from custody. This provides an opportunity for anonymous feedback about their experiences in custody. The Commission analyses issues raised and reports on these issues to the Department of Human Services and the Minister for Community Services.

In this financial year, the visitors undertook ten visits to Malmsbury and conducted 64 exit interviews at that centre. In addition, visitors undertook 12 visits to the Parkville Youth Justice Precinct and conducted 65 exit interviews. Through this program, visitors have had hundreds of conversations with young people across the two centres. Ongoing issues have been raised about the quality and quantity of food, the environment, programs and education, health, leisure activities, phones and visits.

## Promoting rights and safety of children and young people

### Charter for young people in Youth Justice custody

Further building on the establishment of the Independent Visitor Program in Victoria's Youth Justice centres, the Commission, with the assistance of the independent visitors, has commenced a process of consultation with young people at the centres. Through these consultations, the Commission will develop a charter for young people in Youth Justice custody. The objective of the charter is to assist in improving conditions and expectations within Youth Justice facilities. The content and form will be determined through the consultations with young people.

Managers of the centres have supported the development of the charter. Parkville College, the registered school that operates at both Youth Justice centres in Victoria, has included the subject of 'rights' as part of its 'wellbeing' classes. The independent visitors have been briefed on the project and have commenced consultations with young people. The Commission anticipates that the charter will be finalised by October 2014.

### Independent visitor program in secure welfare

Victoria has two 10-bed secure facilities for boys and girls, where strictly time-limited placements are made. Secure welfare services are not custodial services; placements to secure welfare are based on the need to protect the child from severe and immediate risks to their safety. Secure welfare provides an opportunity to review the circumstances of care prior to the child returning to care in the community.

The Commission, with support from the Minister for Community Services and the Department of Human Services, has developed a pilot model independent visitor scheme for young people in secure welfare services. The objective is to visit young people in secure welfare to hear from them about any issues they wish to raise.

### Independent visitor program in residential care

The Commission has commenced development of a pilot independent visitor scheme for residential care services. The pilot will be conducted within the current resources of the Commission with an accompanying evaluation process. If the pilot is successful, the Commission intends to seek additional resources to enable the establishment of a statewide visitor program for residential care services. The Commission looks forward to working collaboratively with community service organisations on the development of this project.

## Koorie Youth Reference Group

The Commissioner for Aboriginal Children and Young People is talking with young people through informal community conversations, formal network meetings and community events to gain a deeper understanding of their lived experience as a young Aboriginal person in Victoria. The Commission then conveys the young people's concerns and solutions to challenges that face their community to those, particularly in government, that have the authority to act upon them.

The Commissioner, supported by the Koorie Youth Council, has established a reference group for which 27 Aboriginal youth have volunteered. The group will provide a reference point to the Commission on a range of topics identified by the group itself. The Koorie Reference Group has identified the impact of ice (methamphetamine) on young Aboriginal people in Victoria as an important issue.

## Advocate for children and young people in residential care

The recently released Victorian Auditor-General's Report entitled *Residential Care Services for Children* highlights the vulnerability of children and young people in residential care. The report identifies a number of challenges and deficits in the residential care system.

The report's recommendations include the recommendation that the Department of Human Services 'actively promotes to children in residential care the processes for making a complaint and investigates the feasibility of establishing an independent advocacy role to support children in residential care'. In response to this recommendation, the department advised that it will undertake a scoping project to consider the feasibility of establishing such an independent advocate. The Commission would be pleased to participate in this scoping project and to explore opportunities to enhance our advocacy for children in residential care.

The Commission supports the need for children and young people to have an independent and safe place to voice their concerns. This is consistent with the findings of the Betrayal of Trust parliamentary inquiry and the Royal Commission into Institutional Responses to Child Sexual Abuse, both of which have documented horrific stories of young people who had no voice when in care.



**The Commissioner for Aboriginal Children and Young People with the Koorie Youth Reference Group.**

# Promoting continuous improvement and innovation

The Commission has a unique role to promote continuous improvement and innovation in the delivery of government and non-government services to children and young people. It has a strong focus on those who are most vulnerable. The Commission does not provide services directly; rather it works collaboratively with the community, government departments and community sector organisations to improve the lives of children and young people.

## Knowledge sharing

### Social media and website communication

The Commission uses a range of media, including its website, Facebook and Twitter pages, to engage with stakeholders and the community. Through these tools, the Commission provides updates on the work it is undertaking and provides comments on issues relevant to its mandate. These communication tools also enable the Commission to be informed of issues important to the community.

### Publications

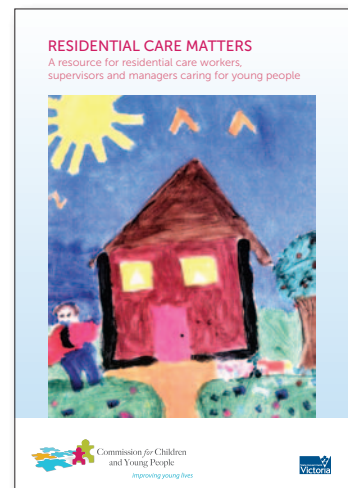
The Commission has produced a range of resources for parents, carers, professionals and organisations. All of these resources are available free of charge on our website and the demand for these continues to be substantial.

The publication *Residential Care Matters: A resource for residential care workers, supervisors and managers caring for young people* was launched in 2013. This resource, produced by the Commission with generous support and assistance from residential care workers and other professionals, is designed to assist those who work in residential care services to achieve excellent outcomes for the young people who live in residential homes.

*Residential Care Matters* includes information about trauma theory and research on the characteristics of excellent residential care. It applies the theory and learnings in a series of practical frameworks, designed to be used by frontline workers as well as team leaders and managers. In producing this resource we did not seek to prescribe a particular model of care but rather to describe what care should look like and feel like for children and young people on a daily basis.

The Commission has distributed 3000 copies of this resource. The Centre for Excellence in Child and Family Welfare delivers training for residential care staff, including the Residential Care Learning and Development Strategy. The resource has been embedded into the training. All facilitators received a copy of the resource and are encouraged to not only use it as an aid to their own understanding, but also as tool within their training.

The Centre has advised it plans to use the resource in its accredited training courses and undertake continuous work to update the resource to maintain its currency and relevance. The Centre also advised that the guide is in high demand from a variety of different stakeholders.





## Speeches and presentations

Throughout this financial year, the Commissioners, and other staff, presented on a range of issues at community events and professional workshops and conferences. Appendix 1 details some of this work. Through these opportunities the Commission shared knowledge gained through its policy analysis inquiries, monitoring and research, and gained information to further shape and inform its work and its advice to government.

## Learnings from child death inquiries

In November 2013, staff from the Commission presented *The importance of doing the simple things well – learning from child death inquiries* at the 13th Australasian Conference on Child Abuse and Neglect. Using the learnings from 18 years of child death inquiries, the presentation examined how to transfer agreed knowledge into practice to better address longstanding barriers to effective information gathering, risk assessment and service collaboration.

In addition, during this year one of our Senior Practice Reviewers, in collaboration with the Department of Human Services, delivered a program of training for child protection workers. The training focused on the response of Child Protection and other services to high-risk infants. The training was well received and provided an opportunity for us to share knowledge acquired during the process of undertaking child death inquiries and other reviews. The Commission has agreed to provide similar training to other professional groups later this year.

One of the Commission's Senior Practice Reviewers participates on the High Risk Infant Panel in both the Western and Southern Divisions of the Department of Human Services. Participation in the panels enables the expertise the Commission has gained through undertaking inquiries to be used to inform and guide Child Protection practices in relation to high risk infants.

## Aboriginal Out-of-Home Care Conference

The Commission has commenced planning for the inaugural Aboriginal Out-of-Home Care Conference for November 2014.

The Commission is working with the Aboriginal community controlled child and family sector to establish the agenda. The conference will provide information and skills for practitioners and generate robust discussion and debate to escalate, inform and influence policy and practice. This conference will give both professionals and kinship carers an opportunity to network with other attendees and be better informed and connected in their role in caring for vulnerable Aboriginal children and young people.

## Vulnerable children on public transport

In October 2013, the Commission met with Metro Trains Melbourne to discuss the development of a training agenda for Metro Authorised Officers who interact with children and young people who may display challenging or high-risk behaviours. Following further discussions around the needs of vulnerable children and young people and Metro staff, a specific training package was developed which included topics such as:

- understanding teens, the normal teenage brain and the impact of trauma on the brain
- identifying and understanding how to engage with young people whose behaviour may be impacted by drugs and alcohol
- the importance of authorised officers staying grounded in their role when faced with expected and predictable behaviours
- using best practice to work with oppositional and defiant behaviour.

The first training session was delivered in April 2014. Similar training will be rolled out to all current authorised officers, and will become part of the ongoing training curriculum for all new recruits.

## Recognising vulnerability and intervening early

Victoria's Vulnerable Children Strategy seeks to promote a shared understanding of the vulnerability of children. The definition of vulnerability endorsed in the strategy is that:

Children and young people are vulnerable if the capacity of parents and family to effectively care, protect and provide for their long term development and wellbeing is limited.

Consistent with this definition, the Commission's strategic plan adopts a wide view of vulnerability. It is this broad definition of vulnerability and recognition that all children have a degree of vulnerability that guides the work of the Commission to continue to advocate for children having a right to early intervention whether it be at an early stage in their life or when an issue of concern is initially presented.

### Early Childhood Australia National Advisory Group

Recognising that very young children are particularly vulnerable, the Commission is represented in the Early Childhood Australia National Advisory Group to develop a Statement of Intent on Supporting Children's Rights in Early Childhood Education and Care.

The purpose of this statement is to support teachers, educators, the community, families and children to ethically and authentically support the rights of children in early childhood; to understand and implement child rights education in early childhood education and care settings, and to advocate for children's rights. This is consistent with the 2009 *Belonging, Being and Becoming – The Early Years Learning Framework for Australia* which states that 'early childhood educators will reinforce in their daily practice the principles laid out in the United Nations Convention on the Rights of the Child'.

### Responding to isolation and neglect

Following the completion of a ministerial inquiry that involved two very isolated and neglected children living in the community, the Commission is in the process of establishing a cross-sector working group to develop a community and professional education campaign to raise community awareness and professional knowledge of how to identify and act on this level of vulnerability early.

### Modelling a Generous Community

As part of the annual Robin Clark Awards, the Commission bestows the Modelling a Generous Community Award in recognition of a person who has made a significant contribution to the safety and wellbeing of vulnerable Victorian children.

The 2013 recipient was Mr Mohamed Elmasri, a board member of Care with Me, who has worked hard to promote cultural identity as being intrinsic to the health, wellbeing and normal development of children and young people from a range of cultural and religious backgrounds who live in out-of-home care.

Mr Elmasri received the award for the work he undertook in leading volunteer members of the organisations on an awe-inspiring journey that culminated in the successful Many Cultures, Many Celebrations inaugural conference. He has shown us that there are many people from diverse communities ready and willing to share information with carers and associated professional parties to enhance the provision of culturally inclusive care and support.

## Policy and law reform

### Law reform

This year saw a number of important legislative reforms pertaining to the safety and wellbeing of children and young people. While generally supportive of the intent of these legislative reforms, the Commission has identified a number of areas for ongoing scrutiny of the impact of the reforms.

- **Amendments to the Children, Youth and Families Act**

As part of its response to the recommendations arising from the Protecting Victoria's Vulnerable Children Inquiry, the government has proposed a range of amendments to the Children, Youth and Families Act. Among other things, these reforms are designed to foster a less adversarial approach to proceedings in the Children's Court, reduce the amount of times children are required to attend court, and facilitate the transfer of responsibility for Aboriginal children in statutory care to Aboriginal organisations. The Commission supports the intent of these reforms.

The *Children, Youth and Families Amendment (Security Measures) Act 2014* establishes a legislative base for security measures used in secure welfare, Youth Justice and out-of-home care services. The Commission supports the creation of a legislative framework but will monitor its impact. Of particular concern is the use of restrictive procedures, including unclothed searches and seclusion.

These have significant potential to have an adverse impact on the rights and wellbeing of children if not used appropriately. The Commission is pleased that the Minister for Community Services has assured the Commission that it will be able to inspect relevant records pertaining to the use of such procedures. The Commission has also sought further information about the procedures, policies and staff training pertaining to these new powers.

The Commission will continue to monitor reforms to legislation that underpins child protection processes and the impact of these reforms on the lives of vulnerable children and young people.

- **Amendments to the Crimes Act**

The *Crimes Amendment (Grooming) Act 2014* and the *Crimes Amendment (Protection of Children) Act 2014* both seek to enhance the protection of children from sexual exploitation and abuse. Both pieces of legislation respond to recommendations made by the Family and Community Development Committee's *Betrayal of Trust* report.

The enactment of these new criminal offences is part of a package of reforms that includes the establishment of the new reportable conduct scheme and child-safe standards for organisations. As these reforms are rolled out it will be important to monitor their effectiveness. The Commission will be particularly interested in considering whether the failure to report offences in relation to organisations should be expanded to include failure to report other forms of abuse, including physical abuse.

- **New Mental Health Act**

During the early consultations on reforms to mental health legislation, the Commission noted its concerns that the current legislation failed to adequately address the needs of children and young people who had a mental illness, or those who were carers for a parent with a mental illness. The new *Mental Health Act 2014* has much to commend it, in particular the inclusion of principles in section 11 that recognise that when receiving mental health services Aboriginal people 'should have their distinct culture and identity recognised and responded to'; that children and young people 'should have their best interests recognised and promoted as a primary consideration' and have their 'needs, wellbeing and safety recognised and protected'. The Commission looks forward to developing a strong relationship with the Mental Health Complaints Commissioner and to seeing these principles reflected in practice.

The new Mental Health Act provides for the use of electroconvulsive treatment on children in certain limited circumstances. If such therapy is to be permitted, it must be closely monitored. The Commission notes that the Act provides that the annual report of the chief psychiatrist will include information about the number of young people who receive electroconvulsive treatment.

- **School attendance**

During consultations on the *Education and Training Reform Amendment (School Attendance) Act 2013*, the Commission expressed concern about the use of enforcement measures to address school attendance issues, and instead urged a deeper examination of the complex reasons underlying school disengagement and the implementation of proactive prevention and intervention strategies.

The government's commitment and the Commission's hope and expectation is that schools will take a collaborative approach with parents and students who are at risk of disengaging, or who have already disengaged from school. We note that the recently released *School Attendance Guidelines 2014* include strategies to encourage and improve school attendance.

We note that government policy requires that an Individual Education Plan and a Learning Mentor be provided for each student who resides in out-of-home care. The Commission will continue to actively monitor the impact of these policies on school attendance for those children and young people who are most vulnerable.

- **Amendments to the Working with Children Act 2005 (WWC Act)**

In June 2014 the government introduced the Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014. Among other things, the proposed amendments:

- provide that the protection of children is to be the paramount consideration when administering the WWC Act
- clarify that the Working with Children Check is a minimum screening check, not a guarantee that a person is suitable to work with children
- introduce a requirement that all ministers of religion who have contact with children must obtain a Working with Children Check.

The Commission supports these changes.

As noted in the Commission's submission to the Betrayal of Trust parliamentary inquiry, religious leaders are in a special position of trust within the community; they have unique and privileged access to the lives of those within their religious tradition. Given this special position of trust for ministers of religion, it is appropriate that they, as a minimum, be subject to the screening of a Working with Children Check.

While the Commission applauds the government for introducing these amendments, we note that we remain concerned about the retention in the WWC Act of the exemption for parents whose children are participating in the activity. As noted in our submission to the inquiry, the Commission continues to advocate for organisations to be required to screen *all* people who have regular, direct and unsupervised contact with children, even if the person happens to be a parent of a participating child.

## Policy submissions to inquiries

Throughout the year the Commission contributed to a wide range of reviews and inquiries. In all of our submissions we encouraged government to place the best interests of children at the forefront of its considerations and to include young people in the consultation process.

Given our unique mandate, our submissions focus particularly on the interests of children and young people who are known to Child Protection services because they have experienced abuse, neglect and trauma, and those who become involved in the Youth Justice system.

## Grandparents raising their grandchildren

The Commission valued the opportunity to make a written submission to the Senate Community Affairs References Committee's inquiry into grandparents who take primary responsibility for raising their grandchildren. The Commission acknowledged the vital role grandparents and other kinship carers play in caring for children when their parents are unable to do so.

There has been a rapid expansion of the number of children and young people in grandparent or kinship care placements. The Commission has expressed concerns about the quality of the assessments undertaken to ensure the placement is suitable for the child.

In its submission, the Commission argued that the disparity in the reimbursement rates for kinship carers, in comparison to foster carers, is not justified and puts placements at risk. The Commission also highlighted a range of other areas for reform including enhanced support to kinship carers and the transfer of all Aboriginal kinship care case management to Aboriginal Community Controlled Agencies, community service organisations or partnerships.

## Contributions to the Royal Commission

The Commission has provided written submissions to most of the seven issues papers released by the Royal Commission into Institutional Responses to Child Sexual Abuse (see below). In addition, the Principal Commissioner participated in the Royal Commission's round table, 'Preventing sexual abuse of children in out-of-home care', convened by Justice Jennifer Coate and Commissioner Robert Fitzgerald AM.

- **Issues Paper 1: Working with Children Check**

In its submission to Issues Paper 1, the Commission emphasised that Working with Children Checks are necessary but not sufficient in themselves. In addition to these checks, organisations must undertake robust staff selection and background checking and provide ongoing supervision and management support. The Commission also noted its ongoing concern about the current exemption for parent volunteers in the WWC Act. The Commission continues to advocate for this exemption to be removed because the fact that a person is a parent is not a reason to assume the person is safe to work with children.

- **Issues Paper 3: Child Safe Institutions**

Within the Australian context, significant work has taken place to identify the characteristics of a child-safe organisation and provide guidance on strategies that can be adopted to identify and reduce the risk of harm to children. The Commission's submission to Issues Paper 3 discussed these strategies and noted the importance of investing resources to prevent abuse. Of central importance are the adoption of child-safe strategies and the development of organisational cultures focused on the safety and wellbeing of children.

The Commission also contributed to the development of, and endorsed the submission by, the Australian Children's Commissioners and Guardians, which included *Principles for Child Safety in Organisations*.

## Australian Children's Commissioners and Guardians Principles for Child Safety in Organisations

Organisations will:

1. Take a preventative, proactive and participatory approach to child safety
2. Implement child safety policies and procedures which support ongoing assessment and amelioration of risk
3. Value and empower children to participate in decisions which affect their lives
4. Foster a culture of openness that supports all persons to safely disclose risks of harm to children
5. Respect diversity in cultures and child rearing practices while keeping child safety paramount
6. Provide written guidance on appropriate conduct and behaviour towards children
7. Engage only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development
8. Ensure children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable to do so
9. Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities
10. Share information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk
11. Value and communicate with families and carers

### • **Issues Paper 4: Preventing Sexual Abuse of Children in Out-of-Home Care**

In our submission to Issues Paper 4, we noted that to achieve the maximum protection of children in out-of-home care from sexual abuse, a two-pronged approach is needed.

First, organisations must ensure as far as is possible that carers and others do not present a risk of abuse and that staff are aware of what behavioural indicators to be alert to. Organisations must also create a safe environment in which children feel confident and safe to express concerns.

Secondly, children need to be empowered through being aware of their right to be safe and to feel safe, to be able to identify abuse as such and to have avenues where they can talk to a trusted adult about their experiences and be confident that they will be listened to and supported appropriately.

The relatively recent development of therapeutic residential and foster care options, with their emphasis on staff training and engagement with the child, are critically important to the creation of care environments that have greater potential to keep children safe.

- **Issues Papers 5, 6 and 7: Civil Litigation, Redress Schemes, Statutory Victims of Crime Compensation Schemes**

In Issues Papers 5, 6 and 7, the Royal Commission sought responses to questions concerning options for providing redress or compensation to those who suffer child sexual abuse in institutional contexts. In our submissions to these issues papers we noted our support for reform both at the state and national level to remove obstacles that currently preclude or discourage survivors of childhood sexual abuse from commencing civil proceedings.

We acknowledged that for many survivors, remedies other than proceedings in civil courts will be the preferred mechanism for seeking compensation and other redress for the harms they have suffered. The Commission supported the establishment of an independent national redress scheme, which should exist alongside other traditional remedies available through civil litigation.

## Betrayal of Trust

The Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Organisations delivered its final report (Betrayal of Trust) on 13 November 2013. The final report provides a powerful insight into the experiences of many survivors of institutional child sexual abuse. The recommendations, if fully implemented, will provide a strong foundation to better protect children from abuse, to respond more effectively if abuse occurs and to provide a more just and compassionate response to those who experienced abuse in the past.

The government, in its response tabled in parliament on 9 May 2014, stated it supported in principle all of the inquiry's recommendations. The government committed to introducing a 'reportable conduct' scheme under which relevant organisations will be required to notify the Commission about allegations and findings of child abuse. The government also committed to expanding the Commission's role in educating and building the capacity of organisations to implement child-safe strategies.

'We will also introduce minimum child-safe standards for organisations that have direct and regular contact with children. That will enable the raising of awareness and understanding of child abuse and also minimise the risk of that abuse happening in the future. Once again, the Commission for Children and Young People will help to develop the standards to raise awareness and develop materials to assist organisations to put the standards in place. We will also mandate that all schools, including non-government schools, will implement a policy for responding to allegations of child abuse.

We are very committed to the reforms, and there is a commitment of over \$10 million to support the work, particularly in terms of the Commission for Children and Young People, led by Bernie Geary, to implement the minimum child-safe standards and the reportable conduct scheme.'

– **The Hon Mary Wooldridge MP,**

Minister for Community Services, Victorian Parliamentary Debates,  
Legislative Assembly, vol. no. 6, 8 May 2014, p. 1589

The Commission is looking forward to working with government departments to develop the new reportable conduct scheme, enhanced education and capacity-building strategies and child-safe standards for relevant organisations.

## Intentional self-harm and suicidal behaviour in children

In April 2014 the National Children's Commissioner, Megan Mitchell, called for submissions on intentional self-harm and suicidal behaviour among children and young people. The review is examining the reasons children engage in intentional self-harm and suicidal behaviour and the barriers to them seeking help. The Commission's submission to this inquiry noted factors that increase vulnerability, and barriers that inhibit children from seeking and receiving help.

Our submission identified that there is a lack of robust data and information. We supported the establishment of a national child death and injury database to better inform the design of policy, programs and practice. We noted the need to ensure programs and policies are specifically designed to meet the needs of Aboriginal and Torres Strait Islander children and young people as well as children and young people who identify as gender diverse or sexuality diverse.

## Methamphetamine

The Commission provided a written submission to the Victorian Parliament's Law Reform, Drugs and Crime Prevention Committee's inquiry into the supply and use of methamphetamine, particularly 'ice'.

In our submission we encouraged the Committee to consult directly with young people as well as with parents, carers and service providers in regional areas where the use of methamphetamine appears to be especially problematic. We also recommended that there be a number of specific consultations with the Aboriginal community.

We recommended that the Committee examine the impact on and risks to children when their parents use methamphetamine. We noted that the response to the challenges arising from methamphetamine use must be holistic and reflect the whole-of-government focus that currently underpins the strategies *Reducing the alcohol and drug toll: Victoria's plan 2013–17* and *Victoria's Vulnerable Children: Our Shared Responsibility*.

## Mental Impairment and Unfitness to be Tried

The Victorian Law Reform Commission sought submissions in relation to its review of the *Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* and, in particular, whether that Act should be extended to the Children's Court. The Commission's submission supported an extension of this Act to the Children's Court.

## Review of sexual offences

The Commission provided a submission to the Department of Justice's Review of sexual offences consultation paper. The Commission's submission noted the importance of both strengthening the law to better protect children from sexual abuse, and ensuring that changes to the law do not result in more children being charged with offences for behaviour that is better addressed through other strategies.

## Review of the forfeiture rule

The Victorian Law Reform Commission reviewed the common law of forfeiture, and the circumstances in which a person responsible for the death of another person should be precluded from benefiting from that death. The Commission provided a submission to this review to draw attention to the need for consideration of whether the law needed to be reformed to ensure it appropriately addressed cases where children die as a result of parental abuse or neglect.



## Review of the administration of the Working with Children Check

In 2006, the Victorian Government introduced a new checking system to help protect children under 18 years of age from physical or sexual harm. The Working with Children Check, administered by the Department of Justice, creates mandatory minimum checking standards across Victoria.

The check is one mechanism to help keep children safe by preventing those who pose a risk to the safety of children from working with them, in either paid or volunteer work. A Working with Children Check is one part of, not a substitute for, child-safe policies, systems and culture within organisations.

People who work or volunteer in designated child-related work categories and do not qualify for an exemption are required to have a check. Organisations must determine which staff or volunteers require a check, ensure they have a valid card and ensure that new starters apply for a check before they commence.

The Working with Children Check was progressively implemented across a range of child-related work categories over a five-year period which concluded in July 2011. The focus of the work of the Working with Children Check Unit is now on new applications across all categories of child-related work, and card renewals.

The Commission for Children and Young People Act assigns to the Principal Commissioner the responsibility of annually reviewing the administration of the WWC Act by the Department of Justice.

The objective of the annual review has been to:

- determine if the Department of Justice is administering the WWC Act in accordance with the provisions and intent of the WWC Act
- determine the level of compliance with the WWC Act in respect to the integrity, appropriateness and adequacy of the systems, processes and controls that have been designed and implemented to support administration of the WWC Act
- identify opportunities for improvement of the quality, efficiency and effectiveness of the work practices and processes implemented.

The Commission completed a report on the 2013 review of the administration of the WWC Act and provided it to the Minister for Community Services, the Attorney-General and the Secretary of the Department of Justice, as required by legislation. Work has commenced on the 2014 review.

The 2013 review considered processes and controls that were in effect from 1 July 2012 to 30 June 2013, and covered process design and process operation. For the second time, this review included a survey of employers and employees (including volunteers) associated with clubs, associations or movements of a recreational or sporting nature to gauge their understanding of requirements under the WWC Act. As well as forming a component of the review report, the detailed survey findings were provided to the Department of Justice to assist in its ongoing program development.

Numbers as of 30 June 2013	
Working with Children Check cardholders	939,344
Negative Notices issued	1835
Working with Children Check cards issued after review by Victorian Civil and Administrative Tribunal (VCAT)	95

## Australian Children's Commissioners and Guardians

During this year the Principal Commissioner has acted as the national convener of the Australian Children's Commissioners and Guardians (ACCG). The ACCG seeks to strengthen the quality and effectiveness of strategic advocacy to promote and protect the safety, wellbeing and rights of children in Australia, particularly the most vulnerable or disadvantaged.

The commissioners meet biannually to discuss legislative, policy and program issues of mutual interest, and issue a post-meeting communiqué to inform the community about the matters they have considered. As the national convener, the Principal Commissioner assists with coordinating joint submissions and correspondence from the ACCG.

Areas of particular focus for the ACCG this year included:

- **Royal Commission into Institutional Responses to Child Sexual Abuse**

In addition to collaboration on submissions to the Royal Commission, the commissioners met with staff of the Royal Commission in November 2013 and discussed how the views of children and young people on what makes them feel safe could be obtained to contribute to the work of the Royal Commission.

At their meeting in May 2014, the ACCG met with two Royal Commissioners to discuss a range of issues including preventing sexual abuse of children in out-of-home care, working with children checks and child-safe and child-friendly organisations.

- **Children in immigration and community detention**

In February 2014, the President of the Australian Human Rights Commission, Professor Gillian Triggs, commenced an inquiry into children in closed immigration detention. The inquiry is examining the impact of immigration detention on the health, wellbeing and development of children.

The ACCG provided a submission to the inquiry. Drawing upon international human rights conventions, the submission argued that refugee children should not be held in detention facilities, and expressed significant concerns about the adverse impact of such detention on the wellbeing of children.

The submission also argued that the knowledge gained from the Royal Commission into Institutional Responses to Child Sexual Abuse and the Victorian *Betrayal of Trust* report must be applied to how we respond to and protect refugee children. Of particular importance is the need to ensure that there is independent oversight and monitoring of institutions that are responsible for the care of very vulnerable children.

- **Aboriginal Child Placement Principle**

The Aboriginal Child Placement Principle requires Aboriginal and Torres Strait Islander children who are removed from their families to have strong connections to family, community and culture, regardless of their placement. The ACCG is concerned about inadequate national adherence to the principle. The ACCG noted the work being undertaken by the Victorian Commissioner for Aboriginal Children and Young People and the forthcoming inquiry into how the principle and its intent is being applied in Victoria.

- **Charter of Rights: Young People in Youth Justice Detention**

The ACCG collaborated on the development of a model charter of rights for children and young people detained in youth justice facilities. The charter contains a set of rights consistent with international agreements to which Australia is a signatory, and the UN Convention on the Rights of the Child. It has been developed to provide young people with an easy guide to their rights and entitlements while they are in custody.

ACCG members briefed jurisdictional youth justice ministers and administrators on how the charter might be applied in their jurisdiction. In Victoria, a process is underway to engage young people detained in custody in the process of developing a charter. It is anticipated there will be synergy between the ACCG charter and this activity.

## Contacts with the Commission

While the Commission is not legislated as a formal complaints-handling body, it does help people to access a wide range of information, advice and referral to services relating to the wellbeing of children. The Commission monitors and analyses the information arising from all contacts received to help inform future initiatives in order to improve policies and practices about matters relating to children and young people.

The Commission responds to contacts from parents, extended family members, carers and professionals who make contact on behalf of children and young people residing in Victoria. Importantly, it also responds to contacts from children and young people themselves who seek advice, information or support from the Commission.

In 2013–2014, the Commission received over 400 contacts, with half these relating to general enquiries or referral to other agencies and half relating to specific matters pertaining to children in the out-of-home care sector or connected to Child Protection services.

The most common issues and themes noted in these contacts related to child protection matters, issues related to kinship care, permanent care and adequacy of support for these placements, family law and legal matters.

The Commission has an established protocol with the Department of Human Services to support responding to enquiries that relate to child protection concerns or the safety and wellbeing of children in out-of-home care. Consistent with this protocol, the Commission provides additional assistance in some situations to support solutions that best meet the needs of the child or young person.

## Research partnerships

The Commission has collaborated with academic institutions, research bodies, government agencies and community sector agencies on a range of research partnerships. Our focus is on partnerships that examine issues relevant to the safety and wellbeing of children and young people.

Our current research collaborations include:

- Improving the health of children and young people in out-of-home care
  - The Healthy Eating and Active Living program was developed to respond to the prevalence of obesity and associated health risks for young people in out-of-home care. A study is being led by researchers at Deakin University to conduct a randomised trial to measure the effectiveness of this program.
  - Ripple project: supporting the mental health and wellbeing of young people in out-of-home care. This collaborative project, being led by the Orygen Youth Health Research Centre, is aimed at developing interventions to improve the mental health outcomes of young people in out-of-home care.
- Supporting young carers and young people in kinship care
  - Kinship Care Advisory Group, led by researchers at Melbourne University, to investigate the support needs of young kinship carers (including siblings) and the support needs of non-familial kinship carers to properly support children and young people living in kinship care.
- Support for young people leaving care
  - Indigenous young people leaving out-of-home care research project being led by researchers at Monash University.
  - Youth Justice Advisory Group, led by researchers at Monash University, to investigate the experiences of young people leaving care who have had a connection to Youth Justice services.
  - Young people with a disability transitioning from out-of-home care research project, led by researchers at Monash University, to identify the needs and experiences of young people with a disability who have transitioned from out-of-home care.
- Children of prisoners
  - The Children of prisoners: Care planning for children of incarcerated parents project, led by researchers at Monash University, is examining best practice for care planning of children whose primary carers are in prison. It aims to improve outcomes for both parents and children through the development of a strategic framework for future policy and practice in care planning.
- Technology, mental health and wellbeing
  - The Young and Well Cooperative Research Centre is exploring the role of technology in the lives of young people and how it can be used to improve the mental health of young people. Its projects include a range of collaborative endeavours with researchers, practitioners, innovators and policy makers.

# Safety and wellbeing of Aboriginal children and young people

As noted throughout this report, the safety and wellbeing of Aboriginal children and young people are key considerations in all of the work undertaken by the Commission. In this section, we report on some of the activities that have been the central focus of the Commissioner for Aboriginal Children and Young People.

In Victoria there are approximately 47,000 Aboriginal people, which equates to 0.9 per cent of the total Victorian population. More than half of the Aboriginal population is under 25 years of age. Children aged 0–14 years of age make up approximately 36 per cent of the total Aboriginal population, compared to 18 per cent of the non-Aboriginal population (Australian Bureau of Statistics, 2012).

Most Aboriginal children and young people are raised in strong, loving and caring families. However, as reported in the *Victorian Aboriginal Affairs Report 2013*, trends of inequality and poor outcomes persist for Aboriginal babies, children and youth.

The Commission's strategic plan includes a combination of strategies to monitor, analyse and report on services and to advocate for the rights of Aboriginal children and young people.

Self-determination and holistic approaches are important if programs for Aboriginal people are going to improve outcomes.

## Aboriginal Health

'Aboriginal health' means not just the physical well-being of an individual but refers to the social, emotional and cultural well-being of the whole Community in which each individual is able to achieve their full potential as a human being thereby bringing about the total well-being of their Community.

It is a whole of life view and includes the cyclical concept of life-death-life.

– **National Aboriginal Community Controlled Health Organisation**  
<<http://www.naccho.org.au/aboriginal-health/definitions/>>

The Commission's strategic plan is underpinned by a strong commitment to advocating for the strengthening of the Aboriginal community controlled service sector, which promotes community and culturally-aligned support services that seek to achieve improved outcomes for Aboriginal children and young people.

## Advocating for Aboriginal children and young people

The Commission operates as a key advocate on behalf of vulnerable Aboriginal children and young people throughout Victoria with the aim of safeguarding their rights, needs and interests and achieving improved outcomes in their life experience.

The Commissioner for Aboriginal Children and Young People attends and contributes to a range of regular forums as an independent guest. These forums bring together the Victorian Aboriginal community, service system and government to examine effective solutions to disturbing trends and statistics impacting Aboriginal children, young people and families.

Through attendance at these regular forums and meetings the Commissioner is able to bring the voices of young people to the table in policy discussions. The meetings focus on prevention, early intervention, short- and long-term planning and significant reform at both a state and local level. Some of the groups with which the Commissioner meets are:

- Koori Youth Justice Reference Group (Department of Human Services)
- Aboriginal Justice Forum (Department of Justice)
- Human Services Aboriginal Roundtable (Department of Human Services)
- Aboriginal Young People's Working Group (Department of Human Services)
- Latrobe Community Partnership Group (Department of Human Services)
- Indigenous Family Violence Partnership Forum (Office of Aboriginal Affairs Victoria)
- Mildura Inter Departmental Committee (Department of Justice)
- Stability and Permanent Care Project (Department of Human Services)

The Commission takes an active interest in monitoring government plans and commitments, including:

- the Victorian Aboriginal Affairs Framework
- the Human Services Aboriginal Strategic Framework
- the Aboriginal Justice Agreement
- development of the Garrin Garrin – Aboriginal Education Strategy
- the Victorian Government Aboriginal Inclusion Framework
- Koolin Balit (the Victorian Government strategic direction for Aboriginal health)
- the Victorian Aboriginal Economic Strategy
- the Victorian Indigenous Family Violence Strategy (and its 10-year plan, *Strong Culture, Strong Peoples and Strong Families: Towards a safer future for Indigenous families and communities*).

The Commission also advocates to senior departmental staff where there are persistent issues impacting on the wellbeing of individual children.

## Equality in health and education

Aboriginal children and young people have a right to equality in health and education outcomes and should, like all children, be given every opportunity to thrive. The planning and delivery of health, early years and education services must be responsive to the very high number of young people within the Aboriginal community.

The Commission will particularly monitor and promote the inclusion of Aboriginal children and young people in government and community sector programs, policies and reforms, including:

- the Victorian State Disability Plan 2013–16
- the Victorian Homelessness Action Plan
- new directions for social housing
- the Services Connect model for integrated services
- service sector reform.

## Early years

The Commissioner for Aboriginal Children and Young People has travelled throughout the state to learn about innovative and culturally responsive early years and educational services. There are a number of early years services providing particular focus to Aboriginal babies and children. Two of these are family and child services established through the national partnership on Early Childhood Education: Bubup Wilam Aboriginal Children and Family Centre in Thomastown and Dala Yooro Children and Family Centre in Bairnsdale.



**Strong Koorie family celebrating NAIDOC at Bubup Wilam Aboriginal Children and Family Centre.**

The centres provide a mix of early childhood and family support services through a whole-of-community focus that is underpinned by self-determination and community control. This approach involves actively engaging with families, stakeholders and community members in the design and delivery of programs.

The importance of investment in the early years is undisputed. However, these two services are currently operating with threat of closure due to removal of Commonwealth funding and unwillingness of the State to commit to their ongoing funding. Vulnerable children, young parents and families can be stronger when they know they have a reliable, culturally relevant and high-quality service for their children.

## Engagement in education

Another innovative program in which the Commissioner for Aboriginal Children and Young People is involved is the Western Bulldogs' Nallei-Jerring (join and unite) Program. The Commissioner chairs this program, which aims to promote improved education outcomes through sport and culture.

Over 30 Aboriginal young people in primary and secondary schools across Melbourne's western region participate in workshops throughout the year and are encouraged to share their stories and culture through writing. Nallei-Jerring is a joint initiative between the Western Bulldogs and a range of government and community-sector organisations.

The Commissioner for Aboriginal Children and Young People has identified as a key area of interest programs that promote the engagement of Aboriginal young people in education, in particular those that support young mums to return to study. The Commissioner has visited a number of these services during the year and looks forward to visiting more in the future.

## Family violence

Family violence is one of the largest drivers of children and young people to out-of-home care. Effective strategies to address family violence are an essential part of ensuring the health, safety and wellbeing of Aboriginal children and young people.

The Commissioner attended Sisters Day Out, organised by the Aboriginal Family Violence Prevention and Legal Service (Vic), which brings together women of all ages to be pampered and to have access to legal information and information about their rights.

Many of the women the Commissioner spoke to at this event highlighted concerns for their children arising from family violence. The Commissioner has committed to ensuring there is a stronger focus on family violence in the coming year and will pay particular attention to evaluation of the 10-year Victorian Indigenous Family Violence Strategy.

## Community-led initiatives

During an Aboriginal Community Conversation held in Mildura prior to the *Human Services Aboriginal Roundtable* in September 2013, the community raised with the Commissioner for Aboriginal Children and Young People significant concerns about a number of youth deaths in their community through suicide.

The community expressed its concern about the impact of ice (methamphetamine) and also the lack of timely alcohol and other drug services locally. They talked about a sense of hopelessness, concern about loss of young people through disengagement at school and little cultural pride when at their lowest.

The Commissioner for Aboriginal Children and Young People facilitated conversations between local services, the departments of Human Services, Health and Education and Early Childhood Development to discuss the issues raised by the community and also met with families to hear their story. This resulted in some immediate short-term actions to increase the number of beds at the Mildura Base Hospital and to consider engagement of young people in education.

The community determined a need for a robust piece of work that explored the issue of youth suicide in Sunraysia. Mallee District Aboriginal Services and Northern Mallee Community Partnership undertook research and produced the report *Swimming in Two Rivers – Towards action on suicide prevention and resilience building for Aboriginal communities in Sunraysia*.

The report states that it focused on 'primary prevention and early intervention for suicide through resilience building and strength-based activity, areas of work that should be seen as complementary to activities focused on the clinical and therapeutic needs of individuals at high risk for suicide, and to suicide postvention activities.'

This approach is one of self-determination and is being led by the community. The challenges of suicide can only be resolved through a true partnership between the community and service providers which recognises the central importance of culture and which is based on robust evidence in suicide prevention. Initiatives developed and led by the community and supported by government will make a difference to positive outcomes for vulnerable young people.



## Out-of-home care

Of the approximately 6500 children and young people in out-of-home care in Victoria in June 2013, approximately 1040 were Aboriginal children. At current levels, the rate of Aboriginal child removal in Victoria exceeds that at any time since white settlement.

The *Bringing Them Home* report estimated that up to three in ten Aboriginal children were forcibly removed between 1910 and 1970. In 2011–12, one in eleven Aboriginal children in Victoria experienced an out-of-home care placement, compared to one in 164 non-Aboriginal children (Report on Government Services, 2012).

The Victorian rate of Aboriginal children in out-of-home care is now among the highest in Australia, and is significantly higher than comparable international jurisdictions. Aboriginal children are 16 times more likely than non-Aboriginal children to be in out-of-home care.

The highest placement rate in Victoria (inner Gippsland) for Aboriginal children is 114.1, compared to 11.2 non-Aboriginal children (Department of Human Services data, 2012). This compares with a national rate of about 45. The rate of increase in Aboriginal children in out-of-home care has been 9.5 per cent per annum (0-17 year olds) compared to all children at 5.3 per cent per annum (Victorian Government Aboriginal Affairs Report, 2013).

The Victorian government uses the 'substantiation rate' to measure improvements in outcomes for Aboriginal children. Reports to the Child Protection Service are substantiated if there is reasonable cause to deem that a child has been, is being, or is likely to be abused or neglected or otherwise harmed. Aboriginal children are nine times more likely than non-Aboriginal children to have a child protection concern substantiated.

The number of child protection substantiations per annum for Aboriginal children is continuing to increase, rather than decline. Over 2012–2013 there were 67.4 substantiations per 1000 reports for Aboriginal children in Victoria compared to 7.2 per 1000 for non-Aboriginal children. This is up from 62.5 in 2011–12 (Victorian Government Aboriginal Affairs Report, 2013).

No matter how you present these numbers they are staggering. More needs to be done to understand why the substantiations are rising and why Aboriginal children are entering child protection. If we understand these things better we can have more effective responses in both early intervention and prevention with families, and therapeutic response for children and young people.

A strengthened Aboriginal community-controlled service sector that is centred around the whole family, community and culture will be an essential ingredient of any successful intervention to achieve improved outcomes for Aboriginal children and young people.

### Taskforce 1000

The Commissioner for Aboriginal Children and Young People, along with the Secretary to the Department of Human Services, is co-chairing Taskforce 1000 (T1000). T1000 has been established in response to the high number and over-representation of Aboriginal children and young people in out-of-home care and residential care.

Commencing in July 2014, the taskforce will adopt an 'action research' approach. It will examine the care plans for all Aboriginal children in care (approximately 1000), and will critically reflect on, and take action to respond to, their needs. The taskforce will also identify practice, policy and legislative barriers to improved outcomes.

The taskforce will establish the current situation or baseline for all Aboriginal children in care through mapping the service availability in each area, examining data at an area and state level, undertaking a case file audit for each child and talking with the Aboriginal community.

As an independent authority, the Commissioner will also talk with young people about their experiences, challenges and aspirations. He will hold a number of community forums and invite the community to talk with him about their family members in out-of-home care who may have particular vulnerabilities or be disconnected from their Aboriginal culture, family and community.

Seventeen local-area panels comprised of representatives from the departments of education, human services, justice, community organisations and Aboriginal organisations will meet to talk about how, collectively, they can improve the quality of the cultural support plans and the outcomes for Aboriginal children.

The first four areas in which the panels will meet are Inner Gippsland, Mallee, Western Melbourne and Southern Melbourne, and the remaining areas will commence meeting in the second half of 2014. Project findings are expected throughout 2014–15 and will inform the complementary plan for Aboriginal children in out-of-home care.

It is expected that T1000 will provide a clear picture of the lived experience of children and youth in care from their perspective and will identify and respond immediately to gaps in experiences for these children. The taskforce will also provide insight and input into the Victoria's Vulnerable Children Strategy to better enable early interventions with families and vulnerable children.

T1000 will bring many agencies and government together to work on the one goal of better outcomes for the child and strengthened local relationships. Through critical reflection and identification of good practice and case studies, improved practice innovation is possible.

## Connection to culture

As described in more detail later in this report, the Commission has commenced scoping to undertake a systemic inquiry of the Aboriginal Child Placement Principle.

Of the Aboriginal children in care, approximately 60 per cent are in kinship care and under the direct care of the Department of Human Services. Decisions made on their behalf are not, primarily, made by Aboriginal people.

Section 18 of the Children, Youth and Families Act provides that the Secretary to the Department of Human Services may authorise 'the principal officer of an Aboriginal agency to perform specified functions and exercise specified powers conferred on the Secretary by or under this Act in relation to a protection order in respect of an Aboriginal child'.

While this section has been in legislation for some years, it has not been in practice. The 'Establishing s.18' project commenced at the Victorian Aboriginal Child Care Agency in October 2013 to examine how section 18 might truly be put into effect. The project includes 12 Aboriginal children with a diverse range of ages, orders and placement types. While many of the children come from complex family circumstances, all families have been supportive of an Aboriginal organisation taking the Child Protection role for their children.

The project, which is due to cease in August 2014 when funding ends, has highlighted a series of issues for resolution in preparation for section 18 implementation. The Commission will closely monitor progress on resolving these issues so that there can be real progress towards full implementation of section 18 and the shifting of guardianship of Aboriginal children under a care and protection order to an Aboriginal Community Controlled Organisation.

## Kinship care

Kinship care is a rapidly growing type of out-of-home care placement for children and includes both statutory and non-statutory, or informal, placements. Kinship carers, including grandparents, are an important component of a culturally-appropriate child protection and out-of-home care response.

Aboriginal children are often in care over long periods of time, and kinship carers are often left with little support to fulfil their role as primary carer. Families are complex, particularly those families involved with Child Protection. Highly skilled and nuanced assessment is required to ensure the best option for the child is identified, not just the quickest.

Aboriginal kinship carers need support to care for children who have complex needs, and to navigate a Child Protection system that they likely distrust based on past policies and experiences. Kinship carers require access to culturally-competent and relevant information and support on contemporary child rearing practices, and assistance to understand the impact of trauma on the child. It is vital that this is delivered within their community.

Kinship carers, including grandparents, have told the Commission that they have no voice with decision makers and no direct line to raise their concerns and advocate for change about their grandchildren.

Aboriginal carers do not generally access the Victorian peak bodies but instead use Aboriginal Community Controlled Organisations with whom they have a relationship. The Commissioner for Aboriginal Children and Young People has advocated for the transfer of Aboriginal kinship care case management to Aboriginal Community Controlled Organisations and for improved support for kinship carers.

## Youth Justice

The *Victorian Government Aboriginal Affairs Report 2013* notes that in 2013 Aboriginal young people were 13 times more likely than non-Aboriginal young people to be in detention. The report also notes that the rate of detention is declining steadily. While the decline is encouraging, the inequality between Aboriginal and non-Aboriginal young people remains alarming.

The Commissioner for Aboriginal Children and Young People is concerned about young children being held in detention. While both the Aboriginal Justice Forum and the Human Services Aboriginal Roundtable have a responsibility to monitor and improve outcomes in Youth Justice, neither forum has had a rigorous focus on Aboriginal young people in detention, and still less attention has been given to Aboriginal young people on custodial orders.

The Commission will increase its focus on young Aboriginal people at risk of or in the Youth Justice system in the year ahead.

# Oversight of the implementation of the Victoria's Vulnerable Children Strategy

In May 2013, the Victorian Government launched the Victoria's Vulnerable Children Strategy. The strategy is intended to drive change over the next decade, with the objective that vulnerable children will be kept safe from harm and have every opportunity to succeed in life.

## Commission to monitor and report

The strategy acknowledges the Commission's broad mandate and notes that it 'will play an important role in overseeing and improving accountability of services for children's health and wellbeing' and provide a strong voice for children. In addition, it notes that the Commissioner for Aboriginal Children and Young People will oversee the complementary five-year plan for Aboriginal children in out-of-home care and the provision of Cultural Support Plans.

The Children's Services Coordination Board is responsible for ensuring member agencies effectively implement their respective elements of the strategy. The Principal Commissioner and the Commissioner for Aboriginal Children and Young People have met with the board, and a number of officer-level meetings have been held. The board has agreed to provide the Commission with six-monthly progress reports on each of the agreed performance measures and other measures being developed. The Commission will meet with the board on a biannual basis. This activity will be supplemented by discussions at bimonthly meetings between the Commission's chief executive officer and relevant departmental deputy secretaries.

In order to independently evaluate relevant progress on the strategy, the Commission will require access to data and other sources of information. The Commission is developing a monitoring plan, underpinned by its Monitoring Framework. The monitoring plan will identify the nature of data and other information it plans to seek, and align this activity with other out-of-home care monitoring work.

The Commission has been engaged in discussions with the Department of Human Services, advocating for the collection of additional data and the development of extra performance indicators, including some related to:

- specific measurement on all performance indicators for Aboriginal children and young people
- the quality of services provided to children and young people from culturally and linguistically diverse backgrounds
- services provided to children whose parents are involved in the justice system, including infants living with their mothers in prison
- the availability of sexual assault services for children and young people
- the level of children's participation in Children's Court proceedings and conferences
- the health of children in out-of-home care.

## Government's first Baseline Performance Data Report

Released in December 2013, the *Baseline Performance Data Report 2013* includes baseline data relevant to each performance measure identified in Victoria's Vulnerable Children Strategy. The report provides a percentage baseline based on key indicators for the most current period for which data is available, and commits to the inclusion of Aboriginal client-specific data in future.

The Commissioner for Aboriginal Children and Young People considered the report to be deficient in comprehensively capturing baseline data relevant to Aboriginal children and young people. He is strongly advocating for an enhanced approach and intends to monitor the establishment and development of baseline data.

In addition, the Commission is concerned that the report does not breakdown baseline data or evidence to a regional or local level. As a result, it does not contribute to effective decision-making at this level, which is inconsistent with the ethos of the Victoria's Vulnerable Children Strategy and the Local Area Partnership Panels.

## CALD Strategic Partnership Advisory Committee

A partnership between the Commission and the Ethnic Communities' Council of Victoria Inc. has been established to collaborate on the identification of strategic responses required to enable government and non-government agencies to improve the lives of vulnerable children and young people from culturally and linguistically diverse (CALD) and refugee backgrounds.

The CALD Strategic Partnership Advisory Committee, co-hosted by the two partners, has been established, with membership drawn from key government and non-government stakeholders. One of the committee's functions is to support the Commission to monitor the impact of the Victoria's Vulnerable Children Strategy, particularly in regard to children and young people from CALD backgrounds. A sub-group is being established to focus on this particular issue.

Of concern to the committee is that, while the *Report of the Protecting Victoria's Vulnerable Children Inquiry* highlights the needs of vulnerable children and young people from CALD backgrounds, both the Victoria's Vulnerable Children Strategy and the *Victoria's Vulnerable Children Out-of-Home Care: A Five Year Plan* report fail to mention their specific needs.

The Commission has brought these concerns to the attention of government and is seeking to influence the development of additional performance indicators in the Victoria's Vulnerable Children Strategy relevant to children from CALD backgrounds.

# Independent oversight

Prior to March 2013, child death inquiries and ministerial inquiries were conducted under the Child Wellbeing and Safety Act 2005. Inquiries commenced on or after 1 March 2013 are conducted under the Commission for Children and Young People Act. During this financial year, the Commission finalised inquiries conducted pursuant to the former provisions and commenced inquiries under the new provisions.

The legislative changes have resulted in some changes to how inquiries are undertaken, but the objectives of promoting continuous improvement and innovation remain the same.

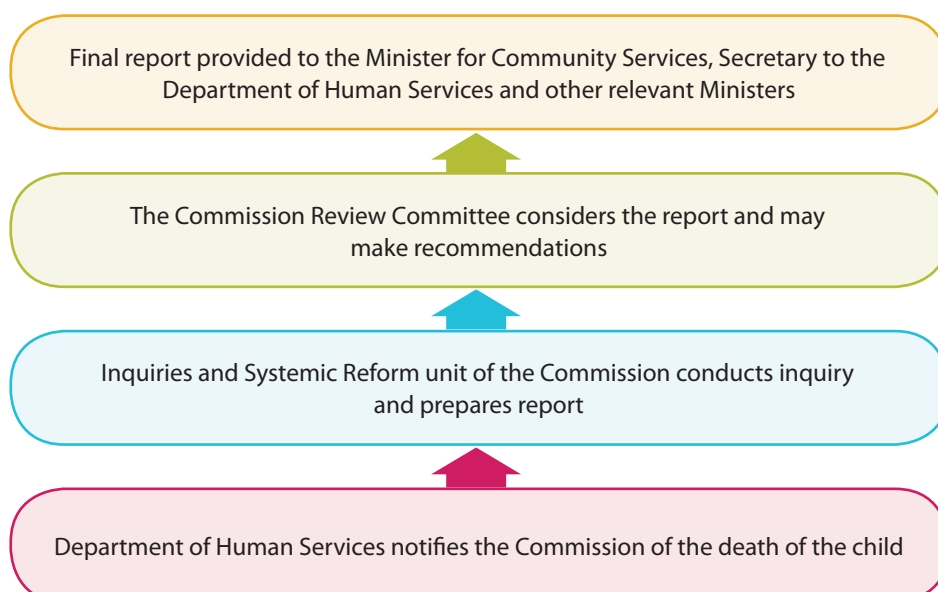
## Child death inquiries

I extend my heartfelt sympathy to the families, friends and professionals who knew the children who died and who continue to suffer their loss. As a system we must ensure that other children will be safer as a result of what we have learnt.

**Bernie Geary OAM**  
Principal Commissioner

### How child death inquiries are conducted

The Commission for Children and Young People Act requires that the Commission conduct an inquiry in relation to a child who has died and who was a Child Protection client at the time of their death or within 12 months before their death.



Inquiries are not designed to determine the cause of death, as this role belongs to the State Coroner. The purpose of inquiries is to promote learning across the service system through a process of reflecting on case practice and service provision, regardless of the cause of death.

In Victoria, inquiries are not limited to cases where deaths have been due to abuse or neglect, or those where practice failures are assumed to have occurred. This ensures greater accountability as all cases within scope are considered and can contribute to an understanding of how the system works routinely.

Most inquiries conducted by the Commission relate to children who died due to illness or accidents and not from intentional injury. However, when combined, more children die from external causes such as accidents, suicide, drug-related causes and non-accidental injuries than from acquired or congenital illness.

Child death inquiries in Victoria involve the engagement of service providers and independent specialist experts at various stages of the inquiry process. The inquiry develops a chronology of the child's life and aims to convey their lived experience. The Commission encourages family members to participate in the inquiry process to build an understanding of how services were received from their unique perspective.

The Commission appreciates the willingness of family members and professionals to participate in inquiries and contribute their knowledge in difficult emotional circumstances. It is from the insights gained in these conversations that critical reflection and learning can occur to guide future actions that enhance practice.

### Reporting on child death inquiries

Prior to the establishment of the Commission, child death inquiry reports were reviewed by the Victorian Child Death Review Committee (VCDRC), an independent multidisciplinary body appointed by the Minister for Community Services. The final report of the VCDRC was tabled in Parliament in June 2013 and covered deaths reported and inquiries reviewed by the VCDRC during the 2012 calendar year.

The Commission is committed to publishing an annual research report, which will include a detailed analysis of the child death inquiries it conducts and any other related inquiries and research undertaken by the Commission. This report will align with the information previously provided in the VCDRC annual reports of children known to Child Protection, which were published from 1996–2013 and which provided data about deaths of children known to Child Protection by calendar year. Past VCDRC annual reports can be found on the Commission's website.

## Child deaths occurring in 2013–14

The Department of Human Services notified the Commission of 38 child deaths occurring in the 2013–14 financial year that were in scope for child death inquiries to be conducted.

As part of our inquiry process, the Commission categorises a death on the basis of information from coronial findings, autopsy reports, forensic reports, medical reports and Child Protection client files. For some deaths coronial investigations have not concluded and 'category of death' findings remain pending; for this reason figures may alter across annual reporting periods. At the conclusion of some coronial processes the coroner will be unable to finally determine the cause of death and will return a finding of 'unascertained'.

A cautious approach to interpreting data is required due to the significant variations in the number and categories of death for children known to Child Protection each year.

Of the 38 child deaths reported to the Commission in 2013–14, two (five per cent) were Aboriginal children.

**Table 1. Deaths of children known to Child Protection 2013–14: category of death by age (N=38)**

Category of death by age	0 to <6 months	6 months to <4 years	4 to <13 years	13 to 17 years	TOTAL	%
Illness	3	2	2	3	10	26
Suicide/self-harm	0	0	0	5	5	13
Non-accidental trauma	1	1	1	1	4	11
Accident	0	1	1	1	3	8
Drug/substance related	0	0	0	3	3	8
Unascertained	0	0	0	0	0	0
SIDS	0	0	0	0	0	0
Pending determination	7	4	2	0	13	34
<b>Total</b>	<b>11</b>	<b>8</b>	<b>6</b>	<b>13</b>	<b>38</b>	<b>100</b>

Table 1 provides information on the category of death for children known to Child Protection in 2013–14. Ten children (26 per cent) died as a result of an acquired or congenital illness. Deaths from external causes such as accident, suicide, substance use or non-accidental trauma accounted for 40 per cent of deaths in this period. Of the three deaths attributed to accidents, one involved a road fatality, one related to a home bath drowning and one to a house fire.

Of the deaths categorised as ‘pending determination’, preliminary information indicates that five of these deaths are suggestive of sudden infant death syndrome (SIDS), three are suggestive of illness and one is suggestive of non-accidental trauma. Babies and preschool aged children comprised 50 per cent of deaths and 34 per cent of deaths were of young people aged between 13 and 17 years.

The majority of children (61 per cent) were the subject of Child Protection involvement at the time of death, with most of these in the investigation and protection order phases. Of the 39 per cent of child deaths where the Child Protection cases were not active at the time of death, most had been closed at investigation or intake.

Four of the reports were made to Child Protection after the injury or incident that resulted in death.

## Child death inquiry reports reviewed in 2013–14

The Commission Review Committee (CRC) aims to maximise an integrated approach to learning and reflective practice, and align recommendations from inquiries with monitoring and policy analysis activity underway in the Commission. The CRC is chaired by the Principal Commissioner, and draws on the great depth of knowledge located within the Commission.

The CRC comprises the two Commissioners, the chief executive officer and senior staff of the Commission. From 1 July 2013 to 30 June 2014 the CRC met 17 times (including two planning meetings) and reviewed 27 child death inquiry reports relating to 28 children who were Child Protection clients at the time of, or in the 12 months preceding, their deaths.



The 27 child death inquiry reports reviewed covered 28 deaths, as one of the child death inquiries related to two siblings who died in the same accident. Of the cases reviewed:

- one death occurred in 2008
- one death occurred in 2010
- 13 deaths occurred in 2011
- 13 deaths occurred in 2012.

None of the child death inquiry reports reviewed related to Aboriginal children.

Of the 28 children who were the subject of inquiries, sixteen children (57 per cent) died as a result of an acquired or congenital illness. Eleven of these children had a limited life expectancy.

Deaths from external causes such as accidents, and substance use accounted for six deaths (21 per cent) in this cohort. Two of the five deaths attributed to accidents involved road fatalities, and three deaths related to drownings.

There were no deaths from SIDS or suicide in this cohort of child death inquiries. In five cases (18 per cent) the coroner was unable to determine the cause of death and in one case the death has been categorised as 'not known' as coronial investigations were not able to determine how the injury occurred.

Twenty deaths in this review cohort (71 per cent) were of babies and preschool aged children. Seven children were aged between 4 and 12 years. There was only one young person in the 13–17 years age group. Males comprised the majority of deaths in all age groups.

The majority of children (61 per cent) were the subject of Child Protection involvement at the time of death, with most of these in the investigation phase. Of the remaining 11 child deaths (39 per cent), where the Child Protection cases were not active at the time of death, five had been closed at intake, three at investigation and three at protective intervention phases.

## Themes identified from inquiries reviewed by the CRC in 2013–14

The themes and issues identified and discussed in this report should not be interpreted as contributing to the deaths of the children. These are reflections on practice and service delivery arising from the case review and cannot be inferred as associated with the circumstances of the deaths.

The CRC has identified common themes across the 27 child death inquiry reports it reviewed in 2013–14. Many of the issues were previously highlighted by the VCDRC in its annual reports.

The fact that consistent themes continue to persist over time presents an ongoing challenge for statutory Child Protection services and the associated service system. This is a common experience both in Australia and overseas, where services face similar perennial practice issues.

## Family and child characteristics

The CRC analyses a range of family and child characteristics for each report it reviews. The data compiled by the CRC helps to illuminate the factors that make children particularly vulnerable. The information below provides a snapshot of this data and helps to illustrate the complexity of the work undertaken by Child Protection and other service providers, and the importance of service collaboration, coordination and information sharing. The annual research report to be published by the Commission will include a more detailed analysis of this data.

Table 2 shows the key child characteristics identified in the 27 child death inquiries reviewed by the CRC in 2013–14 (28 children).

**Table 2. Child death inquiry reports reviewed in 2013–14: key child characteristics by age (N=28)**

Key child/young person characteristics	0 to <6 months	6 months to <4 years	4 to <13 years	13 to 17 years	Total N=28	%
Complex medical needs	7	7	2	0	16	57
Limited life expectancy	6	2	3	0	11	39
Premature birth	5	4	0	0	9	32
Inadequate antenatal care	4	5	0	0	9	32
Developmental delay/autism/intellectual disability	0	3	6	0	9	32
Multiple disabilities	2	2	2	0	6	21
Neonatal abstinence syndrome	2	2	0	0	4	14
Educational issues	0	0	1	1	2	7
Substance use	0	0	0	1	1	4
Challenging and high risk behaviours	0	0	0	1	1	4
Mental ill health	0	0	0	1	1	4

Consistent with most of the deaths being categorised as due to illness, more than half (57 per cent) of the 28 children had complex medical needs, with eleven children (39 per cent) having a limited life expectancy. Nine children (32 per cent) were born prematurely and nine (32 per cent) received inadequate antenatal care. Four (14 per cent) children were born drug-dependent. Nine children (32 per cent) had a developmental delay or intellectual disability, while six children experienced multiple disabilities.

Consistent with 71 per cent of the children in this review cohort being aged less than four years, the majority of children (61 per cent) had been the subject of only one report at the time of death. Eight children (29 per cent) had been the subject of three or more reports. Eighteen children (64 per cent) were first reported to Child Protection prior to birth or within their first six months of life, seven (25 per cent) were first reported prior to their fourth birthday and three (11 per cent) were first reported during their primary school years.

Five of the children in this review cohort were the only children in their families. There was a history of Child Protection involvement with siblings in 16 (70 per cent) of the 23 families with more than one child.

Eight of the children in this review cohort resided with both their parents (29 per cent). Eight (29 per cent) lived in a single-parent household with one biological parent while five (18 per cent) lived with their mother and partner or mother and grandparent. Four (14 per cent) of the children in this review cohort spent their lives in hospital. Three (11 per cent) were in foster care or respite care at the time of their death.

Parental characteristics known to impact on parenting capacity, reduce parents' abilities to provide adequate care and increase the risk of harm to a child were evident in the families in this review cohort. As detailed in Table 3, the families experienced a high rate of parental mental health issues (75 per cent), family violence (64 per cent) and parental use of drugs, alcohol or both (64 per cent).

Fifteen mothers (54 per cent) were known to be aged 20 years or younger at the birth of their first child. A parental background of intergenerational trauma was common to eleven families (39 per cent), with nine families (32 per cent) being transient or homeless, eight (29 per cent) being socially isolated and six (21 per cent) having a parental history of protective services intervention as children themselves. In four families (14 per cent) a parent had an intellectual disability or was considered to have limited intellectual capacity.

**Table 3. Child death inquiry reports reviewed in 2013–14: key parental characteristics by age of child (N=28)**

Key parental characteristics	0 to <6 months	6 months to <4 years	4 to <13 years	13 to 17 years	Total N=28	%
Mental ill health	9	7	4	1	21	75
Family violence	7	5	5	1	18	64
Substance misuse	7	6	4	1	18	64
<i>Drug related</i>	7	6	3	1	17	
<i>Alcohol related</i>	7	4	3	0	14	
Young mother: aged 20 or younger at birth of first child	6	5	3	1	15	54
Parental background of intergenerational trauma	4	4	3	0	11	39
Transience / homelessness	6	2	1	0	9	32
Lack of informal supports (social isolation)	2	5	1	0	8	32
Parental background of protective services history	5	1	0	0	6	21
Intellectual disability / low functioning	1	1	2	0	4	14
Lack of formal supports (service involvement)	2	0	0	0	2	7

In 2012 the former Office of the Child Safety Commissioner published a report entitled *Connecting services: Learning from child death inquiries when the co-existing parental characteristics of family violence, substance misuse and mental illness place children at risk*. The report identified that when the parental risk factors of family violence, substance misuse and mental ill health are present the risk to children’s safety and wellbeing increases.

In the group of child death inquiries reviewed by the Commission Review Committee this year, five families (18 per cent) presented with two of these risk factors in combination, and 11 families (39 per cent) presented with all three of the parental risk factors of family violence, parental substance misuse and parental mental ill health (see Table 4).

**Table 4. Child death inquiry reports reviewed in 2013–14: co-occurrence of parental characteristics: mental illness, family violence, substance misuse (N= 28)**

<b>2 risk factors</b>	<b>3 risk factors</b>
Predominantly mental ill health combined with family violence or substance misuse	Family violence, substance misuse and mental ill health
18%	39%

## Service coordination and collaboration

Of the 27 inquiry reports considered in this cohort, there were 16 that highlighted issues relating to service coordination, collaboration, communication, information sharing and lack of case conferences. These areas of practice have been identified as significant challenges for many years.

The Commission notes that from 2012 the Department of Human Services progressively implemented a new service delivery model, Services Connect. As we undertake future inquiries, we will examine the impact of this new service delivery model on the lives of vulnerable children and families, particularly those with multiple and complex needs.

### CASE STUDY:

Aaron was an extremely premature and highly vulnerable infant whose parents found it hard to manage his high medical and feeding requirements. In his short life, Aaron had contact with a considerable number of medical, nursing and allied health services. These services were provided in the context of his admission to three different hospitals, appointments at a paediatric clinic and a home-visiting enhanced maternal and child health service. Child Protection and police also became involved in the twenty four hours prior to Aaron's death.

The planning surrounding Aaron's discharge from his birth hospital appeared to lack the communication necessary to ensure that the vulnerabilities within the family were understood by the services that were to become involved post discharge and that adequate supports were in place for the family in the community. While it was the intention of the birth hospital to make a referral to a family support service, this was overlooked. The effectiveness of Aaron's discharge plan was further compromised when the local Council's enhanced maternal and child health service did not seek to clarify references made to the family having 'social issues'.

## Quality of risk assessments

In 14 of the inquiry reports reviewed, the Commission's concerns related to the quality of risk assessments and the associated risk analysis. The CRC continued to see examples of inadequate risk assessments with an episodic rather than a holistic focus. An optimistic view was apparent in some cases where previous pattern and history indicated that a 'quick fix' approach would not achieve any sustained resolution of the recurring protective issues.

### CASE STUDY:

Nathan, at a relatively young age, was identified as having an acute asthma condition and he and his parents were referred to an intensive in-home support program for support and guidance on how to manage the condition.

Despite this support, Nathan, at approximately three years of age, was taken to the hospital emergency department on several occasions, requiring emergency treatment for asthma attacks. Concerns about his parent's lack of ability to appropriately respond to Nathan's asthma management plan meant that Child Protection was advised of the case.

Risk assessments undertaken by Child Protection in the second, third and fourth reports were limited and did not involve an assessment of family functioning. Rather, they were largely based on information reported from secondary sources who were not significantly engaged with the father, or with his new partner, who were the care providers for Nathan, and therefore could not fully address issues related to Nathan's wellbeing. Each of these reports was then quickly moved to closure phase.

## Impact of industrial issues

In seven of the cases, the CRC noted the impact of industrial issues and workload management (periods of 'unallocation'). Staff retention and demand management issues influence the extent to which a sufficiently direct and child-centred response is achievable.

Recent media attention has also highlighted the stress the system is under and the Commission is concerned about the threshold for intervention becoming higher, to the detriment of children at risk of harm.

From late 2012, the Department of Human Services implemented a new Child Protection Operating Model to improve Child Protection service delivery, with an increased number of more experienced practitioners working directly with children, young people and families. Child death inquiries reviewed by the CRC in future will provide an opportunity to examine the effectiveness of this new operating model.

### CASE STUDY:

Jessica was an infant in a family where her 16-month old sister, Kylie, had previously been reported to Child Protection and placed on a protective order due to concerns about family violence, limited parenting capacity, maternal depression, lack of supervision and developmental delay.

A support service attempted to assist the parents but found them difficult to engage and unresponsive to advice, so the agency withdrew its involvement.

Following Jessica's birth, both children were unable to be allocated to a Child Protection worker; however a home visit was undertaken by the Child Protection team leader and duty worker. From the time of this first home visit until Jessica's death from suspected SIDS seven weeks later, the case remained unallocated and there was no recorded Child Protection case activity.

At this time there were a number of unallocated cases in the Child Protection unit and a high rate of staff absences through illness.

## Cumulative harm and impact on siblings

The CRC is also very interested in the safety and wellbeing of the siblings of children who have died, and routinely seeks information about their current situations to ensure that they are not at risk. Of the cases reviewed there were 23 families with more than one child, and Child Protection had involvement with siblings in 70 per cent of these families.

Cumulative harm for children in vulnerable families is clearly evident when the history of Child Protection reports regarding all children in a family are considered together. In future, the Commission will continue to carefully examine Child Protection practice in response to cumulative harm particularly for children who experience chronic abuse and neglect.

### CASE STUDY:

There were 14 reports to Child Protection in relation to Kelly's family, four of which included her. The reports identified concerns in relation to their mother's drug use, children born drug-dependent, family violence, neglect and lack of supervision. Reports were also made in relation to the children while they were in the care of their father, following the parent's separation.

At times, the family's address was unknown, so follow-up by services could not occur. Multiple early reports cited concerns in relation to maternal substance use. There were also reports that included allegations about the father's alcohol abuse, lack of supervision, physical abuse and inappropriate physical discipline.

When the children were in their mother's care, allegations of maternal substance misuse and prostitution were made. Child Protection closed the case at times, based on self reports from the mother that supports were engaged.

The final report cited concerns in relation to sexualised behaviours by Kelly at school. She had moved to the care of her father and he decided not to pursue counselling for her. The report by the Commission identified that prior to closure of the last report, thorough assessments of both parents' capacity and the impact of cumulative harm were needed, given the long standing concerns that persisted.

## Enduring messages for practice

Child death inquiries have been conducted in Victoria for over 20 years. Much has changed during that time, including the legislative mandate under which Child Protection operates and the protocols, procedures and practice guidelines that guide practitioners. Nonetheless, some core practice issues continue to be identified and messages from previous inquiries continue to resonate with the core issues identified in the reports reviewed by the CRC this year.

Recurring problems require ongoing attention and effective translation from policy levels to the delivery of services on the ground. The Commission acknowledges that multiple strategies and initiatives have been directed at improving service provision to vulnerable children and families over many years. It is clear that a lot has been done, but there is still a long way to go.

We are committed to using the learning from inquiries to assist the service system to do better and to make a real difference to the lives of children at risk. Promoting meaningful change through deeply embedding learning is an opportunity that must be taken. These enduring messages for practice will be examined in more detail in the Commission's inquiries research report.

## Ministerial inquiries

Review of practice in the matter of multiple current and former Child Protection clients in contact with a specific adult and at risk of sexual abuse and exploitation

At the request of the Minister for Community Services, the Commission undertook an inquiry into 13 current or former clients of Child Protection who had been in contact with a person who was subsequently convicted of child sex offences. The Minister requested that the review consider Child Protection, Victoria Police and relevant community service organisations.

Core themes identified in the inquiry included:

- inadequate communication between key agencies
- a culture of minimising the impact of child sexual exploitation
- inadequate recording of key decisions and critical incidents
- history of trauma and a failure to respond to this adequately
- an acknowledgement of the work being undertaken by the Department of Human Services with Victoria Police in regard to child sexual exploitation as well as an indication that more needs to be done
- the availability of significant levels of international research in regard to child sexual exploitation, and specifically the exploitation of young people cared for by the State.

The Commission submitted the inquiry report to the Minister for Community Services and the Secretary to the Department of Human Services on 12 November 2013.

The inquiry report made seven recommendations to the government on ways to improve the safety of children and young people in the care of the state who are at risk of, or exposed to, child sexual exploitation. The recommendations focused on:

- the development of a strategic approach to reducing child sexual exploitation
- enhanced supports for young people at high risk
- quality improvement in the provision of out-of-home care
- the need for a greater focus on the impact of cumulative harm in Child Protection
- the need for early intervention.

The recommendations also proposed that the Commission undertake audits of young people in residential care.

In her response, the Minister provided an action plan developed by the Department of Human Services to address systemic shortfalls that allow this insidious form of abuse to occur to children in the care of the state. The Commission welcomes this initiative and will keenly monitor the suitability and progress of the department's action plan over the coming year.

The Commission was also noted that the recently launched *A Five Year Plan for Out-of-Home Care* also highlights this issue. The plan acknowledges the vulnerability of young people in out-of-home care to sexual exploitation, arising from their own histories of trauma and also from the fact they are often targeted and groomed by abusers.

The plan includes a commitment that agencies that provide out-of-home care services will be required to put in place formal child sexual exploitation prevention and response strategies. The plan also notes that the Commission will be 'requested to undertake an annual audit of randomly identified children and young people in out-of-home care and report to the Minister for Community Services on the quality of service delivery they are receiving'.

The Commission is giving consideration to how it will undertake audits, and other strategies to monitor the quality of care provided to children and young people who live in out-of-home care.

### Ministerial Review: Highly isolated children

At the request of the Minister for Community Services, the Commission undertook an inquiry following the death of a child to identify why the children in a particular family were not connected to any services, or identified as highly vulnerable within their community.

The inquiry report included six recommendations, which have been provided to the Minister. The recommendations emphasised the importance of key stakeholders across all levels of government working together to ensure that universal, secondary and tertiary services are more inclusive, respond early and work more effectively together and intervene in a way that will make a powerful difference to children. The report included specific strategies relating to local government and education services to better enable the early identification of, and appropriate responses to, children at risk.

The recommendations also called upon government to develop systems to ensure that all children are registered at birth. In addition, the report recommends that consideration be given to the creation of systems that would enable relevant services to be alerted when children are not receiving services at key stages (for example, immunisation, kindergarten, primary and secondary school) so that appropriate follow-up occurs.

The report noted the important role of the wider community in protecting vulnerable children. It proposed that the Commission, together with the Department of Human Services, collaborate on the development of effective public and professional education campaigns to raise awareness of neglected children living in the community, and of appropriate action that can be initiated. The Commission is exploring options for these campaigns.

The Minister provided a response to the inquiry report in March 2014, commending the sensitive and thorough approach the Commission applied to this inquiry. The Minister recommended that de-identified information and recommendations be provided to relevant government departments and the Children's Services Co-ordination Board to enable broader consideration of the analysis and the issues raised. The board recently considered this information and discussed relevant action required.

The Minister provided an action plan, developed by the Department of Human Services, in response to the six inquiry recommendations. The response accepts the need to improve the identification of children subject to chronic neglect and to ensure that whole-of-government initiatives to reduce vulnerability are a high priority.

The Commission will actively monitor the implementation of the action plan and ensure that the learning from this inquiry informs other work undertaken by the Commission.



## Commission-initiated inquiries

### **Inquiry into the adequacy of the provision of services to children and young people who have been subjected to sexual exploitation or sexual abuse while residing in residential care**

The Commission has commenced an inquiry into the provision of residential care to children and young people in Victoria who are at risk of, or who have experienced, sexual abuse or sexual exploitation while residing in residential care. The inquiry will also consider the adequacy of the response to children who have been the victim of sexual abuse or sexual exploitation and will include consideration of matters such as:

- the immediate response in protecting the child or young person from further abuse
- the investigation of allegations (to the extent that is appropriate)
- the supports and services made available to the victim
- any learnings or improvements to procedures that resulted.

The Commission intends to make recommendations to government for system reform and improvement in order to effectively reduce the number of children and young people experiencing sexual abuse or sexual exploitation while in residential care.

The inquiry will focus on the responses of the service systems, associated policies and procedures and the adequacy of the present models of residential care. The Commission will not consider or make recommendations regarding the circumstances of individual cases.

As part of this inquiry, the Commission will:

- audit the service system responses to a sample of cases whereby children or young people have experienced sexual abuse or sexual exploitation while residing in residential care, and will seek the co-operation of the Department of Human Services in undertaking this task
- conduct visits to a number of residential care facilities in Victoria to evaluate the adequacy of care being provided to children and young people
- use and reference previous reports and inquiries, relevant policies and procedures, academic research and writings as well as interstate and international experience.

The Commission is seeking submissions from, and will consult with a broad range of, stakeholders and experts including:

- families, children and young people who have personally experienced residential care
- Child Protection
- community service organisations that provide residential care services
- Victoria Police
- other government bodies.

## Aboriginal Child Placement Principle systemic inquiry

The Aboriginal Child Placement Principle is a nationally recognised principle that is incorporated into the law which guides child protection practice in Victoria.

The principle accords with key human rights instruments including the United Nations Declaration on the Rights of Indigenous Peoples, which recognises:

the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and wellbeing of their children, consistent with the rights of the child

The Victorian *Charter of Human Rights and Responsibilities Act 2006* also includes specific recognition of the distinct cultural rights of Aboriginal peoples, which include the right to enjoy their identity and culture and to maintain their kinship ties.

Section 13 of the Children Youth and Families Act provides that the advice of the relevant Aboriginal agency must be taken into account when an Aboriginal child is to be placed in out-of-home care. In addition, regard must be had to the specific criteria included in that Act, which emphasise the importance of maintaining the child's connection with their family, community, culture and identity. The principle works with other parts of the Act to ensure that Aboriginal children in out-of-home care maintain and develop their Aboriginal identity and remain connected to their Aboriginal family, community and culture.

The *Victoria's Vulnerable Children Baseline Performance Data Report 2013* confirms that approximately 55 per cent of children are placed with family – although not necessarily Aboriginal family. It also reports that only eight per cent of Aboriginal children under guardianship of the Secretary, Department of Human Services, had a Cultural Support Plan in place in June 2013. What this tells us is that more than 45 per cent of Aboriginal children in out-of-home care are not placed with Aboriginal family and that they are not likely to have an effective cultural plan. Clearly this is unacceptable and inconsistent with the fundamental human rights of Aboriginal children, their families and communities.

The Commission has determined to commence an inquiry into the Aboriginal Child Placement Principle. As part of scoping the terms of reference for the inquiry, the Commission has met with the sector, peak agencies and researchers. While the terms of reference are not yet finalised, the Commission has identified a range of issues of concern, including:

- barriers to implementation of the principle
- the adequacy of the response and support offered to children and young people who have been placed in non-Aboriginal placements to maintain their culture and identity and contact with their Aboriginal family and community
- how the intent of the principle is maintained in broader decisions and practices and the interaction between departments, agencies and service providers to ensure the optimum placement of Aboriginal children and young people.

The inquiry will commence in the second half of 2014.

## Monitoring out-of-home care

As part of its legislative mandate to monitor out-of-home care, the Commission promotes the provision of out-of-home care services that encourage the active participation of children in the making of decisions that affect them, and provides advice to the Minister for Community Services and the Secretary to the Department of Human Services on the performance of out-of-home care services.

### A five-year plan for out-of-home care

In March 2014, the Hon. Mary Wooldridge MP, Minister for Community Services, launched *Out-of-Home Care: A Five Year Plan*. The plan promises fundamental reform to improve the safety and wellbeing of the approximately 6,400 children and young people in Victoria who live in out-of-home care placements. The development of the plan was one of the commitments included in the *Victoria's Vulnerable Children: Our Shared Responsibility* Directions Paper released in May 2012.

The Commission contributed to the development of the five-year plan through its participation in a series of workshops that resulted in a submission from the Victorian out-of-home care community service organisations. The Commission also provided its own submission, which highlighted areas of particular concern to the Commission.

The Commission intends to closely monitor the government's progress under this plan, both its long-term and more immediate goals. This monitoring activity will be aligned with the broader monitoring we are undertaking in relation to the implementation of the overarching Victoria's Vulnerable Children Strategy.

The plan recognises the importance of ensuring the voices of children and young people are heard and in particular references the CREATE Foundation's Report Card 2013. The plan acknowledges that government agencies 'have not historically had a systemic approach to ensuring the voices of children and young people in care are adequately heard' and promises that 'our new approach to gathering outcomes information will address this'. Ensuring the voices of children continue to be heard will be an important part of monitoring the plan.

### The five-year plan for Aboriginal children and young people in out-of-home care

'In 2011–12, one in eleven Aboriginal children in Victoria experienced an out-of-home care placement, compared to one in 164 for non-Aboriginal children.

This data indicates a major crisis facing the Victorian community and Government – the rapid escalation in the number of Aboriginal children and young people in Victoria subject to removal from their family's care.

At current levels, the rate of Aboriginal child removal in Victoria exceeds levels seen at any time since white settlement. This demands an immediate 'call for action' from the Victorian Government.'

– **Koorie Kids: Growing Strong in their Culture, p. 3**

The Commissioner for Aboriginal Children and Young People facilitated a series of workshops involving the Aboriginal and community services child and family sectors to discuss the development of the broader five-year plan for out-of-home care and the complementary five-year plan for Aboriginal children and young people. The workshops culminated in a submission entitled *Koorie Kids: Growing Strong in their Culture*, which is available on the Commission's website.

Following the success of these workshops, the Victorian Aboriginal Children and Young Person's Alliance was established in February 2014. The alliance continues to raise emerging issues and contribute to policy discussions that impact on Aboriginal children and young people in out-of-home care.

The five-year plan for Aboriginal children and young people in out-of-home care will complement the broader five year out-of-home care plan. The development and implementation of the plan will be the responsibility of the Department of Human Services. The plan is expected to be completed before the end of 2014. The Commission will provide independent oversight and ensure that the voice of the Aboriginal community is heard.

## Review of Category One critical incident reports

In recognition of its legislative mandate to monitor out-of-home care, the Commission receives copies of Category One incident reports pertaining to children and young people who live in out-of-home care. The Department of Human Services requires out-of-home care service providers to complete incident reports in relation to all incidents that involve or have an impact upon clients. The most serious incidents are classified as Category One incidents and include incidents or allegations of serious physical assaults, sexual assaults or injury to a child or young person as well as incidents relating to children and young people engaging in behaviour that is, or has the potential to be, a threat to their health safety or wellbeing.

When an incident occurs, staff within the agencies and the department are responsible for ensuring the immediate needs of the child or young person are met. Category One incident reports are also provided to senior staff within the department. This high level of reporting is designed to ensure steps are taken to respond to the needs of the children and young people directly impacted by the incident, to enable the identification of any broader issues impacting on the quality of the care provided and to take remedial action where required.

Both Commissioners consider the Commission's role in relation to monitoring Category One incident reports as a crucial and privileged opportunity to observe and understand the system. These reports reflect the challenging living circumstances of many children in our system, and the difficulties and dilemmas for carers. Sometimes they portray isolated instances that are challenging; often they point to systemic concerns that must be addressed.

Through our analysis of these reports, we are better able to identify emerging or recurring themes, trends and issues pertaining to the out-of-home care system. As an independent expert body, our analysis of issues and responses to individual cases focuses purely on the best interests of the child or young person. This analysis helps to guide the Commission's strategic planning and monitoring activity as well as informing our reports to inquiries and submissions on policy and law reform.

The Commission also confers directly with senior departmental staff when it has significant concerns about an incident, or the response to it, given the department is ultimately responsible for ensuring the safety and wellbeing of the children and young people entrusted to its care.

The *Report of the Protecting Victoria's Vulnerable Children Inquiry*, published in February 2012, recommended that the department 'should report annually on critical incidents, including a breakdown by region, by incident type and by the placement or service type in which incidents occur' (p. 498). In last year's annual report, the Commission also emphasised the importance of the Department of Human Services undertaking a detailed analysis of and reporting on Category One critical incident reports. We noted our expectation that this would be undertaken by the department and that we would receive a copy of the reports. To date this has not occurred.

We anticipate our enhanced data collection and monitoring systems will enable us to continue to monitor Category One incident reports, to better identify emerging trends, themes and issues and to report on how the service system is responding to these.

The Commission received 1104 Category One critical incident reports from the Department of Human Services for the period 1 July 2013 to 30 June 2014. These contain records of 1606 clients, as some incident reports contain information on more than one client. A total of 955 individual clients were reported on, as some were reported on more than once. In comparison, last financial year we received 1224 Category One incident reports.

The Category One incident reports received this financial year involved children and young people who live in various types of out-of-home care including residential care, home based care and kinship care.

The largest proportion of incidents involved children and young people who reside in residential care, despite this being the smallest proportion of care (9 per cent of children and young people are in residential care as at January 2014). The very high rate of serious incidents pertaining to children and young people who live in residential care is not new. The *Report of the Protecting Victoria's Vulnerable Children Inquiry* noted:

Forty per cent of Category One critical incidents involving child protection clients involved clients of residential care. There were 452 Category One critical incidents involving clients of residential care in 2010–11, representing almost one incident for each of the 454 children in residential care in June 2010 (p. 498).

It is clear that much still has to be done across out-of-home care services to enhance the quality and consistency of care provided to children and young people.

The four most frequent categories of incidents pertaining to children and young people in out-of-home care were the:

- 'absent/ missing person' category which includes those where children or young people are absent from their out-of-home care service and there are concerns for their safety and welfare, or that of others
- 'behaviour dangerous/ disruptive' category which includes incidents relating to conduct, or allegations of conduct, by children or young people that is, or has the potential to be, a threat to the health, safety or wellbeing of the child or young person or to others
- 'physical assault' category which includes incidents relating to allegations of the use of physical force by or against a child or young person that has resulted in, or had the potential to cause, harm
- 'sexual assault/behaviour' category which includes incidents or allegations of actions or attempted actions of a sexual nature that have caused or have the potential to cause serious harm. These include incidents where children or young people in out of home care are alleged to be the perpetrators of the actions and those where they are alleged to be the victims.

The high number of incidents relating to sexual assaults/behaviour informed the Commission's decision to undertake an inquiry into the sexual assaults of children and young people in residential care.

The Commission commends work being undertaken between Department of Human Services, Victoria Police and community service organisations to address this issue as well as the development of the five year out-of-home care plan for Aboriginal and non-Aboriginal children and young people. However, the seriousness of the issues warrants further investigation and it is anticipated the findings of the inquiry will result in real and significant improvements to the safety and wellbeing of children and young people who live in residential care services.

# Strengthening our capacity

During this first full year of operations, the Commission undertook a number of activities to strengthen its operational effectiveness and governance arrangements to ensure they align with those expected of an independent body. We are continuing to refine and develop our structures and processes to build a strong foundation for our current and future functions.

## Strategic plan

The Commission developed a three-year strategic plan and met with secretaries of departments and senior staff across government to explain its content and priorities. The full plan is available on the Commission's website. It will be revised to reflect new priorities and projects required to prepare for and implement any new functions relating to enhanced child safety in organisations.

## Developing enhanced data systems

The Commission undertook a detailed review of its processes and systems for the management of data and information. The review included both the manual and computerised handling of data and information.

The review highlighted that our existing computer systems are inadequate to enable the Commission to meet the future needs of the Commission, particularly in relation to the proposed new reportable conduct scheme. To address these deficiencies, the Commission has:

- reviewed and documented existing processes
- investigated replacing the existing case management system with a new one that will better support our current and future functions
- investigated the implementation of a collaboration management tool.

## Data collection and analysis

The Commission explored new approaches to the collection, analysis and reporting of data relevant to Victoria's children and young people. The exploration included consideration of existing approaches by other Australian children's commissioners and guardians and the data and analysis currently available in Victoria and at the national and international level.

Key aspects of this project include ensuring data integrity, creating a robust approach to analysis and reporting and avoiding duplication or non-alignment of information. As an independent statutory authority we need to determine when it is appropriate to access data collected by other agencies and when we should collect our own data.

We anticipate we will expand our capacity to collect and analyse data and that doing so will require internal capacity building, cross-agency partnerships and building online platforms. These will be key priorities for the year ahead.

# Appendix 1: Speeches and presentations

2014 Kidsmatter: Partners in Wellbeing conference  
5th Annual National Juvenile Justice Summit 2014, Keynote address: The Journey of a Vulnerable Child through the System  
Aboriginal Justice Forum  
AFL Sportsready 2014 Graduation Dinner  
Annual Members Meeting of National Disability Services  
Annual Residential Care Learning and Development Strategy 2014 Training Consultation  
Bendigo Community Health Services Annual General Meeting  
Building Up Dual Diagnosis in Youth Services (BUDDYS) Youth Forum  
CARA Foundation : Dreams for Nadia  
Care With Me Conference 2013 – ‘Many Cultures, Many Celebrations’  
Centre for Excellence in Child and Family Welfare, Policy and Practice Forum on Enhancing Support for Children with a Disability in Child and Family Services  
Child Friendly Cities Network Meeting  
Child Wellbeing and Best Start Forum  
Children, Young People and their Families Sector-Wide Forum  
Children’s Court Magistrates Conference  
City of Whittlesea Reconciliation Dinner  
Colac Area Health 2013 Annual General Meeting  
Collaborative Partnerships with Families and Communities Course  
Community Child Care Association: Collaborative Partnerships with Families and Communities  
Deadly in Gippsland Spirit – The Gathering  
Department of Education and Early Childhood Development Staff Forum  
Early Childhood Management Services Annual General Meeting  
Education and Out-of-Home Care Service Providers Forum  
Faculty of Child and Adolescent Psychiatry Conference 2013  
Foster Care Futures  
Greater Grampians Family Services Alliance Forum – Working with Parents with an Intellectual Disability and their Families  
St Vincent de Paul Ozanam Lecture 2014: How would Ozanam respond to the social challenges of today?  
Hume Middle Years Conference 2014 – Scaffolding Our Tweenies: What Works and What Next?  
Indigenous Family Violence Partnership Forum  
Statewide Forum: Intergenerational Conflict in CALD Families  
2013 Jackomos Oration: Understanding the past - Seeing the future



Journey to Recovery: International Conference of Attachment and Trauma Informed Practice  
 Kerford Oration, Young People: A Resource we Need  
 Launch of Dharmalan Dana: An Australian Aboriginal Man's 73-Year Search for the Story of His Aboriginal and Indian Ancestors  
 Launch of Parenting Program: Walking the Journey  
 Launch of the report – Supporting Victorian children and young people with acquired brain injury, their families and support networks  
 Launch of the Victorian Charter of Child Friendly Cities and Communities  
 Launch of Wyndham's Municipal Early Years Plan  
 Launch of AS/NZS 4370:2013 Restraint of children with disabilities or medical conditions in motor vehicles  
 Leadership for Community Engagement (Professional development for Department of Education and Early Childhood Development Early Years staff)  
 Loddon Mallee – Youth Partnerships Governance Board  
 Mackillop Family Services Annual General Meeting  
 Mackillop Family Services Planning Forum  
 Marcellin College – Sexting and the implications for young people  
 Meeting of Grandparents Victoria and Kinship Carers Victoria  
 Murrindindi Building Beyond Early Years Conference  
 National Justice Symposium - Panel Discussion – Pushing the boundaries: rethinking the extent of children's involvement in the criminal justice system  
 Newsboys Foundation Leadership Awards  
 Official Opening – Waverley Emergency Adolescent Care Inc.  
 Oz Child Foster Care Dinner  
 Presentation at Mildura Interdepartmental Committee on Taskforce 1000  
 Presentation to stakeholders, Maryborough District Health Service  
 Shepparton Central Network Principal's Conference: Supporting vulnerable children and young people in education  
 Robin Clark Memorial Awards: Modelling a Generous Community Award  
 Forum on Rural Youth and the Law: Success and Challenges  
 Smart Justice for Young People – Launch of the Youth Diversion Works video  
 Smart Justice Forum  
 RANZCP Faculty of Child and Adolescent Psychiatry Conference 2013 – Snakes and Ladders: Continuities and Discontinuities in Development, Families and Communities  
 South Western Foster Carer Support Group Annual General Meeting  
 Swan Hill Children's Koori Court Launch  
 Time for Youth Annual General Meeting  
 Upper Murray Family Care Annual General Meeting  
 VACCA Foster Care Recruitment Campaign  
 Warrnambool Child Protection Forum

## Appendix 2: Disclosure Index

Note: FS refers to Financial Statements attached to the inside of the back cover of the report.

Legislation	Requirement	Page Reference
<b>Ministerial Directions</b>		
<b>Charter and purpose</b>		
FRD 22E	Manner of establishment and the relevant Ministers	9–10
FRD 22E	Objectives, functions, powers and duties	9–10
FRD 22E	Nature and range of services provided	9–10
<b>Management and structure</b>		
FRD 22E	Organisational structure	8
<b>Financial and other information</b>		
FRD 10	Disclosure index	62
FRD 15B	Executive officer disclosures	FS
FRD 17B FRD 22E, SD 4.2(k)	Wage inflation and discount rates for employee benefits	FS
FRD 22E	Employment and conduct principles	65
FRD 22E	Occupational health and safety policy	68
FRD 22E	Summary of the financial results for the year	FS
FRD 22E	Significant changes in financial position during the year	FS
FRD 22E	Major changes or factors affecting performance	N/A
FRD 22E	Subsequent events	N/A
FRD 22E	Application and operation of <i>Freedom of Information Act 1982</i>	68
FRD 22E	Compliance with building and maintenance provisions of <i>Building Act 1993</i>	69
FRD 22E	Statement on National Competition Policy	N/A
FRD 22E	Application and operation of the <i>Protected Disclosures Act 2012</i>	69
FRD 22E	Application and operation of the <i>Carers Recognition Act 2012</i>	65
FRD 22E	Details of consultancies over \$10,000	68
FRD 22E	Details of consultancies under \$10,000	68

<b>Legislation</b>	<b>Requirement</b>	<b>Page Reference</b>
FRD 22E	Statement of availability of other information	70
FRD 25B	Victorian Industry Participation Policy disclosures	69
FRD 29	Workforce data disclosures	67
SD 4.5.5.1	Ministerial Standing Direction 4.5.5.1 compliance attestation	70
SD 4.2(g)	Specific information requirements	FS
SD 4.2(j)	Signoff requirements	i
<b>Financial report</b>		
<b>Financial statements required under Part 7 of the Financial Management Act 1984</b>		FS
Statement of changes in equity		
Comprehensive operating statement		FS
Balance sheet		FS
Cash flow statement		FS
<b>Other requirements under Standing Directions 4.2</b>		
Notes to the financial statements Compliance with Australian accounting standards and other authoritative pronouncements		FS
Compliance with Ministerial Directions		FS
Rounding of amounts		FS
Accountable officer's and chief finance and accounting officer's declaration		FS
Compliance with Model Financial Report		FS
<b>Other disclosures as required by FRDs in notes to the financial statements</b>		
Disclosure of administered assets and liabilities		FS
Disclosure of ex gratia payments		FS
Disclosure of parliamentary appropriations		FS
Disclosures of responsible persons, executive officers and other personnel (contractors with significant management responsibilities) in the financial report		FS
Accounting for VicFleet motor vehicle lease arrangements		FS
Non-current physical assets		FS
Impairment of assets		FS
Intangible assets		FS
Cash flow statements		FS
Defined benefit superannuation obligations		FS
Financial instruments – general government entities and public non-financial corporations		FS
Contributions by owners Accounting and reporting pronouncements applicable to the 2013–14 reporting period		FS

Legislation	Requirement	Page Reference
<b>FRDs applicable to Commission with no disclosures to make in 2013–14 reporting period</b>		
FRD 11A	Disclosure of ex gratia payments	
FRD 12A	Disclosure of major contracts	
<b>Legislation</b>		
Building Act 1983 Carers Recognition Act 2012 Charter of Human Rights and Responsibilities Act 2006 Child Wellbeing and Safety Act 2005 Commission for Children and Young People Act 2012 Copyright Act 1968 Financial Management Act 1994 Freedom of Information Act 1982 Protected Disclosure Act 2012 Victorian Industry Participation Policy Act 2003		

## Appendix 3: Compliance and accountability

### Our people – overview

The Commission employs 31 staff – 17 are full time and 14 are part time.

Ninety per cent of our ongoing staff hold a tertiary degree. We employ staff with degrees in social work, early childhood development, law, nursing, psychology, public sector administration and business.

The Commission is committed to ensuring staff are provided with a range of training and professional development opportunities. During the past year, the Commission invested about \$ 75,000 in staff training in which nearly 60 per cent of our ongoing staff participated.

### Employment and conduct principles

The Commission is committed to applying merit and equity principles when appointing staff. The selection processes ensure that applicants are assessed and evaluated fairly and equitably on the basis of the key selection criteria and other accountabilities without discrimination. Employees have been correctly classified in workforce data collections.

The Commission is committed to ensuring employees are provided with a family- and lifestyle-friendly workplace. Workplace arrangements are flexible to enable staff to meet their professional obligations while accommodating their family and other personal commitments.

The *Code of Conduct for Victorian Public Sector Employees of Special Bodies* applies within the Commission. The Commission, as part of its transition from the former Office of the Child Safety Commissioner (OCSC), adopted the employment policies that previously applied to the OCSC but has been progressively revising and updating these to reflect the new structure of the Commission.

### Carers Recognition Act 2012

The Commission supports the principles of the Carers Recognition Act and demonstrates this through our:

- commitment to providing flexible working arrangements for our staff to support their roles as carers
- production of a range of resources designed to assist carers, particularly those who provide care to children in the out-of-home care system, and informal kinship carers.

## Koorie Inclusion Action Plan

On 24 March 2011, the then Premier committed all Victorian Government Departments to develop an Aboriginal Inclusion Action Plan that detailed how access to mainstream services would be improved for Aboriginal people.

A key driver of this commitment was the fact that although both Aboriginal and non-Aboriginal people have the right to access quality services that meet their needs, many Aboriginal people, families and communities experience exclusion from these services as a result of the complex and enduring legacy of previous approaches and policies.

The Commission has committed to develop a Koorie Inclusion Action Plan (KIAP) guided by the Victorian Government's Aboriginal Inclusion Framework. The framework was developed after extensive consultation with Aboriginal communities emphasised the need to embed within the processes of government, inclusive, consistent and accessible services to Aboriginal people through all departments, agencies and funded service providers. The objective of the framework is to provide policy makers, program managers and service providers with a structure for reviewing their practice and reforming the way they engage with and address the needs of Aboriginal people.

The Commission for Children and Young People has a strong commitment to Aboriginal inclusiveness. This year, staff have been actively engaged in cultural walks, NAIDOC events and creating a welcoming environment for Koorie visitors and staff. The Commission has committed to develop and launch a KIAP in the coming year. The KIAP will ensure that Koorie business is core business throughout the Commission and all its activities.



**Miss and Mr NAIDOC, Sharina Ladharam and Douglas Briggs, attended the NAIDOC event jointly hosted by the Commission and Bubup Wilam Aboriginal Children and Family Centre.**

## Workforce data

	Ongoing Employees				Fixed term and Casual
	Number (Headcount)	Full time (Headcount)	Part Time (Headcount)	FTE	FTE
June 2013	26	13	13	21.20	0.8
June 2014	30	15	15	24.20	0.8

	June 2014			June 2013		
	Ongoing		Fixed term and casual	Ongoing		Fixed term and casual
	Number (Headcount)	FTE	FTE	Number (Headcount)	FTE	FTE
<b>Gender</b>						
Male	2	2	0	3	3	0
Female	28	22.2	0.8	23	18.2	0.8
<b>Age</b>						
Under 25	0	0	0	0	0	0
25-34	1	1	0	0	0	0
35-44	7	5.4	0	6	4.2	0.8
45-54	12	9.4	0	12	9.6	0
55-65	10	8.4	0.8	8	7.4	0
Over 64	0	0	0	0	0	0
<b>Classification</b>						
VPS 1	0	0	0	0	0	0
VPS 2	0	0	0	0	0	0
VPS 3	5	4	0	3	2	0
VPS 4	1	1	0	1	1	0
VPS 5	15	12.2	0	15	12.20	0.8
VPS 6	9	7	0.8	6	5	0
Executives	0	0	0	1	1	0

### Notes

All figures reflect employment levels during the last full pay period of June of each year.

Ongoing employees means people engaged on an open ended contract of employment and executives engaged on a standard executive contract who were active in the last full pay period of June.

FTE means Full time staff equivalent.

Excluded are those on leave without pay or absent on secondment, external contractors/consultants, temporary staff employed by employment agencies, and a small number of people who are not employees but appointees to a statutory office, as defined in the *Public Administration Act 2004*.

## Occupational Health and Safety

The Commission is committed to the prevention of occupational injuries and monitors incidents. No injuries were recorded during 2013–14.

The Commission has implemented strategies to enhance the occupational health and safety of staff including:

- making occupational health and safety issues a standing item on fortnightly staff meetings
- organising a workplace inspection at least once a year
- providing individual ergonomic assessments upon request (this past year, most staff were provided with an ergonomic assessment).

## Other disclosures

### Consultancy expenditure

In 2013–14, there were no consultancies where the total fees payable to the consultants were \$10,000 or greater.

### Freedom of information Act 1982

#### Compliance

The *Freedom of Information Act 1982* enables the public to access certain documents held by public sector agencies, including the Commission for Children and Young People. For the period 1 July 2013 to 30 June 2014, the Commission received no Freedom of Information requests.

#### Making a Freedom of Information request

Access to documents may be obtained through a written request to the Commission, as detailed in s 17 of the Freedom of Information Act.

In summary, the requirements for making a request are:

- it must be in writing
- it must identify as clearly as possible the document being requested
- it must be accompanied by the appropriate application fee (the fee may be waived in certain circumstances).

Requests for documents in the possession of the Commission for Children and Young People should be addressed to:

**Freedom of Information Officer**  
**Commission for Children and Young People**  
**Level 20, 570 Bourke St**  
**Melbourne Victoria 3000**

Access charges may apply once documents have been processed and a decision on access has been made (for example, photocopying and search and retrieval charges). Further information regarding Freedom of Information can be found at <[www.foi.vic.gov.au](http://www.foi.vic.gov.au)>.



## Protected Disclosure Act 2012

The *Protected Disclosure Act 2012* encourages and assists people in making disclosures of improper conduct by public officers and public bodies. The Act provides protection to people who make disclosures in accordance with the Act and establishes a system for the matters disclosed to be investigated and rectifying action to be taken.

The Commission does not tolerate improper conduct by employees, nor the taking of reprisals against those who come forward to disclose such conduct. It is committed to ensuring transparency and accountability in its administrative and management practices and supports the making of disclosures that reveal corrupt conduct, conduct involving a substantial mismanagement of public resources, or conduct involving a substantial risk to public health and safety or the environment.

The Commission will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure.

The Commission is not able to receive disclosures under the Protected Disclosures Act. Disclosures about the Commission or its staff may now be made to the Independent Broad-based Anti-corruption Commission (IBAC). Other public officers or bodies that can receive protected disclosures are listed on IBAC's website at <[www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)>.

Further information about the Protected Disclosures Act is available from the Independent Broad-based Anti-corruption Commission:

**Independent Broad-Based Anti-corruption Commission**  
**Level 1, North Tower, 459 Collins Street**  
**Melbourne, VIC 3000**  
**Phone: 1300 735 135**  
**Internet: [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)**

The Commission's procedures under the Protected Disclosures Act are published on the Commission's website.

## Victorian Industry Participation Policy Act 2003

The *Victorian Industry Participation Policy Act 2003* requires departments and public sector bodies to report on the implementation of the Victorian Industry Participation Policy (VIPP). Departments and public sector bodies are required to apply VIPP in all procurement activities valued at \$3 million or more in metropolitan Melbourne and for statewide projects, or \$1 million or more for procurement activities in regional Victoria. Departments must report on VIPP implementation. The Commission did not engage in any applicable tenders during the reporting period.

## Building Act 1993

The Commission neither owns nor controls any government buildings and is therefore exempt from the requirement to notify its compliance with the building and maintenance provisions of the Building Act.

## Additional information available on request

In compliance with the requirements of the Standing Directions of the Minister for Finance, details in respect of the items listed below have been retained by the Commission and are available on request, subject to the provisions of the Freedom of Information Act:

- a. a statement that declarations of pecuniary interests have been duly completed by all relevant officers
- b. details of shares held by a senior officer as nominee or held beneficially in a statutory authority or subsidiary
- c. details of publications produced by the entity about itself, and how these can be obtained
- d. details of changes in prices, fees, charges, rates and levies charged by the entity
- e. details of any major external reviews carried out on the entity
- f. details of major research and development activities undertaken by the entity
- g. details of overseas visits undertaken including a summary of the objectives and outcomes of each visit
- h. details of major promotional, public relations and marketing activities undertaken by the entity to develop community awareness of the entity and its services
- i. details of assessments and measures undertaken to improve the occupational health and safety of employees
- j. a general statement on industrial relations within the entity and details of time lost through industrial accidents and disputes
- k. a list of major committees sponsored by the entity, the purposes of each committee and the extent to which the purposes have been achieved
- l. details of all consultancies and contractors including:
  - consultants/contractors engaged
  - services provided
  - expenditure committed to for each engagement.

The information is available on request from:

**Chief Executive Officer Commission for Children and Young People**  
**Level 20, 570 Bourke Street**  
**Melbourne, Victoria 3000**

## Attestation of compliance with Ministerial Standing Direction 4.5.5.1 – Insurance

I, Bernie Geary, certify that the Commission for Children and Young People has complied with Ministerial Direction 4.5.5.1 – Insurance.



**Bernie Geary OAM**  
Principal Commissioner  
Commission for Children and Young People

16 September 2014

File No: 29358/01

Ms Brenda Boland  
Acting Chief Executive Officer  
Commission for Children and Young People  
570 Bourke Street  
MELBOURNE VIC 3000

Dear Ms Boland

**Audited financial report for the year ended 30 June 2014**

I enclose for your information, the audited financial report of the Commission for Children and Young People and the signed auditor's report for the year ended 30 June 2014.

Copies of the audited financial report and the auditor's report have also been forwarded to:

- the Principal Commissioner of the Commission for Children and Young People
- the Minister for Community Services
- the Secretary of the Department of Human Services
- the Minister for Finance, Minister for Industrial Relations and Attorney-General
- the Secretary of the Department of Treasury and Finance.

An interim management letter outlining audit observations and recommendations relating to internal controls was issued on 31 May 2014. A final management letter dealing with matters arising from our audit of the financial report will be issued as part of the closing report.

In closing, I record my appreciation for the courtesy and co-operation extended by your staff during the audit.

Yours sincerely



Charlotte Jeffries  
*Sector Director, Health and Human Services*

## INDEPENDENT AUDITOR'S REPORT

### To the Commissioner, Commission for Children and Young People

#### *The Financial Report*

The accompanying financial report for the year ended 30 June 2014 of the Commission for Children and Young People which comprises the comprehensive operating statement, balance sheet, statement of changes in equity, cash flow statement, notes comprising a summary of significant accounting policies and other explanatory information, and the accountable officer's and chief finance and accounting officer's declaration has been audited.

#### *The Commissioner's Responsibility for the Financial Report*

The Commissioner of the Commission for Children and Young People is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, and the financial reporting requirements of the *Financial Management Act 1994*, and for such internal control as the Commissioner determines is necessary to enable the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error.

#### *Auditor's Responsibility*

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the financial report based on the audit, which has been conducted in accordance with Australian Auditing Standards. Those standards require compliance with relevant ethical requirements relating to audit engagements and that the audit be planned and performed to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The audit procedures selected depend on judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, consideration is given to the internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the Commissioner, as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

## Independent Auditor's Report (continued)

### *Independence*

The Auditor-General's independence is established by the *Constitution Act 1975*. The Auditor-General is not subject to direction by any person about the way in which his powers and responsibilities are to be exercised. In conducting the audit, the Auditor-General, his staff and delegates complied with all applicable independence requirements of the Australian accounting profession.

### *Opinion*

In my opinion, the financial report presents fairly, in all material respects, the financial position of the Commission for Children and Young People as at 30 June 2014 and of its financial performance and its cash flows for the year then ended in accordance with applicable Australian Accounting Standards, and the financial reporting requirements of the *Financial Management Act 1994*.

### *Matters Relating to the Electronic Publication of the Audited Financial Report*

This auditor's report relates to the financial report of the Commission for Children and Young People for the year ended 30 June 2014 included both in the Commission for Children and Young People's annual report and on the website. The Commissioner of the Commission for Children and Young People is responsible for the integrity of the Commission for Children and Young People's website. I have not been engaged to report on the integrity of the Commission for Children and Young People's website. The auditor's report refers only to the subject matter described above. It does not provide an opinion on any other information which may have been hyperlinked to/from these statements. If users of the financial report are concerned with the inherent risks arising from publication on a website, they are advised to refer to the hard copy of the audited financial report to confirm the information contained in the website version of the financial report.

MELBOURNE  
16 September 2014



Dr Peter Frost  
Acting Auditor-General

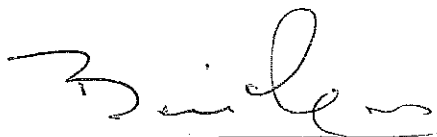
## Accountable officer's and chief finance and accounting officer's declaration

The attached financial statements for the Commission for Children and Young People have been prepared in accordance with Standing Directions 4.2 of the *Financial Management Act 1994*, applicable Financial Reporting Directions, Australian Accounting Standards including Interpretations, and other mandatory professional reporting requirements.

We further state that, in our opinion, the information set out in the comprehensive operating statement, balance sheet, statement of changes in equity, cash flow statement and accompanying notes, presents fairly the financial transactions during the year ended 30 June 2014 and financial position of the entity at 30 June 2014.

At the time of signing, we are not aware of any circumstance which would render any particulars included in the financial statements to be misleading or inaccurate.

We authorise the attached financial statements for issue on 12 September 2014.



Bernie Geary OAM  
**Principal Commissioner**  
Commission for Children and Young People

Melbourne  
12 September 2014



Peter Neilson  
**Chief Finance and Accounting Officer**  
Commission for Children and Young People

Melbourne  
12 September 2014

Commission for Children and Young People

Comprehensive operating statement

for the financial year ended 30 June 2014

	Note	2014 (\$'000)	2013 <sup>(i)</sup> (\$'000)
<b>Income from transactions</b>			
Grants and other income transfers	2	5,630	1,387
<b>Total income from transactions</b>		<b>5,630</b>	<b>1,387</b>
<b>Expenses from transactions</b>			
Employee benefits	3(a)	3,598	1,066
Depreciation and amortisation	3(d)	2	-
Grants and other expense transfers	3(b)	326	74
Other operating expenses	3(c)	1,699	247
<b>Total expenses from transactions</b>		<b>5,625</b>	<b>1,387</b>
<b>Net result from transactions (net operating balance)</b>		<b>5</b>	<b>-</b>
<b>Other economic flows included in net result</b>			
Other gains/(losses) from other economic flows		(5)	-
<b>Total other economic flows included in net result</b>		<b>(5)</b>	<b>-</b>
<b>Net result</b>		<b>-</b>	<b>-</b>

(i) The comparative represents the net results for the 4 months ending 30 June 2013

The comprehensive operating statement should be read in conjunction with the accompanying notes.

# Commission for Children and Young People

## Balance sheet

for the financial year ended 30 June 2014

	Note	2014 (\$'000)	2013 (\$'000)
<b>Assets</b>			
<b>Financial assets</b>			
Receivables	4	1,347	1,078
<b>Total financial assets</b>		<b>1,347</b>	<b>1,078</b>
<b>Non-financial assets</b>			
Receivables	4	40	31
Plant and equipment	5	35	-
<b>Total non-financial assets</b>		<b>75</b>	<b>31</b>
<b>Total assets</b>		<b>1,422</b>	<b>1,109</b>
<b>Liabilities</b>			
Payables	6	208	54
Provisions	7	1,214	1,055
<b>Total liabilities</b>		<b>1,422</b>	<b>1,109</b>
<b>Net assets</b>		<b>-</b>	<b>-</b>
<b>Equity</b>			
Accumulated surplus/(deficit)	8(a)	-	-
Contributed capital	8(b)	-	-
<b>Net worth</b>		<b>-</b>	<b>-</b>
Commitments for expenditure	10		
Contingent assets and contingent liabilities	9		

The balance sheet should be read in conjunction with the accompanying notes.



Commission for Children and Young People

Statement of changes in equity

for the financial year ended 30 June 2014

	Accumulated Surplus/(Deficit) (\$'000)	Contributions by Owner (\$'000)	Total (\$'000)
Balance at 1 March 2013	-	-	-
Net result for the period	-	-	-
Balance at 30 June 2013	-	-	-
Net result for the period	-	-	-
Balance at 30 June 2014	-	-	-

Commission for Children and Young People

Cash flow statement

for the financial year ended 30 June 2014

	Note	2014 (\$'000)	2013 <sup>①</sup> (\$'000)
<b>Cash flows from operating activities</b>			
<b>Receipts</b>			
Grants and other income transfers		5,351	1,333
<b>Total receipts</b>		<b>5,351</b>	<b>1,333</b>
<b>Payments</b>			
Payments for employee benefits		(3,443)	(1,066)
Other payments		(1,871)	(267)
<b>Total payments</b>		<b>(5,314)</b>	<b>(1,333)</b>
<b>Net cash flows from/(used in) operating activities</b>	12	<b>37</b>	<b>(0)</b>
<b>Cash flows from investing activities</b>			
Payment for non-financial assets		(37)	-
<b>Net cash flows from/(used in) investing activities</b>		<b>(37)</b>	<b>-</b>
<b>Net increase/(decrease) in cash and cash equivalents</b>			
<b>-</b>			
Cash and deposits at the beginning of the financial period			
<b>-</b>			
Cash and deposits at the end of the financial period			
12 <b>-</b>			

(i) The comparative represents the cash flow movements for the 4 months ending 30 June 2013

The cash flow statement should be read in conjunction with the accompanying notes.

Cash Movements disclosed in the above cash flow statement are those cash transactions completed by the Department of Human Services on behalf of the Commission for Children and Young People.

## Note 1. Summary of significant accounting policies

These annual financial statements represent the audited general purpose financial statements for the Commission for Children and Young People (CCYP) for the year ending 30 June 2014.

The purpose of this report is to provide users with information about the entity's stewardship of resources entrusted to it.

To gain a better understanding of the terminology used in this report, a glossary of terms and style conventions can be found in note 1(i).

### (a) Statement of compliance

These general purpose financial statements have been prepared in accordance with the *Financial Management Act 1994* and applicable Australian Accounting Standards (AAS), including Interpretations issued by the Australian Accounting Standards Board (AASB). In particular, they are presented in a manner consistent with the requirements of the AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

Where appropriate, those paragraphs of the AAS applicable to not-for-profit entities have been applied.

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

The annual financial statements were authorised for issue by the Commission for Children and Young People on 12 September 2014.

### (b) Basis of accounting preparation and measurement

The accrual basis of accounting has been applied in the preparation of these financial statements whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

These financial statements are presented in Australian dollars, and prepared in accordance with historical cost.

In the application of AASs, management is required to make judgements, estimates and assumptions about carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgements. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period or in the period of the revision, and future periods if the revision affects both current and future periods. Judgements and assumptions made by management in the application of Australian Accounting Standards that have significant effects on the financial statements and estimates relate to the fair value of plant and equipment, (refer to Note 1(j)) and the actuarial assumptions for employee benefit provisions based on likely tenure of existing staff, patterns of leave claims, future salary movements and future discount rates (refer to Note 1(k)).

These financial statements have been prepared on a historical cost basis except for the revaluation of financial assets (non-financial assets which, subsequent to acquisition, are measured at a revalued amount being their fair value at the date of the revaluation less any subsequent

## Note 1. Summary of significant accounting policies

accumulated depreciation and subsequent impairment losses. Revaluations are made with sufficient regularity to ensure the carrying amounts do not materially differ from their fair value). Historical cost is based on the fair values of the consideration given in exchange for assets.

Consistent with AASB 13 *Fair Value Measurement*, CCYP determines the policies and procedures for recurring and non-recurring fair value measurements such as property, plant and equipment, in accordance with the requirements of AASB 13 and the relevant FRDs.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within the fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

- Level 1 – Quoted (unadjusted) market prices in active markets for identical assets or liabilities
- Level 2 – Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable
- Level 3 – Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, CCYP has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, CCYP determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

The Valuer-General Victoria (VGV) is CCYP's independent valuation agency.

CCYP, in conjunction with VGV monitors the changes in the fair value of each asset and liability through relevant data sources to determine whether revaluation is required.

The accounting policies set out below have been applied in preparing the financial statements for the year ended 30 June 2014 and the comparative information presented for the 4 months ended 30 June 2013.

# Note 1. Summary of significant accounting policies

## (c) Reporting entity

The financial statements include the controlled activities of CCYP.

The entity was established on 1 March 2013 via the Commission for Children and Young People Act 2012 and the principal address is:

570 Bourke Street  
Melbourne, Victoria 3000

## Objectives of Commission for Children and Young People

The objective of the Commission is to promote continuous improvement and innovation in:

- policies and practices relating to the safety and wellbeing of children and young people generally and in particular those who are vulnerable; and
- the provision of out-of-home care services for children.

## (d) Scope and presentation of financial statements

### Comprehensive operating statement

The comprehensive operating statement is prepared to the 'net result from transactions (or termed as 'net operating balance'). This classification is consistent with the whole of government reporting format and is allowed under AASB 101 *Presentation of Financial Statements*.

The net result is equivalent to profit or loss derived in accordance with AAS.

### Balance sheet

Assets and liabilities are presented in liquidity order with assets aggregated into financial assets and non-financial assets.

Current and non-current assets and liabilities (non-current being those assets or liabilities expected to be recovered or settled more than 12 months after the reporting period) are disclosed in the notes, where relevant.

### Statement of changes in equity

The statement of changes in equity presents reconciliations of non-owner and owner changes in equity opening balances at the beginning of the reporting period to the closing balances at the end of the reporting period. It also shows changes due to amounts recognised in the 'comprehensive result'.

### Cash flow statement

Cash flows are classified according to whether or not they arise from operating activities, investing activities, or financing activities. This classification is consistent with requirements under AASB 107 *Statement of Cash Flows*.

For cash flow statement presentation purposes, cash and cash equivalents include bank overdrafts, which are included as current borrowings on the balance sheet.

# Note 1. Summary of significant accounting policies

## Rounding

Amounts in the financial statement have been rounded to the nearest one thousand dollars unless otherwise stated. Please refer to the end of Note 1(t) for a style convention explaining that minor discrepancies in totals of tables are due to rounding.

## (e) Changes in accounting policies

### **AASB 13 Fair Value Measurement**

AASB 13 establishes a single source of guidance for all fair value measurements. AASB 13 does not change when a department or organisation is required to use fair value, but rather provides guidance on how to measure fair value under Australian Accounting Standards when fair value is required or permitted. CCYP has considered the specific requirements relating to highest and best use, valuation premise, and principal (or most advantageous) market. The methods, assumptions, processes and procedures for determining fair value were revised and adjusted where applicable. In light of AASB 13, CCYP has reviewed the fair value principles as well as its current valuation methodologies in assessing the fair value, and the assessment has not materially changed the fair values recognised.

AASB 13 has predominantly impacted the disclosures of CCYP. It requires specific disclosures about fair value measurements and disclosures of fair values, some of which replace existing disclosure requirements in other standards, including AASB 7 *Financial Instruments: Disclosures*.

The disclosure requirements of AASB 13 apply prospectively and need not be provided for comparative information, before initial application. Consequently, comparatives of these disclosures have not been provided for 2012-13, except for financial instruments, of which the fair value disclosures are required under AASB 7 *Financial Instruments Disclosures*.

### **AASB 119 Employee Benefits**

In 2013-14, CCYP has applied AASB 119 *Employee Benefits (Sep 2011, as amended)*, and related consequential amendments for the first time.

The revised AASB 119 changes the accounting for defined benefit plans and termination benefits. The most significant change relates to the accounting for changes in defined benefit obligation and plan assets. As the current accounting policy is for the Department of Treasury and Finance to recognise and disclose the State's defined benefit liabilities in its financial statements, changes in defined benefit obligations and plan assets will have limited impact on CCYP.

The revised standard also changes the definition of short-term employee benefits. These were previously benefits that were expected to be settled within 12 months after the end of the reporting period in which the employees render the related service. However, short-term employee benefits are now defined as benefits expected to be settled wholly within 12 months after the end of the reporting period in which the employees render the related service. As a result, accrued annual leave balances which were previously classified as short-term

## Note 1. Summary of significant accounting policies

employee benefits no longer meet this definition and are now classified as long-term employee benefits.

### (f) Income from transactions

Income is recognised to the extent that it is probable that the economic benefits will flow to the entity and the income can be reliably measured at fair value.

### Grants and other income transfers

Income from grants (other than contribution by owners) is recognised when CCYP obtains control over the contribution.

For reciprocal grants (that is, equal value is given back by CCYP to the provider), CCYP is deemed to have assumed control when CCYP has satisfied its performance obligations under the terms of the grant. For non-reciprocal grants, CCYP is deemed to have assumed control when the grant is receivable or received. Conditional grants may be reciprocal or non-reciprocal depending on the terms of the grant.

### (g) Expenses from transactions

Expenses from transactions are recognised as they are incurred and reported in the financial year to which they relate.

### Employee expenses

Employee expenses include all costs related to employment including wages and salaries, leave entitlements, fringe benefit tax, redundancy payments, WorkCover premiums and superannuation contributions. These are recognised when incurred, except for contributions in respect of defined benefit superannuation plans.

### Rental operating costs

Rental operating costs include maintenance, rates and charges, tenant utilities and operating expenses. These costs are expensed in the period in which they are incurred.

### Depreciation and amortisation

All plant and equipment and other non-current physical assets that have finite useful lives are depreciated. Depreciation is generally calculated on a straight-line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life.

The estimated useful lives, residual values and depreciation methods are reviewed at the end of each annual reporting period, and adjustments made where appropriate.

The following estimated useful lives are used in the calculation of depreciation for the current and prior years:

<b>Asset class</b>	<b>Useful life</b>
Plant, equipment and vehicles	4 to 10 years

# Note 1. Summary of significant accounting policies

## Other operating expenses

Other operating expenses generally represent the day to day running costs incurred in normal operations and include:

### Supplies and services

Supplies and services costs which are recognised as an expense in the reporting period in which they are incurred.

### (h) Other economic flows included in net result

Other economic flows measure the change in volume or value of assets or liabilities that do not result from transactions. CCYP did not have any other economic flow movements during 2013-14.

### (i) Financial instruments

Financial instruments arise out of contractual agreements that give rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Due to the nature of the entity's activities, certain financial assets and financial liabilities arise under statute rather than a contract. Such financial assets and financial liabilities do not meet the definition of financial instruments in *AASB 132 Financial Instruments: Presentation*. For example, statutory receivables arising from taxes, fines and penalties do not meet the definition of financial instruments as they do not arise under contract. However, guarantees issued by the Treasurer on behalf of the entity are financial instruments because, although authorised under statute, the terms and conditions for each financial guarantee may vary and are subject to an agreement.

Where relevant, for note disclosure purposes, a distinction is made between those financial assets and financial liabilities that meet the definition of financial instruments in accordance with AASB 132 and those that do not.

The following refers to financial instruments unless otherwise stated.

## Categories of non-derivative financial instruments

### Financial liabilities at amortised cost

Financial instrument liabilities are initially recognised on the date they originate. They are initially measured at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, these financial instruments are measured at amortised cost with any difference between the initial recognised amount and the redemption value being recognised in profit and loss over the period of the interest-bearing liability, using the effective interest rate method.

Financial instrument liabilities measured at amortised cost include all of CCYP's contractual payables.

### (j) Financial assets

## Receivables

Receivables consist of:

- contractual receivables, which include mainly debtors in relation to goods and services and accrued investment income; and



## Note 1. Summary of significant accounting policies

- statutory receivables, which include predominantly amounts owing from the Victorian Government and Goods and Services Tax (GST) input tax credits recoverable.

Receivables that are contractual are classified as financial instruments and categorised as loans and receivables. Statutory receivables are recognised and measured similarly to contractual receivables (except for impairment), but are not classified as financial instruments because they do not arise from a contract.

### (k) Non-financial assets

#### Property, plant and equipment

All non-financial physical assets are measured initially at cost and subsequently revalued at fair value less accumulated depreciation. Where an asset is acquired for no or nominal consideration, the cost is the asset's fair value at the date of acquisition. Assets transferred as part of a machinery of government change are transferred at their carrying amount. More details about the valuation techniques and inputs used in determining the fair value of non-financial physical assets are discussed in Note 5 Property, Plant and Equipment.

The fair value of plant, equipment and vehicles is normally determined by reference to the asset's depreciated replacement cost. For these assets, the existing depreciated historical cost is generally a reasonable proxy for depreciated replacement cost because of the short lives of the assets concerned.

#### Revaluations of non-financial physical assets

Non-financial physical assets are measured at fair value on a cyclical basis, in accordance with the Financial Reporting Directions (FRDs) issued by the Minister for Finance. A full revaluation normally occurs every five years, based on the asset's government purpose classification, but may occur more frequently if fair value assessments indicate material changes in values. Independent valuers generally are used to conduct these scheduled revaluations.

Revaluation increases or decreases arise from differences between an asset's carrying value and fair value.

Net revaluation increases (where the carrying amount of a class of assets is increased as a result of a revaluation) are recognised in 'other economic flows – other comprehensive income' and accumulated in equity under the asset revaluation surplus. However, the net revaluation increase is recognised in the net result to the extent that it reverses a net revaluation decrease in respect of that class of property, plant and equipment, previously recognised as an expense ('other economic flows') in the net result.

Net revaluation decreases are recognised in 'other economic flows – other comprehensive income' (refer to Note 1(h)) to the extent that a credit balance exists in the asset revaluation surplus in respect of the same class of property, plant and equipment. Otherwise, the net revaluation decreases are recognised immediately as 'other economic flows in the net result'. The net revaluation decrease recognised in 'other economic flows – other comprehensive income' reduces the amount accumulated in equity under the asset revaluation surplus.

Revaluation increases and decreases relating to individual assets within a class of property, plant and equipment, are offset against one another within that class but are not offset in respect of

## Note 1. Summary of significant accounting policies

assets in different classes. Any asset revaluation surplus is not normally transferred to accumulated funds on derecognition of the relevant asset.

An exercise on reviewing the fair value of CCYP's plant and equipment was undertaken on 30 June 2014 and it was determined the fair value was not materially different to the written down replacement cost. Therefore the written down replacement cost has been considered as fair value for plant and equipment as at 30 June 2014.

### (I) Liabilities

#### **Payables**

Payables consist predominantly of contractual payables, such as accounts payable and other sundry liabilities. Accounts payable represent liabilities for goods and services provided to CCYP prior to the end of the reporting period that are unpaid and arise when CCYP becomes obliged to make future payments in respect of the purchase of those goods and services.

Other liabilities included in payables mainly consist of unearned/deferred income, goods and services tax and fringe benefits tax payables.

Contractual payables are classified as financial instruments and categorised as financial liabilities at amortised cost (refer to Note 1(i)). Statutory payables are recognised and measured similarly to contractual payables, but are not classified as financial instruments and not included in the category of financial liabilities at amortised cost, because they do not arise from a contract.

#### **Provisions**

Provisions are recognised when the entity has a present obligation, the future sacrifice of economic benefits is probable, and the amount of the provision can be measured reliably.

The amount recognised as a provision is the best estimate of the consideration required to settle the present obligation at reporting date, taking into account the risks and uncertainties surrounding the obligation. Where a provision is measured using the cash flows estimated to settle the present obligation, its carrying amount is the present value of those cash flows, using discount rates that reflects the time value of money and risks specific to the provision.

When some or all of the economic benefits required to settle a provision are expected to be received from a third party, the receivable is recognised as an asset if it is virtually certain that recovery will be received and the amount of the receivable can be measured reliably.

#### **Employee benefits**

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave for services rendered to the reporting date.

#### ***Wages and salaries, and annual leave***

Liabilities for wages and salaries, including non-monetary benefits annual leave and accumulating sick leave are all recognised in the provision for employee benefits as 'current liabilities', because CCYP does not have unconditional right to defer settlement of these liabilities.

Depending on the expectation of the timing of settlement, liabilities for wages and salaries, annual leave and sick leave are measured at:

## Note 1. Summary of significant accounting policies

- Undiscounted value – if the department expects to wholly settle within 12 months; or
- Present value – if the department does not expect to wholly settle within 12 months.

### ***Long service leave***

Liability for long service leave (LSL) is recognised in the provision for employee benefits.

#### *Current liability – unconditional long service leave*

Unconditional LSL is disclosed in the notes to the financial statements as a current liability even where the entity does not expect to settle the liability within 12 months because it will not have the unconditional right to defer the settlement of the entitlement should an employee take leave within 12 months.

The components of this current long service leave liability are measured at:

- Undiscounted nominal value—component that the entity expects to settle within 12 months; and
- present value—component that the entity does not expect to settle within 12 months.

#### *Non-current liability – conditional long service leave*

Conditional long service leave is disclosed as a non-current liability. There is an unconditional right to defer the settlement of the entitlement until the employee has completed the requisite years of service.

This non-current long service leave liability is measured at present value. Any gain or loss following revaluation of the present value of non-current long service leave liability is recognised as a transaction, except to the extent that a gain or loss arises due to changes in bond interest rates for which it is then recognised as an other economic flow (refer to Note 1(h)).

### ***Termination benefits***

Termination benefits are payable when employment is terminated before the normal retirement date, or when an employee accepts voluntary redundancy in exchange for these benefits. The entity recognises termination benefits when it is demonstrably committed to either terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after the end of the reporting period are discounted to present value.

### ***Employee benefits on-costs***

Employee benefits on-costs (such as payroll tax, workers compensation and superannuation) are recognised separately from the provision for employee benefits.

### **Derecognition of financial liabilities**

A financial liability is derecognised when the obligation under the liability is discharged, cancelled or expires.

When an existing financial liability is replaced by another from the same lender on substantially different terms, or the terms of an existing liability are substantially modified, such an exchange or modification is treated as a derecognition of the original liability and the recognition of a new liability. The difference in the respective carrying amounts is recognised as an 'other economic flow' in the comprehensive operating statement.

## Note 1. Summary of significant accounting policies

### (m) Equity

#### **Contributions by owners**

Additions to net assets which have been designated as contributions by owners are recognised as contributed capital. Other transfers that are in the nature of contributions or distributions have also been designated as contributions by owners.

Transfers of net assets arising from administrative restructurings are treated as distributions to or contributions by owners. Transfers of net liabilities arising from administrative restructurings are treated as distributions to owners.

### (n) Commitments

Commitments for future expenditure include operating and capital commitments arising from contracts. These commitments are disclosed by way of a note (refer to Note 10) at their nominal value and inclusive of the goods and services tax payable. In addition, where it is considered appropriate and provides additional relevant information to users, the net present values of significant individual projects are stated. These future expenditures cease to be disclosed as commitments once the related liabilities are recognised in the balance sheet.

### (o) Contingent assets and contingent liabilities

Contingent assets and contingent liabilities are not recognised in the balance sheet, but are disclosed by way of a note (refer to Note 9) and, if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of goods and services tax receivable or payable respectively.

### (p) Goods and services tax

Income, expenses and assets are recognised net of the amount of associated goods and services tax, except where goods and services tax incurred is not recoverable from the taxation authority. In this case, goods and services tax payable is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of goods and services tax receivable or payable. The net amount of goods and services tax recoverable from or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

Cash flows are presented on a gross basis. The goods and services tax components of cash flows arising from investing or financing activities which are recoverable from, or payable to the taxation authority, are presented as operating cash flow.

Commitments and contingent assets and liabilities are also stated inclusive of goods and services tax.

### (q) Comparative information

Where necessary the previous year's figures have been reclassified to facilitate comparatives. Adjustments were made to the comparatives and these are noted throughout the financial statements.

## Note 1. Summary of significant accounting policies

### (r) Events after the reporting period

Assets, liabilities, income or expenses arise from past transactions or other past events. Where the transactions result from an agreement between the department and other parties, the transactions are only recognised when the agreement is irrevocable at or before the end of the reporting period. Adjustments are made to amounts recognised in the financial statements for events which occur after the reporting period and before the date the financial statements are authorised for issue, where those events provide information about conditions which existed in the reporting period. Note disclosure is made about events between the end of the reporting period and the date the financial statements are authorised for issue where the events relate conditions which arose after the end of the reporting period and which may have a material impact on the results of subsequent years.

### (s) New accounting standards and interpretations

Certain new accounting standards and interpretations have been published that are not mandatory for the 30 June 2014 reporting period. Department of Treasury and Finance assesses the impact of these new standards and advises entity's and other entities of their applicability and early adoption where appropriate.

As at 30 June 2014, the following standards and interpretations (applicable to entities) had been issued but were not mandatory for the financial period ended 30 June 2014. The entity has not, and does not intend to, adopt these standards early.

Standard/Interpretation	Summary	Applicable for annual reporting periods beginning on	Impact on public sector entity financial statements
AASB 9 <i>Financial Instruments</i>	This standard simplifies requirements for the classification and measurement of financial assets resulting from Phase 1 of the IASB's project to replace IAS 39 <i>Financial Instruments: Recognition and Measurement</i> (AASB 139 <i>Financial Instruments: Recognition and Measurement</i> ).	1 Jan 2017	<p>The preliminary assessment has identified that the financial impact of available for sale (AFS) assets will now be reported through other comprehensive income (OCI) and no longer recycled to the profit and loss.</p> <p>While the preliminary assessment has not identified any material impact arising from AASB 9, it will continue to be monitored and assessed.</p>

# Note 1. Summary of significant accounting policies

(t) Glossary of terms and style convention

## **Commissioners**

Commissioners refers to the people appointed by the Governor in Council on the recommendation of the Minister for Community Services.

## **Commitments**

Commitments include those operating, capital and other outsourcing commitments arising from non-cancellable contractual or statutory sources.

## **Comprehensive result**

Total comprehensive result is the change in equity for the period other than changes arising from transactions with owners. It is the aggregate of net result and other non-owner changes in equity.

## **Employee benefits expenses**

Employee benefits expenses include all costs related to employment including wages and salaries, leave entitlements, redundancy payments, defined benefits superannuation plans, and defined contribution superannuation plans.

## **Financial instrument**

A financial instrument is any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Financial assets or liabilities that are not contractual (such as statutory receivables or payables that arise as a result of statutory requirements imposed by governments) are not financial instruments.

### **Financial asset**

A financial asset is any asset that is:

- cash;
- an equity instrument of another entity;
- a contractual or statutory right:
  - to receive cash or another financial asset from another entity; or
  - to exchange financial assets or financial liabilities with another entity under conditions that are potentially favourable to the entity; or
- a contract that will or may be settled in the entity's own equity instruments and is:
  - a non-derivative for which the entity is or may be obliged to receive a variable number of the entity's own equity instruments; or
  - a derivative that will or may be settled other than by the exchange of a fixed amount of cash or another financial asset for a fixed number of the entity's own equity instruments.

### **Financial liability**

A financial liability is any liability that is:

## Note 1. Summary of significant accounting policies

- A contractual or statutory obligation:
  - To deliver cash or another financial asset to another entity; or
  - To exchange financial assets or financial liabilities with another entity under conditions that are potentially unfavourable to the entity; or
- A contract that will or may be settled in the entity's own equity instruments and is:
  - A non-derivative for which the entity is or may be obliged to deliver a variable number of the entity's own equity instruments; or
  - A derivative that will or may be settled other than by the exchange of a fixed amount of cash or another financial asset for a fixed number of the entity's own equity instruments. For this purpose the entity's own equity instruments do not include instruments that are themselves contracts for the future receipt or delivery of the entity's own equity instruments.

### Financial statements

Depending on the context of the sentence where the term 'financial statements' is used, it may include only the main financial statements (that is, comprehensive operating statement, balance sheet, cash flow statements, and statement of changes in equity); or it may also be used to replace the old term 'financial report' under the revised AASB 101 (September 2007), which means it may include the main financial statements and the notes.

### Grants and other expense transfers

Transactions in which one unit provides goods, services, assets (or extinguishes a liability) or labour to another unit without receiving approximately equal value in return. Grants can either be operating or capital in nature. While grants to governments may result in the provision of some goods or services to the transferor, they do not give the transferor a claim to receive directly benefits of approximately equal value. For this reason, grants are referred to by the AASB as involuntary transfers and are termed non-reciprocal transfers. Receipt and sacrifice of approximately equal value may occur, but only by coincidence. For example, governments are not obliged to provide commensurate benefits, in the form of goods or services, to particular taxpayers in return for their taxes.

Grants can be paid as general purpose grants which refer to grants that are not subject to conditions regarding their use. Alternatively, they may be paid as specific purpose grants which are paid for a particular purpose and/or have conditions attached regarding their use.

### Net result

Net result is a measure of financial performance of the operations for the period. It is the net result of items of income, gains and expenses (including losses) recognised for the period, excluding those that are classified as other non-owner changes in equity.

### Net result from transactions (net operating balance)

Net result from transactions or net operating balance is a key fiscal aggregate and is income from transactions minus expenses from transactions. It is a summary measure of the ongoing sustainability of operations. It excludes gains and losses resulting from changes in price levels and

## Note 1. Summary of significant accounting policies

other changes in the volume of assets. It is the component of the change in net worth that is due to transactions and can be attributed directly to government policies.

### Net worth

Assets less liabilities which is an economic measure of wealth.

### Payables

Includes short and long term trade debt and accounts payable, grants, taxes and interest payable.

### Receivables

Includes amounts owing from government through appropriation receivable, short and long term trade credit and accounts receivable, accrued investment income, grants, taxes and interest receivable.

### Other operating expenses

Other operating expenses generally represent cost of goods sold and the day-to-day running costs, including maintenance costs, incurred in the normal operations of the entity.

### Transactions

Transactions are those economic flows that are considered to arise as a result of policy decisions, usually an interaction between two entities by mutual agreement. They also include flows within an entity such as depreciation where the owner is simultaneously acting as the owner of the depreciating asset and as the consumer of the service provided by the asset. Taxation is regarded as mutually agreed interactions between the government and taxpayers. Transactions can be in kind (for example, assets provided/given free of charge or for nominal consideration) or where the final consideration is cash. In simple terms, transactions arise from the policy decisions of the government.

### Style conventions

Figures in the tables and in the text have been rounded. Discrepancies in tables between totals and sums of components reflect rounding. Percentage variations in all tables are based on the underlying unrounded amounts.

The notation used in the tables is as follows:

-	zero, or rounded to zero
(xxx.x)	negative numbers
20xx	year period
20xx-xx	year period

The financial statements and notes are presented based on the illustration for a government department in the *2013–14 Model Report for Victorian Government Departments*.



**Commission for Children and Young People**

**Notes to and forming part of the financial statements 2014**

**Note 2. Income from transactions**

	2014	2013
	(\$'000)	(\$'000)
<b>Grants and other income transfers</b>		
Department of Human Services	5,630	1,387
<b>Total grants and other income transfers</b>	<b>5,630</b>	<b>1,387</b>

Commission for Children and Young People

Notes to and forming part of the financial statements 2014

Note 3. Expenses from transactions

	2014 (\$'000)	2013 (\$'000)
<b>(a) Employee Benefits</b>		
Salaries and wages	2,576	770
Superannuation	254	78
Leave expenses	602	171
Other On-cost	166	47
<b>Total employee benefits</b>	<b>3,598</b>	<b>1,066</b>
<b>(b) Grants and other expenses transfers</b>		
Grants expenses	326	74
<b>Total grants and other expenses transfers</b>	<b>326</b>	<b>74</b>
<b>(c) Other operating expenses</b>		
Travel and subsistence	80	10
Office and accommodation	311	179
General expenses	525	20
Financial analysis	153	23
Contractor expenses	551	-
Learning and Development costs	79	15
<b>Total other operating expenses</b>	<b>1,699</b>	<b>247</b>
<b>(d) Depreciation</b>		
Depreciation	2	-
<b>Total depreciation</b>	<b>2</b>	<b>-</b>

Commission for Children and Young People

Notes to and forming part of the financial statements 2014

Note 4. Receivables

	2014 (\$'000)	2013 (\$'000)
<b>Current receivables</b>		
<i>Statutory</i>		
Amounts owing from Department of Human Services	1,347	1,078
<b>Total current receivables</b>	<b>1,347</b>	<b>1,078</b>
<b>Non-current receivables</b>		
<i>Statutory</i>		
Amounts owing from Department of Human Services	40	31
<b>Total non-current receivables</b>	<b>40</b>	<b>31</b>
<b>Total receivables</b>	<b>1,387</b>	<b>1,109</b>

## Commission for Children and Young People

### Notes to and forming part of the financial statements 2014

#### Note 5. Property, plant and equipment

	Note	2014 (\$'000)	2013 <sup>(i)</sup> (\$'000)
<b>Sub-classification by nature<sup>(i)</sup></b>			
<b>Plant, equipment and vehicles</b>			
Plant, equipment and vehicles - at fair value		55	18
<i>Less accumulated depreciation</i>		(20)	(18)
<b>Total plant, equipment and vehicles at fair value</b>	5(a)	<b>35</b>	<b>-</b>
<b>Net carrying amount of property, plant and equipment</b>			
		<b>35</b>	<b>-</b>

*Note:*

(i) Consistent with Financial Reporting Direction 103E Non-Current Physical Assets, all assets need to be further sub-categorised according to the assets' nature (i.e. buildings, plant and equipment, etc), with each sub-category being classified as a separate class of asset for financial reporting purposes.

(ii) The comparatives reflect property, plant and equipment fully depreciated in the prior year.

## Commission for Children and Young People

### Notes to and forming part of the financial statements 2014

#### Note 5. Property, plant and equipment (continued)

##### (a) Movements in carrying amounts

Reconciliations of the movement in carrying amounts of each class of property, plant and equipment at the beginning and end of the financial year are set out below.

	Plant, equipment and vehicles (\$'000)	Total (\$'000)
<b>Balance at 1 March 2013</b>	-	-
Administrative instrument transfers	18	18
Depreciation and amortisation	(18)	(18)
<b>Balance at 30 June 2013</b> <sup>(i) (ii)</sup>	-	-
Additions	37	37
Depreciation and amortisation	(2)	(2)
<b>Balance at 30 June 2014</b> <sup>(i)</sup>	<b>35</b>	<b>35</b>

*Note:*

(i) Fair value assessments have been performed at 30 June 2014 for all classes of assets within this purpose group.

(ii) The comparatives reflect property, plant and equipment fully depreciated in the prior year.

Commission for Children and Young People

Notes to and forming part of the financial statements 2014

Note 5. Property, plant and equipment (continued)

(b) Fair Value measurement hierarchy for assets as at 30 June 2014

	Carrying amount (\$'000)	Fair value measurement at end of reporting period using :		
		Level 1 <sup>(i)</sup> (\$'000)	Level 2 <sup>(i)</sup> (\$'000)	Level 3 <sup>(i)</sup> (\$'000)
<b>Plant, equipment and vehicles at fair value</b>				
Plant and equipment	35	-	35	-
<b>Total plant, equipment and vehicles at fair value</b>	<b>35</b>	<b>-</b>	<b>35</b>	<b>-</b>

*Note:*

(i) Classified in accordance with the fair value hierarchy, see Note 1(b).

A fair valuation has taken place as at 30 June 2014 in accordance with AASB 13. The Department of Human Services, on behalf of CCYP has engaged the Valuer-General of Victoria as its independent valuation agency.

There have been no transfers between levels during the period.

Commission for Children and Young People

Notes to and forming part of the financial statements 2014

Note 6. Payables

	2014 (\$'000)	2013 (\$'000)
<b>Current payables</b>		
<i>Contractual</i>		
Other payables	208	54
<b>Total current payables</b>	<b>208</b>	<b>54</b>
<b>Total payables</b>	<b>208</b>	<b>54</b>

**(a) Maturity analysis of contractual payables**

Refer to Note 11 for the maturity analysis of contractual payables

**(b) Nature and extent of risk arising from contractual payables**

Refer to Note 11 for the nature and extent of risk arising from contractual payables.

Commission for Children and Young People

Notes to and forming part of the financial statements 2014

Note 7. Provisions

	Note	2014 (\$'000)	2013 (\$'000)
<b>Current provisions</b>			
Employee benefits <sup>(i)</sup>	6(a)	994	868
Provisions related to employee benefit on-costs	6(b)	180	156
<b>Total current provisions</b>		<b>1,174</b>	<b>1,025</b>
<b>Non-current provisions</b>			
Employee benefits <sup>(i)</sup>	6(a)	34	25
Provisions related to employee benefit on-costs	6(b)	6	5
<b>Total non-current provisions</b>		<b>40</b>	<b>30</b>
<b>Total provisions</b>		<b>1,214</b>	<b>1,055</b>

(a) Employee benefits and related on-costs <sup>(i)</sup>

**Current employee benefits:**

<b>Salaries and wages <sup>(ii)</sup></b>			
Unconditional and expected to be settled within 12 months <sup>(iii)</sup>		8	9
Annual leave entitlements			
Unconditional and expected to be settled within 12 months <sup>(iii)</sup>		200	34
Unconditional and expected to be settled after 12 months <sup>(iii)</sup>		98	152
<b>Long service leave entitlements</b>			
Unconditional and expected to be settled within 12 months <sup>(iii)</sup>		688	67
Unconditional and expected to be settled after 12 months <sup>(iii)</sup>			606
<b>Total current employee benefits</b>		<b>994</b>	<b>868</b>

**Non-current employee benefits:**

Conditional long service leave entitlements <sup>(iii)</sup>		34	26
<b>Total non-current employee benefits</b>		<b>34</b>	<b>26</b>
<b>Total employee benefits</b>		<b>1,028</b>	<b>894</b>

(b) Provisions related to employee benefit on-costs

<b>Current on-costs <sup>(iii)</sup></b>			
Unconditional and expected to be settled within 12 months <sup>(iii)</sup>		162	156
Unconditional and expected to be settled after 12 months <sup>(iii)</sup>		18	
<b>Non-current on-costs <sup>(iii)</sup></b>			
		6	5
<b>Total on-costs</b>		<b>186</b>	<b>161</b>
<b>Total employee benefits and related on-costs</b>		<b>1,214</b>	<b>1,055</b>

Note:

(i) Provisions for employee benefits consist of amounts for annual leave and long service leave accrued by employees, not including on-costs.

(ii) The amounts disclosed are nominal amounts.

(iii) The amounts disclosed are discounted to present values.



Commission for Children and Young People

Notes to and forming part of the financial statements 2014

Note 8. Equity

	2014 (\$'000)	2013 (\$'000)
<b>(a) Accumulated surplus</b>		
Balance at beginning of financial period	-	-
Net result for the period	-	-
<b>Balance at the end of financial period</b>	<b>-</b>	<b>-</b>
<b>(b) Contributions by owners</b>		
Balance at beginning of financial period	-	-
<b>Balance at the end of financial period</b>	<b>-</b>	<b>-</b>

**Commission for Children and Young People**

**Notes to and forming part of the financial statements 2014**

**Note 9. Contingent assets and contingent liabilities**

There are no contingent assets and contingent liabilities.

## Commission for Children and Young People

### Notes to and forming part of the financial statements 2014

#### Note 10. Commitments

##### (a) Commitments other than public private partnerships

	2014	2013
	(\$'000)	(\$'000)
The following commitments have not been recognised as liabilities in the financial statements		
<b>(a) Capital expenditure commitments</b>		
Property, plant and equipment and intangibles.	-	-
<b>Total capital expenditure commitments</b>	<b>-</b>	<b>-</b>
<b>(b) Operating lease commitments</b>		
Properties and Equipments	-	-
<b>Total operating lease commitments</b>	<b>-</b>	<b>-</b>
<b>(c) Other expenditure commitments</b>		
Provision of services	59	-
<b>Total other expenditure commitments</b>	<b>59</b>	<b>-</b>
<b>Total commitments for expenditure (inclusive of GST)</b>	<b>59</b>	<b>-</b>

*Notes:*

(i) All amounts shown in the commitments note are nominal amounts inclusive of GST.

Commission for Children and Young People

Notes to and forming part of the financial statements 2014

(b) Commitments payable <sup>(i)</sup>

	2014	2013
Nominal values	(\$'000)	(\$'000)
The following commitments have not been recognised as liabilities in the financial statements.		
<b>(a) Capital expenditure commitments</b>		
Less than 1 year	-	-
Longer than 1 year and not longer than 5 years	-	-
Longer than 5 years	-	-
<b>Total capital commitments</b>	<b>-</b>	<b>-</b>
<b>(b) Operating lease commitments</b>		
Less than 1 year	-	-
Longer than 1 year and not longer than 5 years	-	-
Longer than 5 years	-	-
<b>Total operating lease commitments</b>	<b>-</b>	<b>-</b>
<b>(c) Other expenditure commitments</b>		
Commitments under contracts for operating expenditure (excluding operating lease commitments) outstanding as at the reporting date but not recognised as liabilities, payable:		
Less than 1 year	59	-
Longer than 1 year and not longer than 5 years	-	-
Longer than 5 years	-	-
<b>Total other expenditure commitments</b>	<b>59</b>	<b>-</b>
<b>Total commitments for expenditure (inclusive of GST)</b>		
Less GST recoverable from the Australian Taxation Office	5	-
<b>Total commitments for expenditure (exclusive of GST)</b>	<b>54</b>	<b>-</b>

Notes:

(i) All amounts shown in the commitments note are nominal amounts inclusive of GST.

**Commission for Children and Young People**

**Notes to and forming part of the financial statements 2014**

**Note 11. Financial instruments**

**(a) Financial risk management objectives and policies**

The entity's principal financial instruments comprise of:

- receivables (excluding statutory receivables)
- payables (excluding statutory payables); and

Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, with respect to each class of financial asset, financial liability and equity instrument are disclosed in Note 1 to the financial statements.

The main purpose in holding financial instruments is to prudentially manage the entity's financial risks within the government policy parameters.

The entity's main financial risks include credit risk, liquidity risk and interest rate risk. The entity manages these financial risks in accordance with its financial risk management policy.

The entity uses different methods to measure and manage the different risks to which it is exposed. Primary responsibility for the identification and management of financial risks rests with the audit and risk management committee of the entity.

**(b) Categorisation of financial instruments**

2014	Note	Contractual financial assets - loans and receivables (\$'000)	Contractual financial liabilities at amortised cost (\$'000)	Total (\$'000)
<b>Contractual financial liabilities</b>				
Payables	6	-	208	208
<b>Total contractual financial liabilities</b>		-	208	208
<hr/>				
2013	Note	Contractual financial assets - loans and receivables (\$'000)	Contractual financial liabilities at amortised cost (\$'000)	Total (\$'000)
<b>Contractual financial liabilities</b>				
Payables	6	-	54	54
<b>Total contractual financial liabilities</b>		-	54	54

(i) The total amounts disclosed here exclude statutory amounts (e.g. amounts owing from Victorian Government and GST input tax credit recoverable).

**Commission for Children and Young People**

**Notes to and forming part of the financial statements 2014**

**Note 11. Financial instruments (continued)**

**(c) Credit risk**

The entity's exposures to credit risk is insignificant as it does not have any contractual receivables as at 30 June 2014.

Commission for Children and Young People

Notes to and forming part of the financial statements 2014

Note 11. Financial instruments (continued)

(d) Liquidity risk

Liquidity risk arises when the entity is unable to meet its financial obligations as they fall due. The entity operates under the government fair payments policy of settling financial obligations within 30 days and in the event of a dispute, make payments within 30 days from the date of resolution. It also continuously manages risk through monitoring future cash flows and maturities planning to ensure adequate holding of high quality liquid assets and dealing in highly liquid markets.

The entity's exposure to liquidity risk is deemed insignificant based current assessment of risk. Maximum exposure to liquidity risk is the carrying amounts of financial liabilities.

The following table discloses the contractual maturity analysis for the entity's financial liabilities:

Maturity analysis of contractual financial liabilities

	Nominal amount	Maturity dates <sup>(i)</sup>				
		Less than 1 month	1-3 months	3 months - 1 year	1-5 years	5+ years
2014	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
<b>Contractual financial liabilities</b>						
Payables	208	208	-	-	-	-
<b>Total contractual financial liabilities</b>	<b>208</b>	<b>208</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<hr/>						
	Nominal amount	Maturity dates <sup>(i)</sup>				
		Less than 1 month	1-3 months	3 months - 1 year	1-5 years	5+ years
2013	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
<b>Contractual financial liabilities</b>						
Payables	54	54	-	-	-	-
<b>Total contractual financial liabilities</b>	<b>54</b>	<b>54</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

Note:

(i) The amounts disclosed are the contractual undiscounted cash flows of each class of financial liabilities.

(ii) The total amounts disclosed here exclude statutory amounts (e.g. amounts owing to/from Victorian Government and GST input taxes payable).

**Commission for Children and Young People**

**Notes to and forming part of the financial statements 2014**

**Note 11. Financial instruments (continued)**

**(e) Market risk**

The entity's exposures to market risk is insignificant.



## Commission for Children and Young People

### Notes to and forming part of the financial statements 2014

#### Note 11. Financial instruments (continued)

##### (f) Fair value

The fair values and net fair values of financial instrument assets and liabilities are determined as follows:

- Level 1 - the fair value of financial instruments with standard terms and conditions and traded in active markets are determined with reference to quoted market prices;
- Level 2 - the fair value is determined using inputs other than quoted prices that are observable for the financial asset or liability, either directly or indirectly; and
- Level 3 - the fair value is determined in accordance with generally accepted pricing models based on discounted cash flow analysis using unobservable market inputs.

The entity considers that the carrying amount of financial instrument assets and liabilities are recorded in the financial statements to be a fair approximation of their fair values, because of the short-term nature of the financial instruments and the expectation that they be paid in full.

Commission for Children and Young People

Notes to and forming part of the financial statements 2014

Note 12. Reconciliation of net result for the period to net cash flows from operating activities

	2014 (\$'000)	2013 (\$'000)
Net result for the period	-	-
<b>Non-cash movements</b>		
Depreciation and amortisation	2	-
<b>Movements in assets and liabilities:</b>		
(Increase)/decrease in receivables	(278)	(1,109)
Increase/(decrease) in payables	154	54
Increase/(decrease) in provisions	159	1,055
<b>Net cash flows from/(used in) operating activities</b>	<b>37</b>	<b>-</b>

**Commission for Children and Young People**

**Notes to and forming part of the financial statements 2014**

**Note 13. Ministers and accountable officers**

In accordance with the Ministerial Directions issued by the Minister for Finance under the *Financial Management Act 1994* the following disclosures are made for the responsible persons for the reporting period.

(a) Names

The person who held the position of responsible minister for the entity was as follows:

Minister for Community Services                                  The Hon. Mary Wooldridge MP                                  1 July 2013 to 30 June 2014

The person who held the position of Accountable Officer was as follows:

Principal Commissioner                                  Bernie Geary                                  1 July 2013 to 30 June 2014

(b) Remuneration

Remuneration received by the accountable officers in connection with the management of the department during the reporting period was in the range:

Income band	Total remuneration <sup>(i)</sup>		Base remuneration <sup>(i)</sup>	
	2014	2013	2014	2013
\$70,000 - \$79,999	-	1	-	1
\$210,000 - \$219,999	1	-	1	-
<b>Total<sup>(ii)</sup></b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Total Remuneration</b>	<b>\$215,582</b>	<b>\$70,144</b>	<b>\$215,582</b>	<b>\$70,144</b>

Amounts relating to ministers are reported in the financial statements of the Department of Premier and Cabinet.

Note:

(i) Base remuneration excludes bonus payments and leave payments.

(ii) Total remuneration includes long service leave payments and annual bonus payments. These bonus payments depend on the terms of the individual employment contracts.

(iii) Remuneration amounts relating to acting responsible persons are included in remuneration of executives.

(c) Other transactions

Other related transactions disclosure under the Directions of the Minister for Finance have been considered and there are no matters to report.

## Commission for Children and Young People

### Notes to and forming part of the financial statements 30 June 2014

#### Note 14. Remuneration of executives and payments to other personnel (i.e. contractors with significant management responsibilities)

##### (a) Remuneration of executives

The numbers of executive officers, other than ministers and accountable officers, and their total remuneration during the reporting period are shown in the first two columns in the table below in their relevant income bands. The base remuneration of executive officers is shown in the third and fourth columns. Base remuneration is exclusive of bonus payments, long-service leave payments, redundancy payments and retirement benefits. The total annualised employee equivalent provides a measure of full-time equivalent executive officers over the reporting period.

Several factors have affected total remuneration payable to executives over the year. A number of employment contracts were completed during the year and renegotiated and a number of executives received bonus payments during the year. These bonus payments depend on the terms of individual employment contracts. Some contracts provide for an annual bonus payment whereas other contracts only include the payment of bonuses on the successful completion of the full term of the contract. A number of these contract completion bonuses became payable during the year.

A number of executive officers retired, resigned or were retrenched in the past year. This has had a significant impact on total remuneration figures due to the inclusion of annual leave, long-service leave and retrenchment payments.

Income band	Total remuneration		Base remuneration	
	2014	2013	2014	2013
Under \$100,000	-	1	-	1
\$180,000-\$189,999	-	-	1	-
\$220,000-\$229,999	1	-	-	-
<b>Total number of executives</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
<b>Total amount</b>	<b>\$228,368</b>	<b>\$52,790</b>	<b>\$184,416</b>	<b>\$52,790</b>

##### (b) Payments to other personnel (i.e. contractors with significant management responsibilities)

CCYP did not make any payments to contractors with significant management responsibilities for the 2013-14 financial year

**Commission for Children and Young People**

**Notes to and forming part of the financial statements 2014**

**Note 15. Remuneration of auditors**

	2014	2013
	(\$'000)	(\$'000)
Victorian Auditor General's Office - audit of the financial report	4	4

## **Commission for Children and Young People**

### **Notes to and forming part of the financial statements 2014**

#### **Note 16. Economic dependency**

The Department of Human Services has issued a letter of comfort to the Commission for Children and Young People to confirm that it will provide adequate cash flow support to enable the Commission for Children and Young People to meet its current and future operational obligations as and when they fall due for a period up to 30 September 2015.



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