

Reducing Youth Homelessness in NSW Bill 2019 (NSW)

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Reducing Youth Homelessness in NSW Bill, 2019 (NSW)

A Bill for

An act to reduce youth homelessness in New South Wales by advancing the quality of life for children in New South Wales' Out-of-Home Care.

Table of Contents

Explanatory Notes	3
Part 1: Preliminary	
1 Title	
2 Explanatory notes	4
3 Commencement	4
4 Objects	4
5 Definitions	5
Part 2: Clauses	
5 Prevention	6
1. Awareness	6
2. Services	
6 Current:	8
1. Funding	8
2. Infrastructure	10
3. Policy	10
7 Future:	12
1. TTIL	
Part 3: Amendments	14

Explanatory Notes

There seems to be a current upwards trend of children in this state moving into out of home care. This can be seen in the near 7% increase in children living in out of home care since 2016. As well as this 35% of children in out of home care report having 5 or more caseworkers during their time in out of home care [see: *Children in Care, Australian Institute of family studies, 2018*]. Young people aged 16 to 25 make up 25% or (26 000 people) of Australia's homeless population. This is despite the fact that people under 25 years of age only make up 15% of Australia's population as a whole [*Mission Australia: youth mental health and homelessness report*]. SHS data from The Center For Australian Youth Homelessness found that the three main reasons for people under the age of 25 to seek housing assistance was:

- Housing Crisis (21%)
- Domestic and Family Violence (15%)
- And relationship or family breakdown (12%)

Furthermore, data from the "*Mission Australia: youth mental and homelessness report*" also found that removal from family increased the chances of serious mental health issues such as clinical depression, phobias, and post-traumatic stress disorder by more than 32%. Unfortunately only 40% of homelessness services provide mental health services. [*Australian Institute of Health and Welfare 2016*]

Clearly something needs to be done about the state of both the out of home care system in this state, and the services available to those experiencing homelessness in all its forms. This bill seeks to address both the issues that cause these young people to be homeless in the first place, as well as improve the circumstances they currently find themselves in.

The combined contributions of the three sections of this bill will lead to a predicted reduction in youth homelessness of 50%. This will be achieved by creating a much improved safety net for at risk youth and a more effective system of early intervention and prevention, meaning one of the primary contributing factors to youth homelessness, family breakdown, will be properly addressed early.

Long term, this early intervention model will reduce the incidence of adverse childhood events (ACEs) and, as the research clearly demonstrates, reducing the incidence of ACES significantly benefits the physical and mental health of the adult population

Over the ensuing decades this bill will save this state potentially billions of dollars otherwise spent on health, criminal justice and corrections systems and lead to a healthy, happy and productive state population.

Part 1 Preliminary

1. Short Title

This Act may be cited as The Reducing Youth Homelessness In NSW Act, 2019

2. Commencement

The Reducing Youth Homelessness In NSW Act will officially commence in September 2020. Prior to this date, planning about how best to initiate each section of the bill will occur starting from when the NSW Governor gives Royal Assent. From September 2020 to January 2021, the implementation of *Objectives Section 1* and *Objectives Section 2 Part A* will commence. From January 2021, *Objectives Section 2 Part B* will be introduced, and from March of that year *Objectives Section 3* will be introduced. Upon reaching agreed milestones, the success of this legislation will be assessed and given further assistance over the following 20 years.

3. Objectives

1. To aid in the prevention of the continuation of youth homelessness as an issue within NSW.
 - a) Educate both the education and care sectors in regards to the issue of youth homelessness.
 - b) Provide early intervention services.
 - c) Provide all NSW schools with on-going support from health professionals and services
2. To ease the suffering of those afflicted by youth homelessness at present.
 - a) Develop new support infrastructure including a redesigned system of youth refuges and residences for those seeking tertiary education
 - b) Tightening care industry regulation to reduce risk of incompetency and under resourcing.
3. To aid those leaving the protection of youth support services and to aid them in securing safe and successful futures.
 - a) Mandate and incentivise the creation of apprenticeships/traineeships that target at risk youth, particularly in regional areas.
 - b) Create a fund that gives grants to local charities and programs with innovative solutions to poverty.
 - c) Establish an online and physical careers advisory centre that caters to the queries of those under the ministers care from age 15 and older.

4. Definitions

- a) **Homelessness:** A lack of one or more of the elements that represent 'home'. The definition has been constructed from a conceptual framework centred around the following elements:
 - Adequacy of the dwelling;
 - Security of tenure in the dwelling;
 - Control of, and access to space for social relations.
- b) **Disability Services (DAS):** Services provided to people suffering from a disability
- c) **DAS careers:** A person who provides care to any persons suffering from a disability, mental illness, or other condition
- d) **Destigmatize:** To remove the association of shame and disgrace.
- e) **Professional services:** Services provided by a person of knowledge or skill, usually by a person with tertiary education.
- f) **Caseworker:** A person employed by a government agency, non-profit organization, or another group to take on the cases of individuals and provide them with advocacy, information or other services. they may also be a point of contact for other organizations regarding information about the person who's case they manage.
- g) **Kinship care:** The care of children by a close relative other than their legal parent(s).
- h) **Vetting:** The act of making a prior examination and critical appraisal of a person.
- i) **PCYC:** Police and Community Youth Clubs.
- j) **Tertiary education:** Education exceeding that of secondary education, comprising of university, vocational courses, and college.
- k) **Incentives:** A payment or concession to stimulate greater output or investment.
- l) **Subsidies:** A sum of money granted by the state to assist in the creation of a service or institution.
- m) **First Nations Refuges:** a residential placement specifically concerned with the issues, rights, and culture of First Nations people. leaving at least 2 beds for first nations people at any time.
- n) **Apprenticeship:** The position of a person who is learning a trade from a skilled employer, having agreed to work for a fixed period at low wages.
- o) **Caseload:** The number of cases a social worker is concerned with at one time.
- p) **OOHC :** Out of home care.
- q) **ACES:** Adverse Child Experiences
- r) **SHS:** Specialist Homelessness Services, a service such as a youth refuge, group home, or socialised housing.
- s) **WWCC :** Working with Children Check - a legal requirement for anyone who works or volunteer in child-related work.
- t) **SES :** Socio-Economic Status

Part 2

5 Prevention

1. Awareness and Services

Public Awareness

There is to be a public advertising campaign established by the Department of Family and Community Services, the main goal of which is to educate the general population on the purpose of the department of family and community services, its services, and to reduce societal stigma against children, experiencing homelessness and in foster care.

Early Intervention Services

It is to be the responsibility of the Department of Family and Community services to monitor every child in this state monthly until they attain the age of three months old, should a case worker from the Department deem it necessary they may provide ongoing assistance to those families. As well as this a family may be referred to a different organization by a caseworker from the Department of Family and Community Services should this case worker deem it necessary.

All NSW schools will receive on-going support from health professionals and services.

At present many schools, in both the public and private sectors, receive inadequate or poorly implemented support from mental health services. The existing model is not fit for purpose in part because of the lack of uniformity between public and private. Additionally, the medical model of treating and responding to student distress via one-on-one psychological interventions is not working. Students and young people cannot be treated in isolation under a system that prioritises individual pathology over environmental context. This will be replaced with a holistic service system that addresses students' individual needs in the context of the family and community in which they live.

Every school, both public and private, primary and secondary, will have a minimum of one AASW accredited social worker on site five days a week to work with students, staff and the broader school community, providing generalist social work services. This will include working with individuals, families, groups and communities in the context of their physical, social and cultural environments, their past and current experiences, and their cultural and belief systems. This will assist in improving human wellbeing and identifying and addressing any external issues that may impact on wellbeing or may create inequality, injustice and discrimination.¹

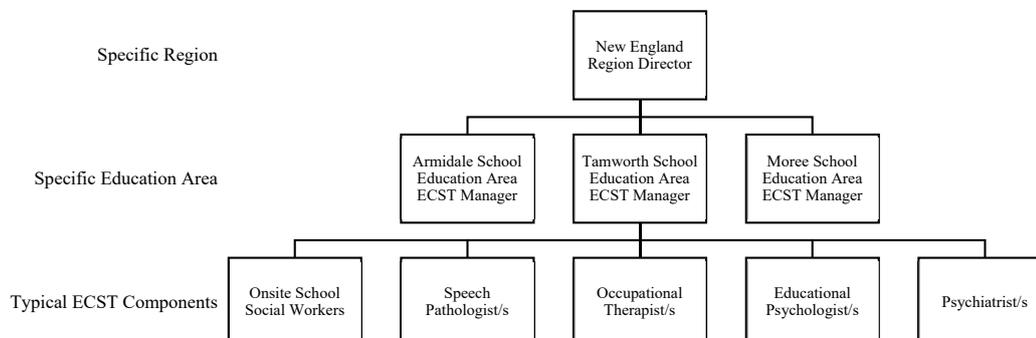
These social workers will be part of multidisciplinary regional teams known as Education Community Support Teams (ECSTs). They will be made up Allied Health professionals including speech pathologists, paediatric psychiatrists, occupational therapists, and child psychologists. The specific number of each of these professionals will vary from team to team depending on the number of schools they must service. These teams will collaborate with on-site school-based social workers to provide a seamless multidisciplinary service to children and young people within the primary and secondary school system.

Profession	Registration/Accreditation
Social Worker	Australian Association of Social Work
Registered or Clinical Psychologist	Australian Health Professional Regulation Agency (AHPRA)
Occupational Therapist	AHPRA
Speech Therapist	Speech Therapy Australia
Psychiatrist (paediatric)	AHPRA

The basic leadership structure of the typical ECST will consist of an individual Education Area team manager who reports to the region's Director of ECSTs who in turn is directed by the State Director of ECSTs. This system will cover both the public and private sectors in order to ensure complete uniformity and prevent any potential incompetency resulting from unqualified therapy. This system is also designed to cover primary schools as numerous studies have identified that early intervention rather than crisis response is the most effective way to address mental health in young people and adults. The earlier such services are provided, the more likely families and

¹ Australian Association of Social Workers 2019, *What is social work?*, viewed 7th July, 2019, <<https://www.aasw.asn.au/information-for-the-community/what-is-social-work>>

communities are able to provide the safe and secure environments for children and young people need to become healthy, well-developed adults.



The implementation of this system is crucial to the prevention of permanent cycles of poverty and intergenerational trauma. If services such as these are not implemented, then schools will remain places in which children are unable to feel safe especially those in our regional areas. Without a committed and holistic approach to the wellbeing of students and their families, the cycle will only repeat itself and issues such as youth homelessness will only become more prevalent in our society.

6 Current

1. Infrastructure

a) Public youth refuges

1. The number of youth refuges will be increased including rural areas of Australia suitable to population density of 1 youth refuge for every 9000 people. These are:
 - For those too old for foster care. between the ages of 15 and 25.
 - To be state run, funded and owned under some organisational body - redesigning youth refuge system into:
 - Crisis/short term refuges, will meet immediate needs in a crisis such as food and shelter. This can be temporary lasting only days, weeks or at most a few months. For those in immediate need of emergency housing.
 - medium term/supported refuges - psycho-social support - for those still in school generally under the age of 18 - teaching kids to live independently and those kinds of skills. more long term from several months to a few years.

- transitioning refugees - ideally into the YEHF accommodation, mentioned above, for tertiary education. Transitional accommodation will provide young people in their care,

b) Accommodation for homeless and at risk tertiary students will be established

The path out of poverty is to ensure all students are able to access the level of education they need. Students, after completing secondary school will be supported to complete the next level of education including university education and vocational training. At present these young people who are homeless or at risk of homelessness are often inhibited from being able to achieve a tertiary level of education, primarily by a lack of stable accommodation.

Tertiary education, whether it be vocational training or university education, is crucial to success in our society. This bill will ensure that homelessness and socioeconomic disadvantage is not a barrier to accessing education. To ensure that all young people who are homeless or at risk of homelessness have access to safe, secure and stable housing while studying, there will be targeted accommodation services established on or near every educational campus recognised by either UAC or TAFE NSW.

The Youth Education and Housing Fund will resource youth housing services for tertiary students who are homeless or at risk of homelessness. These services may be managed by not for profit providers, including existing Social Housing Services, and Local Government Agencies. For profit providers, and providers whose service mission or ethos does not promote diversity or actively excludes and/or discriminates against potential service users will not be eligible to provide services under the YEHF.

To qualify for support from the YEHF, students must meet two criteria:

- That they are, are about to be, or were recently, engaged in some recognised form of tertiary education, and:
- That they meet this act's definition of homelessness.

Each residence funded under this legislation will also possess an appropriate number of support workers who will ensure these criteria are met. However, their primary employment will be to provide psychosocial support to the residents to enable them to develop independent living skills. These support workers will be employed directly by the YEHF so as to prevent under resourcing. The exact number of support workers employed will be decided by a ratio of one support worker to every 10 residents.

While the housing will have the support of the YEHF in covering any financial needs, the cost of each residence will also be supplemented by a contribution of 25% of each resident's income. Understandably not all residents will be employed and so only those earning an income will be required to contribute this rent.

The establishment of the YEHF is vital to the ending of the poverty cycle within Australia. By supporting at risk young people through primary, secondary and crucially, tertiary levels of education, young people will be more likely to find secure and fulfilling employment. With a secure financial future, the socioeconomic issues that plagued their own youth will not burden their own children. Ultimately, this will greatly contribute to ensuring the security of NSW's homeless youth and aid in the prevention of youth homelessness in the future.

3. Policy

a) Home visits to foster families

Regular home visits from nurses and social workers to ensure the health and wellbeing of the child(ren) and analyse the nature and safety of their environment. These visits should take place monthly and detailed notes should be taken indicating the child(ren)'s level of health, possible risks to their safety, and their education outcomes. After the child(ren) has been with a foster family for six months, these visits should be reduced to once every three months.

b) Increasing the age of people receiving OOHC assistance

Children in the care of the minister shall henceforth receive care until they are to attain the age of 25. There is to be a committee formed within the department of family and community services to manage the affairs of people in OOHC over the age of 18 from a care perspective. This committee should have caseworkers in the offices of the Department of Family and Community Services.

c) Vetting

1. Make it so that all workers are given a thorough check of:
 - a. Any criminal history or any acts relating to violence/abuse/any reports of causing harm or disturbance to the community.
 - b. Will be required to possess an up-to-date Working with Children check.

d) Introducing tighter caseworker to child ratio

There is to be a maximum of 5 caseloads per caseworker, so as to extend the adequacy of care. Maximising the qualitative care provided for the child(ren) to ensure that both parties are able to create and maintain an effective relationship. Working

towards a stable future for the child and creating improvement for the care they are put under.

e) Standards for youth refuges

3 monthly examinations of the refuges to ensure the availability and quality of basic everyday necessities will ensure:

- Access to a clean resting place
- A clean/hygienic bathroom supplied with the needed toiletries
- Access to items to suit the appropriate climate e.g. heating, air conditioning etc.
- Relatively suitable commute from schools or any other locations regularly visited by the child(ren).
- Being relatively close to appropriate public transport e.g. bus stops (school buses), train stations etc.
- An area to allow the child(ren) to have some form of privacy when needed.
- Other assets such as sporting equipment to encourage a healthy living standard, modes of education (books, laptops) or entertainment.

f) Regulations for kinship and foster care

1. Allowing all children over the age of 14 to be given the choice to stay in OOHC or be placed under the care of another relative. Prioritising the child's opinion and allowing the child to be allowed the definitive say on issues relating to kinship care. Whilst granting the child with the right of choice, it should be ensured that the choice is made with no internal/external influences or any other factors that may hinder the child's ability to make a rightful and rational decision.
2. When looking for the relative to give the care of the child to make sure the relative
 - a. has no criminal records or any history of violence/abuse/any reports of causing harm or disturbance to the community
 - b. ensure the caregiver either currently holds an applicable WWCC or receives one before receiving care of the child(ren).
 - c. Assessing if the caregiver is physically/mentally/economically stable and eligible to take care of the child(ren).
 - i. NSW has the highest pay for foster parents in all of NSW, thus, making the economic abuse an even more dangerous issue. Ensuring the caregiver isn't in any major debt, has a history of reckless use of large sums of money or is in a severely low SES.

g) First nations refuges

There is to be a certain number youth refuges with the explicit ability to care for first nations children, as these children are disproportionately affected by the care system by intergenerational trauma. these refuges must be allocated by the department for family and community services. First nations refuges must:

- explicitly reserve 30% of their beds for first nations children, so as to reflect the first nations population in OOHC
- have services and programs that assist first nations children to connect with their culture.
- Create a healthy relationship with their local police station, so as to reduce harmful interactions with police.

7 Future

1. TTIL (transition to independent living)

a) Post-Care Employment Incentive Program

The department of family and community services is to establish the post-care employment incentive program (P-CEIP). the purpose of this program is to incentivise businesses to hire and train people with experiences in OOHC. businesses receiving P-CEIP shall receive \$3000 annually. The employer should provide annual reports to the department of family and community services.

b) More apprenticeships and traineeships will be both mandated and incentivised.

Secure and skilled employment is the only way to ensure that the cycle of poverty that burdens socioeconomically disadvantaged youth, is broken. For those not seeking university education, seeking an apprenticeship is a preferred and yet hard to come by form of tertiary training. This lack of available apprenticeships, particularly in regional areas, is to be resolved to some extent by mandating and incentivising the creation of more such apprenticeships. These positions will be made available to those actively seeking to leave school and have met all necessary requirements or successfully applied for exemption.

Henceforth, all contractors hired by the NSW state government, must provide for one traineeship/apprenticeship for every ten employees. These apprenticeships/traineeships will be targeted at those disadvantaged by homelessness or related issues through communication with local schools, ECSTs,

youth refuges or YEHF residencies. If any of these positions were to be left vacant then they would be offered outside of their target group to the wider community.

Additionally similar targeted apprenticeships and traineeships will be incentivised in the private sector. Where at present, many businesses are unable to afford the employment of a full time apprentice, even on apprentice wages, these positions will now be fully funded by the government. To prevent the inappropriate or improper use of this funding, only businesses that meet the above ratio and can appropriately train an apprentice/trainee can apply. These incentivised apprenticeships/traineeships are to be used to meet employment needs in certain geographic areas. Those areas that do not have an appropriate number of pre-existing or government contractor positions will be where such positions are funded.

By incentivising and creating more apprenticeships/traineeships for disadvantaged youth, the numbers of unemployed youth who are unprepared for the workforce will be significantly decreased. This will ideally lead to more successful lives as well as stimulating the economy by reducing the burden of future unemployment.

c) Career center

Physical and online locations for those under Ministers care/homeless, who are looking for career options or opportunities moving forward in their lives. This service would be an option to those aged 15 and over and would provide them with information and assistance for whatever path they choose when it comes to either entering the workforce or furthering their education. The centres would also contribute to the assistance of finding the aforementioned apprenticeships.

This could be in the form of:

- Online lectures
- Informations available on the websites
- Lessons available in local councils/libraries or other community locations
- First hand experience (similar to that of work experience provided in high schools)

Information on the opportunity and the different fields available to the child(ren) to allow them to submit FOIs (Forms of Interest) if they have a particular interest in a specific area of work.

This allows the child(ren) to be given the opportunity to learn to thrive in the workforce while further encouraging the child(ren) to become independent and be able to adapt new skills to become, eventually, self-sufficient. Through the career centers the child(ren) are able to learn social skills, vocational skills and others that will allow them to receive and opportunity to prepare for their future.

Part 3: Amendments

Private vs public

Monitoring all children for 3 months

Youth refuges vs. family and kinship

Clause Number:	part 2, section 1 (a)
Existing Clause Wording	“Public youth refuges 2. To be state run, funded and owned, by the Department of Family and Community Services. - redesigning youth refuge system into.”
Amendment Request	remove “public” and “state run, funded and owned, by the Department of Family and Community Services. ”
New Clause shall now read	“Youth refuges (meaning both public and private)”

Clause Number:	Part 2, Section 1
Existing Clause Wording	Nil
Amendment Request	Prioritize kinship care over the placement of children in youth refuges
New Clause shall now read	a) Priority is to be given to the kin of the child(ren), however distant the relation, over placement in youth refuges or foster care.

Clause Number:	part 1 (b) Part 2, section 1 (b)
Existing Clause Wording	It is to be the responsibility of the Department of Family and Community services to monitor every child in this state monthly until they attain the age of three months old, should a case worker from the Department deem it necessary they may provide ongoing assistance to those families. As well as this a family may be referred to a different organization by a caseworker from the Department of Family and Community Services should this case worker deem it necessary.
Amendment Request	Remove whole section
New Clause shall now read	Nil