

Queensland Family and Child Commission

SUBMISSION TO

The Senate: Standing Committee on Community Affairs, References Committee: *Inquiry into the adequacy of existing residential care arrangements available for young people with severe physical, mental or intellectual disabilities in Australia* (the Inquiry)

SUBMISSION SUMMARY

This submission outlines the Queensland Family and Child Commission's commitment to the ongoing advocacy for appropriate accommodation options for young people with a severe disability.

The submission further details a matter of current critical concern regarding children and young people with a severe disability within Queensland.

SUBMISSION RECOMMENDATIONS

- **The QFCC recommends sustained long-term advocacy to secure appropriate services, support and accommodation options for young people with severe disabilities.**

Submitted 6 February 2015

The Queensland Family and Child Commission (QFCC) is pleased to provide a submission regarding the *Inquiry into the adequacy of existing residential care arrangements available for young people with severe physical, mental or intellectual disabilities in Australia* (the Inquiry).

The QFCC has been an established statutory body since 1 July 2014 following the recommendation of the Queensland Child Protection Inquiry (Carmody Inquiry). A significant function of the QFCC is the promotion and advocacy of the safety and wellbeing of children and young people. In consideration of this function the QFCC welcomes the opportunity to provide a submission outlining our support of the *Inquiry into the adequacy of existing residential care arrangements available to young people with severe physical, mental and intellectual disabilities*.

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The QFCC strongly advocates for children and young people, particularly those who are most vulnerable, to be provided with the services, assistance and early intervention opportunities required to support the family to remain together as long as is safe and appropriate. As a result of the Carmody Inquiry there is a significant program of work currently progressing which aims to improve the access and availability of services provided to children, young people and families. However, the QFCC acknowledges that there are a variety of individual circumstances which do not enable families, particularly those who care for a young person with a severe disability, regardless of the level of support provided, to remain together within the home environment. Parents and families who are the primary care givers for young people with complex and extreme needs should be supported to seek full-time, appropriate care opportunities without judgment or criticism and without the guilt of having to place a young person within an aged care facility.

While organisations such as Young Care are making headway in utilising funding which provides young people who have complex and high needs with age-appropriate and supported living arrangements, there is still a very high demand for long term accommodation options. The most recent *Young Care Impact Report 2013*¹ states there are currently 7500 young people living within aged care facilities and a further 700,000 young people being cared for by loved ones. With the assumption that the numbers of young people with a disability who are forced to reside in aged care facilities continuing to increase, the QFCC affirms a commitment to supporting the outcomes of this inquiry and will continue to advocate as appropriate for services and arrangements for young people and their families within Queensland.

Critical concern

The QFCC continues to observe concern regarding the current process of a parent who is no longer able to care for a child with a disability being required to unwillingly relinquish the child to the child protection system in order to gain access to the full-time services required. This relinquishment under the *Child Protection Act 2006* is occurring as there is currently no mandate under the *Disability Services Act 2006* to provide extended, full time care for children with a severe disability. This issue was also raised in the Carmody Inquiry investigations and addressed in the subsequent report, *Taking Responsibility: A Roadmap for Queensland Child Protection*² following concerns raised in public submissions.

The Department of Communities, Child Safety and Disability Services advised the Carmody Inquiry in their 2012/13 investigations that there are “approximately 14 children each year who are subject to relinquishment and who are cared for by Child Safety until their 18th birthday”.³ Parents of these children should have the opportunity to place their loved ones in appropriate full-time supported accommodation without being required to relinquish their right to continue to be involved in the day to day decision making for their child and to do so outside of the restrictions of the statutory child protection system.

A child with a severe disability who has been relinquished to the care of the child protection system, will on their 18th birthday be transitioned to “independence”. While there is a process which prepares a child to transition to independence and even further, a level of post-care support (currently being overhauled following the Carmody Inquiry) the issue remains that there is very limited long term accommodation options available that are able to provide the young person with 24hour support and care.

Recommendation: The QFCC recommends sustained long-term advocacy to secure appropriate services, support and accommodation options for young people with severe disabilities.

¹ http://www.youngcare.com.au/wp-content/uploads/2015/01/YC_ImpactReport_2013_plain_for-web.pdf

² http://www.childprotectioninquiry.qld.gov.au/__data/assets/pdf_file/0017/202625/QCPCI-FINAL-REPORT-web-version.pdf

³ Queensland Child Protection Commission of Inquiry, *Taking Responsibility: A Roadmap for Queensland Child Protection*, Chapter 4, Diverting Families from the Statutory System (p111)