

Committee on Children and Young People
Public hearing – 29 April 2021

Responses to questions taken on notice
Yfoundations

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1. Police arrest procedures

The NSW Police Force Handbook outlines specific procedures for officers when arresting a parent whose child is present. It states that Police must make 'all reasonable attempts' to place the child with another parent, relative, guardian or 'other approved person.' In the absence of another caregiver, police are to contact the Department of Community and Justice to take custody of the child. Whilst awaiting their arrival police are responsible for the child's safety and wellbeing and must supervise them at all times.¹

According to *Children and Young Persons (Care and Protection) Act 1998 (NSW)* a child is a person who is under the age of 16 years.² However, the Crimes Act 1900³ and the Commission for Children and Young People Act 1998⁴ consider a child anyone who is under the age of 18. The NSW Police Force Handbook uses the term 'children' but does not define it.

Child protection's response to young people between 16- and 18-year-olds, and indeed all children and young people over the ages of 12 years, is inadequate.⁵ As outlined in our recent submission to the NSW *Inquiry into the child protection and social services system*, child protection workers tend to prioritise younger children and assume that adolescents can 'self-protect'.⁶ This is despite the concerning high death rates among adolescent known to child protection, primarily because of suicide, drug use, risk-taking behaviour.⁷

We therefore recommend that NSW Police Force not only revise the language used in their Handbook, but also review its application – particularly to children and young people aged between 12 and 18 years old.

Section 21A of the Crimes Act

Yfoundations does not have any further comment on the submission's recommendation regarding Section 21A of the Crimes Act.

¹ NSW Police Force (2014), NSW Police Force Handbook, retrieved from: <http://www.grahamswebdesign.com/nsw-police-force-handbook.pdf>

² NSW Government, (1988), Children and Young Persons (Care and Protection) Act 1998, NSW Legislation, retrieved from: <https://www.findandconnect.gov.au/ref/nsw/biogs/NE01546b.htm#:~:text=The%20Children%20and%20Young%20Persons,protection%20in%20New%20South%20Wales>

³ NSW Government, (1990), Crimes Act No 40, NSW Legislation retrieved from: <https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1900-040>

⁴ NSW Government, (1998), Commission for Children and Young People Act 1998 No 146, NSW Legislation, retrieved from: <https://www.legislation.nsw.gov.au/view/whole/html/inforce/2002-07-19/act-1998-146#:~:text=An%20Act%20to%20establish%20the,Acts%3B%20and%20of%20other%20purposes.&text=This%20Act%20is%20the%20Commission%20for%20Children%20and%20Young%20People%20Act%201998>

⁵ See: Taylor, D. et. al, (2020). Evaluation of the Homeless Youth Assistance Program: Final Report, Centre for Evidence and Implementation, Sydney, retrieved from: https://www.facs.nsw.gov.au/_data/assets/pdf_file/0008/792476/Evaluation-of-Homeless-Youth-Assistance-Programs.pdf. See also: NSW Ombudsman, (2018), More than shelter – addressing legal and policy gaps in supporting homeless children, 21 June 2018, Sydney, retrieved from: <https://www.ombo.nsw.gov.au/news-and-publications/publications/reports/community-and-disability-services/more-than-shelter-addressing-legal-and-policy-gaps-in-supporting-homeless-children>

⁶ Yfoundations (2020), Inquiry into Child Protection and Social Services 2020, Sydney, retrieved from: <https://yfoundations.org.au/wp-content/uploads/2021/04/WEB-Child-protection-inquiry-Dec-2020.pdf>

⁷ NSW Government (2014), Child Deaths 2014 Annual Report Learning to improve services, Family and Community Services (now Department of Communities and Justice), retrieved from: https://www.facs.nsw.gov.au/_data/assets/file/0020/340454/FACS_child_deaths_annual_report_2014_090816.pdf

2. Youth Foyers

The Foyer Foundation, a charity that promotes and provides oversight to Youth Foyers in Australia, defined them as “integrated learning and accommodation settings for young people, typically aged 16 – 24 years, who are at risk of or experiencing homelessness”.⁸ As indicated in the table below, there are currently ten foyers that are accredited or in the process of accreditation in Australia.⁹ Victoria has the largest number, with four Foyers, and NSW has recently opened its second Foyer in Chippendale. All of these Foyers receive either state government funding, and some also receive Commonwealth and private funding.

State	Name	Location	Funding Model
Vic.	Education Foyer First Youth (EFYF) Kangan	Broadmeadows TAFE	Funded by the Victorian Government in collaboration with Launch Housing and the Brotherhood of St Laurence. ¹⁰
	EFYF Holmesglen	Glen Waverley TAFE	
	EFYF Shepparton	Shepparton TAFE	
	Foyer Warrnambool	Warrnambool	Funded by the Commonwealth and Victorian government. ¹¹
NSW	Southern Youth Foyer	Illawarra	Funded by the Commonwealth and State funding, through the Homelessness Action Plan (HAP). ¹²
	Foyer Central	Chippendale	Funded by the NSW Government through a Social Impact Bond, which is managed by a partnership made up of Uniting, St George Community Housing and Social Ventures Australia (see below for further details).
ACT	Our Place	Braddon	Funded by the ACT Government, in partnership with Barnardos and Anglicare. ¹³
QLD	Logan Youth Foyer	Logan	Funded by the Queensland Department Housing and Public Works and the program is a partner of Horizon Housing Company. ¹⁴
SA	Foyer Port Adelaide	Port Adelaide	Funded by the Government of South in partnership with St John’s Youth Services and the South Australia Housing Authority. ¹⁵

⁸ Foyer Foundation, (2021), About Us, <https://foyer.org.au/about-us/>

⁹ See: Foyer Foundation, (2020), Annual Report 2019–20, retrieved from: https://foyer.org.au/wp-content/uploads/2020/11/FYF_AnnualReport2020Final.pdf which lists nine foyers. Yfoundations has also included a tenth foyer, Foyer Central which recently opened in NSW

¹⁰ Brotherhood St Laurence, Education First Youth Foyers Evaluation, retrieved from: <https://www.bsl.org.au/research/our-research-and-policy-work/projects/education-first-youth-foyers-evaluation/>

¹¹ Collins, P. (2012), New Youth Complex a Foyer to the Future, The Standard, retrieved from: <https://www.standard.net.au/story/1185648/new-youth-complex-a-foyer-to-the-future/>

¹² Southern Youth and Family Services (2021), Southern Youth Foyer Project, retrieved from: <https://www.syfs.org.au/services/southern-youth-foyer-project>

¹³ Anglicare, (2015), Our Place Outcomes and Learnings, retrieved from: <https://www.anglicare.com.au/wp-content/uploads/2016/11/OUR-PLACE-Evaluation-Report-2015.pdf>

¹⁴ Wesley Mission Queensland (2021), Local Youth Foyer Support Service, retrieved from: <https://www.wmq.org.au/services/youth-and-family-support/family-and-youth-housing/logan-youth-foyer-support-service>

¹⁵ St John’s Youth Services, (2020), Annual Report, retrieved from: <https://www.stjohnsyouthservices.org.au/wp-content/uploads/2016/11/SJYS-Annual-Report-2020-Web-spread.pdf>

WA	Foyer Oxford	Leederville	Funded by the Western Australian and Commonwealth government, in partnership with Lottery west. The website also acknowledges the contribution of the Feilman Family Foundation. ¹⁶
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The new NSW Foyer, Foyer Central, is the first in the world to be funded by through a social impact bond (SIB). When signing a SIB contract, the government agrees to pass savings from improved social outcomes on to investors. The Foyer Central SIB Trust, managed by Social Ventures Australia, lent the program \$7 million.¹⁷ Interest Payments and Principal Repayment under the Loan Agreement are based (other than in certain circumstances) upon the performance of the Foyer Central Program. Positive indicators include 'independent housing, sustained income and educational engagement.'¹⁸ The overall funding model is depicted below:



Image from: Social Ventures, (2020), Foyer Central Social Impact Bond Information Memorandum, retrieved from: <https://www.socialventures.com.au/assets/Foyer-Central-Social-Impact-Bond-Information-Memorandum-23-December-2020.pdf>

Most Australian Foyers are in their infancy making them difficult to evaluate. However, evaluations of past foyers in Australia such as the Miller Campus Foyer, in NSW which was the first foyer in Australia and 'Step Ahead' in VIC showed positive outcomes in terms of continued education and sustained independence of participants.¹⁹ A recent evaluation conducted by KPMG on the Education First Youth (EFY) Foyers in Victoria also showed that young people were likely to see an improvement in their outcomes, as a result of their participation in the EFY Foyer.²⁰ It was shown that the additional costs needed to deliver the programs were offset by the positive outcomes in educational, housing stability, health and offending behaviour.²¹

¹⁶ Foyer Oxford, Supporters, retrieved from: <https://www.foyeroxford.org.au/about/supporters>

¹⁷ Uniting, (2020), Foyer Central Our Partners, retrieved from: <https://www.uniting.org/foyercentral/our-partners>

¹⁸ Social Ventures, (2020), Foyer Central Social Impact Bond Information Memorandum, retrieved from: <https://www.socialventures.com.au/assets/Foyer-Central-Social-Impact-Bond-Information-Memorandum-23-December-2020.pdf>

¹⁹ Randolph, B. and Wood, H. (2005) An Interim Evaluation of the Miller Live 'N' Learn Campus, Sydney: Australian Housing and Urban Research Institute (AHURI) UNSW/UWS Research Centre & Cameron, C. (2009) Tackling Youth Homelessness with Integrated Service Delivery: The Case for Integration in Addressing the Needs of Young People who are Homeless, Disadvantaged and at Risk, Melbourne City Mission & Grace, M., Keys, D. and Hart, A. (2012) 'Homeless university students: experiences with foyer-type service', Journal of Social Inclusion, 3, 1, 43–57

²⁰ KPMG Consulting. (2019). Education First Youth Foyers: economic evaluation, Brotherhood of St Laurence, June 2019, retrieved from: http://library.bsl.org.au/jspui/bitstream/1/11370/1/KPMG_Education_First_Youth_Foyers_economic_evaluation_Jun2019.pdf

²¹ Ibid

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