

# 2025 Review of the Advocate for Children and Young People

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## Supplementary Questions (ACYP)

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1. In 2023-24, what actions did your office take to address the needs and amplify the voices of:

**a. Children and young people living in regional and remote NSW?**

In all our work, the Advocate is conscious that approximately one third of children and young people live in regional and remote NSW. At all times ACYP reflects the diversity of the state in which we work.

In each of our consultations, we build into our project plan the need to travel to regional and remote NSW to capture the voices of children and young people in these conversations. In this development phase, we will reach out to our stakeholders in regional and rural NSW to build opportunities to visit these communities.

Where ACYP events are held in Metropolitan Sydney, we provide financial assistance to ensure that young people from regional and rural can travel to these events. In addition, we also look for opportunities to host events in the regions during key initiatives such as Youth Week and Children's Week. For any initiative the Advocate conducts during these times, the Office ensures the opportunity is also open for children and young people living in regional and remote NSW to participate.

With respect to our quantitative research conducted in partnership with SEC Newgate, we ensure that quotas targets are set for location (among other demographics characteristics) to provide a good cross-section of participants. This sample is then weighted against ABS census data. In addition, during the 2025 Youth Week Survey, the Advocate increased the sample size of children and young people engaged in the survey to 2,000 to better understand the different experiences of metropolitan and regional/remote children and young people. These survey findings have been shared with the Committee for their information.

As per the Advocate's legislation, the recruitment of the Youth Advisory Council is also undertaken with due diligence to the representation of children and young people across the State. When conducting the recruitment process, members of the ACYP team will shortlist applicants that reflect an approximate percentage of young people from regional and rural NSW.

**b. Children under 12 years of age?**

As the Advocate for Children and Young People, I acknowledge that I have a statutory responsibility to create spaces where the voices and experiences of children under the age of 12 are elevated in the work of my Office. I recognise that this can be a cohort who are more challenging to engage due to a number of factors, including age, developmental maturity and access. Notwithstanding this, my Office

undertakes a number of endeavours to ensure that these children are giving the same opportunities to participate.

This can take the form of conducting consultations in a different manner than those we would conduct with young people. For example, the Office is currently undertaking a piece of work for the Brighter Beginnings Initiative. These consultations are undertaken in much smaller groups using methodologies of data collection that do not require the participants to write a response. Instead, we use tools such as flash cards, drawings and play.

During Children's Week, the ACYP team will focus on creating events and initiatives that can engage children. In doing this work, we will partner with primary schools across NSW to host events in their schools and local communities. Alongside this, we will host competitions such as art competitions to highlight the incredible creative talent of our younger generation.

Whilst outside the questions reporting period, an example of best practice consultation with children under the age of 12 was the '*Postcards to the Advocate Report*' (*June 2024*).

The Postcards to the Advocate initiative was launched during Children's Week 2022, where postcards with the prompt "What are your hopes for the future" were sent out to schools and organisations that had expressed interest in participating. The initiative received postcards from 677 children and young people from 24 schools across NSW. During the period from October 2022 to April 2023 the initiative engaged with children as young as three years old.

The Report was based on the initiative that explored the many hopes and concerns children and young people have for their futures. The aim of the report is to share the insightful information that ACYP gained from the hundreds of postcards we received and showcase it in a way that maintains the voices of the participating children and young people. The themes explored in the report are solely based on what was shared through writing and drawings on the postcards.

Further information about the report can be found [here](#).

## 2. Can you provide an update on your office's work to develop a tool to monitor responses to report recommendations? You mentioned this during the Committee's 2024 review.

In recent reporting periods, the Advocate has undertaken significant work to better track and report the NSW Government response to report recommendations.

In the development of recommendation in reports the Advocate will engage early with stakeholders who will have responsibility for the implementation of these recommendations. This is undertaken to consider if there are opportunities to align these recommendations with current work that is being undertaken. This will also create a stronger partnership and buy-in from the stakeholder.

Following the release of the relevant consultation report, the Office will set up periodic engagements with the relevant agencies to understand the current status of the recommendations and explore avenues for collaboration to advance the specific ask.

The Advocate also provides the Secretary and other key stakeholders with a copy of the finalised report, which often results in a response from the Secretary into the broader work the relevant department of agency is doing in response to the report. It does not, however, guarantee a response to the specific recommendations in the Report.

To support this work, the Advocate has created an internal tracking mechanism that tracks each of the recommendations made in reports against a status and a specific agency. It is the responsibility of the Office of the Advocate of Children and Young People to ensure that this is a live document and accurately reflects the significant work that is being undertaken across government and the sector. This can be challenging when the Advocate has made a decision to not table a report, which automatically requires a government response.

Externally, the Advocate has also taken advice from the Committee in the manner it structures its Annual Report to better inform the public on how it interacts with our key stakeholders. In the case of the NSW Government's response to recommendations, it has restructured its submission and reports section of the Report to have any responses from the NSW Government directly follow the submission or report, whereas previously this was in a separate section. This has been done to make it easier for the reader to understand what exactly the Advocate said in a particular report or submission and how the NSW Government has responded.

### 3. You discussed several new government policies that impact children and young people (changes to the Bail Act, parental responsibility).

#### a. How do you evaluate new and emerging policies to determine what impact they might have on outcomes for children, and on the operations of your office?

The Advocate employs a principled, evidence-based and participatory approach to evaluating emerging government policies and adjusting its work programs accordingly.

The Office assesses new and emerging policies and programs through a systematic process grounded in the legislative mandate of the *Advocate for Children and Young People Act 2014*, with a strong emphasis on listening to and incorporating the voices and lived experiences of children and young people, particularly those who are vulnerable and disadvantaged. The Office does this through the mechanisms outlined below.

#### **Direct engagement with children and young people as experts in their own lives:**

A key method of policy evaluation involves direct consultation with children and young people who are impacted by policy changes. For example, following amendments to the Bail Act, the Advocate undertook immediate visits to Youth Justice Centres to hear directly from young people about their experiences. This direct engagement revealed increased custodial remand periods and heightened emotional impacts, particularly among Aboriginal and Torres Strait Islander children.

#### **Thematic and contextual analysis:**

The Office analyses the broader systemic implications of policies by situating individual experiences within wider social, legal, and cultural contexts. In responding to issues such as the recently announced *doli incapax* review or reform around the Minimum Age of Criminal Responsibility, the Office emphasises children's lived experiences over purely legal doctrine, highlighting the developmental and social circumstances that influence young people's engagement with the justice system. These experiences are gathered through the diverse range of requests for assistance the Advocate receives through their public facing inboxes. Whilst unable to engage in individual advocacy, this correspondence helps to inform the systemic understanding and knowledge base of the organisation.

#### **Use of special inquiries and reports:**

The Office conducts formal inquiries under Part 5 of the Act to assess systemic issues. For instance, the Special Inquiry into Children and Young People in Alternative Care Arrangements was launched following consultation findings and culminated in substantive policy reform, including the banning of unaccredited alternative care arrangements. Where a special inquiry is not suitable, the Advocate draws on their other statutory functions to undertake consultations and research to develop reports.

#### **Consultation driven polling and strategic plan alignment:**

The Advocate conducts annual Youth Week polling to identify and track emerging issues such as cost of living, mental health, and school stress, which in turn inform the strategic focus of the Office. This approach ensures responsiveness to policy shifts by aligning ongoing work with real time concerns of children and young people.

### **Stakeholder collaboration and systems monitoring:**

Through formal mechanisms like Memoranda of Understanding with the Department of Education, the Advocate maintains awareness of policy developments and provides targeted feedback. The Office also tracks the implementation of its recommendations via internal mechanisms and engages stakeholders to facilitate policy responsiveness as discussed in response to supplementary question 2.

### **b. Does your office adapt existing work programs to address new needs? How do you do this?**

The Advocate actively adapts their existing work programs to address and respond to the emerging needs of children and young people. This adaptive capacity is embedded in both operational practice and strategic planning. These mechanisms are outlined below.

### **Agile resourcing and re-prioritisation:**

The Office demonstrates resource flexibility to address new issues. For example, during the Special Inquiry into Alternative Care Arrangements, internal staff and budgetary resources were reallocated to support the inquiry without additional resourcing demonstrating organisational agility under financial constraint, as discussed in response to Supplementary Question 5 & 7.

### **Strategic Plan as a living framework:**

The *NSW Strategic Plan for Children and Young People 2022–2024* served not as a fixed document but as a dynamic framework guiding the Office's work in alignment with evolving priorities expressed by children and young people. The next strategic plan, while pending the appointment of a new Advocate, is expected to follow a similarly responsive model, informed by current data and consultations.

### **Placed-based and youth driven initiatives:**

The Office supports and amplifies community-based and youth-led responses to emerging needs. This includes reintegration programs post-custody (e.g., Plate It Forward) and initiatives and organisations known to the office and that young people might have said are good. These are examples of how the Advocate elevates local community practice by promoting scalable evidence-based models proven to resonate with youth.

### **Data driven policy engagement:**

The Annual Youth Week Survey and the Strategic Plan Tracking Survey are two mechanisms through which the ACYP adapts its existing work programs to respond to emerging issues and evolving needs of children and young people. These tools demonstrate a dynamic and responsive approach to youth advocacy, policy development, and strategic planning.

The Strategic Plan Tracking Survey, administered in collaboration with SEC Newgate as a component of the *NSW Strategic Plan for Children and Young People 2022–2024*, collects data annually to monitor the relevance and impact of strategic priorities. For example, in 2023, the survey identified a

marked shift in the top concerns of young people, namely cost of living emerged as the number one unprompted concern, increasing from 8% in 2021 to 35% in 2023.

In response, ACYP adapted its work program to investigate this issue further, culminating in the development of the Cost-of-Living Report, titled 'It should be easier to just exist' (December 2023). This report combined survey data, focus groups, and online questionnaires involving over 2,000 young people and directly informed ACYP's recommendations to government, business, and community stakeholders.

The Annual Youth Week Survey, administered in collaboration with SEC Newgate, enables the Advocate to gather timely input from a broad cross-section of young people. This feedback directly informs the Strategic Plan Tracking Report and contributes to submissions and reports. Results from the 2024 Youth Week Survey were integrated into the Tracking Report 03 (February 2025), which highlighted ongoing concerns such as bullying, emotional wellbeing, and educational aspirations. The Survey's findings were also used to inform submissions to major inquiries, such as the Review of the Mental Health Commission of NSW and the Online Safety Act 2021 Review, demonstrating a link between young people's priorities and formal policy engagement.

The Advocate frequently receives requests from across government for advice, engagement support, and training. Although constrained by resourcing, the Office adapts its programming where possible to meet these needs. For instance, it has assisted in developing government communications on vaping, supported the education complaints systems, and conducted Youth Week polling with a regionally proportionate participation.

#### **Youth Advisory Council (YAC) input:**

The YAC plays an integral role in identifying emerging priorities for children and young people. The YAC advises the Advocate and the Minister on policy design and suggests programmatic responses. The Student Voice in Schools project exemplifies how YAC findings have been operationalised to inform Department of Education practice.

#### 4. We heard in the hearing that young people want to be involved in clubs & community organisations, but despite this, participation is falling.

##### a. What are the prohibitors for our youth when it comes to joining and participating with these groups?

Access to and participation in clubs and community organisations has been a recurring theme that has emerged in consultations and polling irrespective of the topic or cohort engaged.

To better understand this, 'participation in recreational activities' was a key focus of the Youth Week 2025 Survey conducted by SEC Newgate for the Advocate with approximately 2,000 young people participating.

In this survey:

- Most young people engage in some organised activity at least occasionally. Sport was the most popular and frequent, followed by music or drama – although there has been a significant drop in participation in the creative arts since 2022.
- Young people are keen to do more activities, with only around a third saying they are not interested in getting involved in any of the activities listed. Volunteering for a charity or other organisation like Surf Life Saving or RFS are the top activities young people are interested in.
- Lack of time and expense are the main reasons for not attending events.
- The best ways to make events more appealing to young people is to ensure easy access, through public transport, ability to walk to the venue or special transport available.

##### b. Are there any issues related to this, specific to regional youth?

A key aspect of the increased sample size of the Youth Week 2025 Survey was to better understand the nuanced differences between the young people living in metropolitan and regional areas in NSW. With respect to engagement with recreational activities for regional respondents, the Survey found:

- There is significantly lower participation in almost all recreational activities among young people in Regional NSW except for car meet ups.
- Those in regional areas are more likely to say that availability of activities is a barrier compared to those in metro areas.
- Around two thirds of young people report having attended an event in the past three months, with those in Regional NSW less likely to have attended an event than those in metro areas. In this specific case affordability is the biggest barrier to attending events.

For further information about these results, including a demographic breakdown, please refer to the Youth Week 2025 Survey which has been provided to the Committee.

## Special inquiry into children and young people in alternative care arrangements

5. During the 2024 review you told us about the staffing and resource challenges associated with completing the special inquiry into children and young people in alternative care arrangements.

a. How do current funding arrangements impact your office's ability to undertake special inquiries?

The Office will always work within the funding envelope provided to them by the Department. However, as noted during the recent review, this placed constraints on the ability of the Office to undertake special inquiries and meet the broader statutory functions of the Office.

When conducting the previous special inquiry, the Advocate made a conscious decision to not request or accept additional funding from government to ensure that both the appearance and practicality of the independence of the Statutory Office was maintained. This meant that the Advocate reallocated funding from other work and relied on pro bono support from external organisations.

This approach is not sustainable for future inquiries. It is imperative that at all times, the Advocate is provided with sufficient funding to meet all its statutory functions and failure to do so may limit the Advocate's ability to fulfill its obligations under the Act.

b. Do you think there is a need for any changes to funding arrangements (such as specific funding on a contingency basis) to make sure that future Advocates are resourced to undertake special inquiries?

The Advocate recognises that due to the nature of a special inquiry, it is not always foreseeable when such an inquiry will be necessary. However, consideration should be given to the ability for the Advocate to access additional funding at their discretion to undertake any future special inquiry without the Advocate having to balance existing resource constraints. Failure to do this may force future Advocates to consider the implications of holding a special inquiry, whilst still being able to address its broader statutory functions.

It is imperative that these considerations are given to the broader funding arrangements for the Advocate. At all times, there must be an equal or increased funding commitment to recent allocations to ensure that the Advocate can both respond to the needs of children and young people and deliver on its statutory responsibilities.

The Advocate recognises that these are concerns that have previously been raised with and by the Committee and appreciate their ongoing advocacy to ensuring sustained and sufficient funding to the Advocate.

7. Do you have any comments on the provisions of the Act associated with special inquiries, such as the requirement for ministerial concurrence? Do you think you are able to commence special inquiries in a responsive manner when a need is identified?

The Advocate has always enjoyed a productive working relationship with their relevant Minister and where a special inquiry has been requested, a considered conversation has taken place between the Advocate and the Minister. Where a special inquiry did not proceed the Advocate was able to pivot with the support of the Office to continue to explore the matter through its other statutory functions. In

the case of the Special Inquiry into Alternative Care Arrangements, the Minister was highly supportive of this work. This recent special inquiry was an example of the Advocate being able to commence a special inquiry to respond to the identified needs of children and young people in a timely manner.

The requirement for the Advocate to seek Ministerial concurrence for a special inquiry was highlighted in the Statutory Review of the *Advocate for Children and Young People Act*. This found that:

‘Several stakeholders considered the Advocate should be able to conduct an inquiry without the request or approval of the Ministers. It was observed that the Advocate is meant to be independent from government, and the need for Ministers to request an inquiry may limit the Advocate’s independence.’

It was concluded in the Review that;

‘Requiring the Minister to request or approve a request for a special inquiry allows the Minister to exercise oversight as to whether it is necessary to engage this function, or whether other powers or functions could be used instead. This also enables the Minister to evaluate whether the Advocate has sufficient resources to conduct such an inquiry or whether additional resources are needed.’

It was however acknowledged that other models used by Children’s Commissioners in Australia do not require Ministerial concurrence.

Despite the potential resourcing implications this may have for the Advocate, we are of the view that considerations should be given to removing this concurrence as it strengthens the independence of the Office. This may also streamline the process for initiating a Special Inquiry where the matter may be time sensitive.

Further discussion of the special inquiry is contained within section 4.68 to 4.83 of the Statutory Review.

## 6. Could you provide some more detail about the Your Voice initiative? Did your office have any involvement in the establishment of this initiative? (Transcript, p 3)

The 'Your Voice Our Future Survey' was launched by the NSW Government in partnership with the Office for Regional Youth and the NSW Advocate for Children and Young People to engage with young people on issues that matter most to them.

The key questions were about whether they feel like the NSW government listens to them, what services the young people would like, and how they would like to be included in decision-making and contacted.

The Survey was open to young people between the ages of 14-24 years and the survey results were used to inform the development of a new permanent voice for young people within the NSW Government.

In March 2024, survey questions were tested with the NSW Youth Advisory Council and Regional Youth Taskforce alumni.

The survey was hosted on the Have Your Say Website from the 16<sup>th</sup> of May 2024 until 31<sup>st</sup> December 2024. The outreach activities undertaken by the Advocate to promote the survey are outlined below.

Engaged ACYP's networks to complete the survey by promoting through:

- ACYP's social media platforms (June 2024)
- ACYP's bi-monthly newsletter (June and August 2024)
- Targeted EDM activity (May and June 2024)
- ACYP's What's On webpage (ongoing).

Engaged young people to complete the survey at the follow events and consultation activities facilitated or attended by the ACYP:

- Beef Week in Casino (May 2024)
- High school students at Coonabarabran, Gilgandra and Coonamble (May 2024)
- Youth Advisory Council recruitment day (June 2024)
- AbSec Family Fun Day (July 2024)
- Northern Beaches Young Filmmakers Comp 2024 - Finals and Awards Night (August 2024).
- Acmena Youth Justice Centre (September 2024)
- Northern Rivers Colour Run (October 2024)
- Social Media Summit (October 2024)
- Stand Tall (October 2024)
- Voices of Change event (November 2024).

Survey data was extracted, analysed and reported to the Minister's Office, the Office for Regional Youth and the Department of Communities and Justice (DCJ) monthly.

An [interim report](#) was published by the Office for Regional Youth in November 2024, with a final report expected in 2025.

A total of 3,811 young people interacted with the survey, 999 provided qualified responses. 758 out of 999 respondents (76%) indicated not feeling listened to by the government.

Overall, the results emphasise widespread dissatisfaction with the availability and affordability of essential services, particularly mental health support, housing, and financial stability, with significant disparities based on demographics such as disability status, cultural background, and regional location.

The most commonly cited concerns for young people were:

- the cost of living (233 mentions, 23.3% of responses);
- access to mental health support (174 mentions, 17.4%);
- and the cost and availability of housing, including rentals (166 mentions, 16.6%);
- education resourcing (145 mentions, 14.5%);
- engagement in decision-making and leadership opportunities (119 mentions, 11.9%);
- access to youth-specific services and supports (118 mentions, 11.8%);
- public transport access and affordability (56 mentions, 5.6%);
- employment pathways (82 mentions, 8.2%); and
- access to recreational, social, and youth facilities (82 mentions, 8.2%).

Across most age groups, young people requested similar preferences for how the NSW Government can include them in decision-making. The key themes were for governments to:

- produce and draw on more surveys and polls, raised through 194 of the total responses (19%);
- talk with young people, listen to them, and take action, which was raised through 149 responses (15%); and
- allow young people to vote on specific topics of interest, which was raised through 80 responses (8%).

Other suggestions included hosting more summits, forums and conferences; improving diversity and representation in positions of power; changing the voting age; engaging through digital and social media; and including young people in consultation and co-design opportunities.