

Submission to the NSW Parliamentary Committee on
Children and Young People

Inquiry Into Children, Young People and the
Built Environment

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Introduction

On 21 December 2005 the NSW Commissioner for Children and Young People, Ms Gillian Calvert, wrote to the Director-General of the Department of Housing encouraging the Department to make a submission to the NSW Parliamentary Committee on Children and Young People's *Inquiry into Children, Young People and the Built Environment*.

The Inquiry's terms of reference are to inquire into:

1. trends, changes and issues for children and young people in the development, implementation and coordination of policy, design and planning for the built environment;
2. the mechanisms available for the monitoring and reporting on planning processes and decisions concerning the built environment, as they relate to and impact upon children and young people;
3. strategies to ensure that built environment issues affecting children and young people are readily identified and receive coordinated attention across portfolios and different levels of government;
4. the role of the Commission for Children and Young People in giving input to the Government and non-Government sectors on inclusive and integrated planning and policy-making for children and young people in the built environment; and
5. any other matter considered relevant to the inquiry by the Committee.

The Department supports the purposes of the Inquiry, and recognises the role of the Commission in giving input to government and non-government sectors on inclusive planning and policy-making for children and young people. The Department acknowledges the function of the commission as including the monitoring of and reporting on issues affecting children and young people as a result of planning in relation to the built environment.

In responding to the Inquiry's terms of reference the Department's submission concentrates on four key themes. These are:

1. the Department's strategic directions and the benefits of these for children and young people living in social housing;
2. current planning and design issues affecting children and young people living in social housing;
3. specific Departmental policies, products and initiatives targeted at responding to issues arising for children and young people and the built environment; and
4. specific issues regarding the urban built environment and homelessness amongst children and young people.

This submission will comment on strategic policy and planning issues involving the built environment in relation to public housing developments and regeneration. For the purpose of this document, strategic policy and planning issues concerning the urban and regional built environment is regarded by NSW Housing as the responsibility of the NSW Department of Planning.

Background

Children and young people may access social housing in two distinct ways:

- as the dependents of the tenant; and, less commonly,
- as social housing tenants in their own right.

Because in most public tenancy agreements the child or young person is not the tenant, the conditions in the tenancy agreement concerning behaviour and maintenance liabilities apply only indirectly to children and young people. Despite this, the conditions of housing impact greatly on the life expectations and experiences of children and young people. Housing stability and the conditions in which children live can have a long term impact on their life opportunities, and as a consequence can have an impact on their capacity to develop socially, especially in areas such as academic achievement and mental health.¹

A review of the Department's current data on households reveals that children and young people represent a significant group currently accessing the social housing system. In 2004/2005 29 per cent of household members in public housing were under 18 years of age and six per cent were aged 18 to 24 years. In the Community Housing system the proportion of households comprising children and young people is even greater. In 2004/2005 39 per cent of household members in community housing were under 18 years of age and seven per cent were between 18 and 24 years of age. Two per cent of public housing subsidised tenancies are households headed by a person who is 18 to 24 years of age.² Of new tenants allocated public housing in 2004/2005, 12 per cent were aged 18 to 24 years.

In relation to children and young people the Department's policy directions are guided by:

- the Department's commitments under the Commonwealth State Housing Agreement, including the Bilateral Agreement between the Commonwealth Government and the NSW State Government;
- the NSW Youth Policy 2002 – 2006; and
- the NSW Government's *Reshaping Public Housing* reforms which include the *NSW Housing and Human Services Accord*.

The Department's services for young people will in the future be guided by the *Young People's Housing Access Strategy*, which is currently under development. Further information on the *Young People's Housing Access Strategy* is provided below, at 1.5.

The Department provides housing and housing assistance through a wide range of programs and products targeted to people on low incomes, people who are homeless or at risk of homelessness, and people on low incomes, including families with children and young people who require housing with a range of support services. On 27 April 2005, the Premier and the then Minister for Housing announced the *Reshaping Public Housing* reforms, which involve a number of significant changes to public housing. Population and social changes over the past 30 years have meant that there is a sustained demand for public housing in NSW. To ensure that public housing can assist those in greatest housing need, changes are being made to the

¹ *Australia's young people: their health and wellbeing*. Australian Institute of Health and Welfare 2003

² NSW Department of Housing Annual Report – 2004/2005, page 10 at <http://www.housing.nsw.gov.au/>

criteria determining access to public housing and how long-term tenants may remain in public housing. These reforms represent a change to the management of public housing in NSW. The changes are designed to ensure a fairer public housing system that is sustainable and promotes responsibility while meeting housing needs, particularly the needs of children and young people. From 1 July 2006 the Department's allocation policies will give priority to people on low income who need support services to help them live independently, as well as people who have problems accessing affordable and suitable housing in the private rental market.

Under the *Reshaping Public Housing* reforms, the *New South Wales Housing and Human Services Accord* establishes a framework for partnerships between NSW Government agencies that provide housing, health education and other social support services for people living in social housing, including children and young people. One of the aims of the Accord is to assist children, their families and young people to sustain tenancies and live independently.

The Department, working collaboratively with its government and non-government partners under the Accord, is committed to providing children and young people with support and housing that is appropriate to meeting their needs and ensuring they live in a positive and integrated environment. This includes a commitment to the provision of housing that is safe and is located close to transport, shopping centres, schools and public amenities.

Term of Reference 1:***Trends, changes and issues for children and young people in the development, implementation and coordination of policy, design and planning for the built environment*****1.1 Higher density residential developments in urban areas**

The trend in social housing development has been to increase the density of existing residential development, while simultaneously reducing the total number of collocated social housing dwellings. This trend reflects developments aimed at maximizing the efficient use of limited, high demand land resources. The Department's current stock of cottages with large yards still exceeds demand for this form of housing, and anecdotal evidence is emerging from Departmental clients that an increasing number of parents with children prefer newer, medium-density dwellings in preference to older cottages with larger yard space.

As increased density of existing residential developments continues, strategies in social housing design will need to include the use of sound insulation materials and the appropriate design of sites to maximize privacy and security in outdoor spaces.

1.2 Housing Affordability

The issue of housing affordability for families and young people, especially in metropolitan Sydney and regional areas where prices are high, is a factor impacting on the capacity of the built environment to meet the needs of children and young people. The Department provides a range of measures to assist people on low to moderate incomes to rent or buy in the private market. In particular, it plays a vital role in promoting the development of affordable housing. Assistance provided by the Department to facilitate access to private rental accommodation includes the following products:

- **RentStart** - provides assistance on a one-off basis to eligible clients who find it difficult to afford the costs of moving into private rental accommodation;
- **Tenancy Guarantees** - are targeted to people who are able to manage and sustain a private rental market tenancy but who are experiencing difficulties securing approval to rent a property;
- **Special Assistance Subsidy Program** – is another form of targeted rental assistance, providing subsidies to eligible clients with a physical disability or people living with HIV/AIDS to assist them to rent in the private market; and
- **Private Rental Brokerage Service** – is a product in which the Department's role is to act as a broker between clients, support services and private real estate agents.

Assistance provided by the Department to facilitate home ownership include the following initiatives and products:

- **Home Purchase Advisory Service** - provides free, impartial information and advice to the general public on home purchase; and

- **Mortgage Assistance Scheme** - provides financial help up to \$12,000 to any eligible homeowner in NSW experiencing temporary difficulties with their home loan repayments.

The Department administers the *Centre for Affordable Housing*. The Centre was established by the Government in response to a reduction in housing affordability in the private sector over recent years. The Centre works with local and state government, not-for-profit organisations and private companies to increase the supply of affordable housing for very low-to-moderate income households. This incorporates households earning up to around \$69,000 in Sydney and \$57,600 in other parts of NSW. The Centre's role includes the provision of advice on potential models for new affordable housing projects, including partnering options, structuring projects, use of planning mechanisms, design, development and management of affordable housing.

1.3 Community Renewal and Regeneration

As stated in the inquiry's *Issues Paper 1: Introduction and Overview* (page 8), considerable work has been undertaken to rectify the problems associated with poor social housing design, including the Radburn model. The Department is responding systematically to the impacts of poorly built environments on children and young people.

Community regeneration aims to build strong and sustainable communities in disadvantaged social housing estates by working in partnership to improve housing and living conditions on estates and by developing strategies to bring about social and economic improvement for estate communities. The Department has invested \$303 million in the regeneration of public housing estates since 1995-96. This investment has resulted in improvements to the physical amenity of properties and estates, and an increase in the provision of services and community building efforts on estates. The Department is focusing on the development of a new Community Regeneration Strategy (2005 to 2010) this year, building on previous experience and best practice from around Australia and overseas. As part of this strategy, which will be finalised in 2005-06, the Department will focus its efforts on a smaller number of priority locations for a longer period of time. The Department will also focus on greater involvement of residents, business, other government and non-government organisations in developing long-term improvements for estate communities. At the same time, improvements will continue across all estates as part of Department-wide capital works, ongoing improvements to housing service delivery, statewide tenant participation programs and support for tenants through partnerships with other agencies. Under the Community Regeneration Strategy for priority estates the Department will develop:

- community regeneration plans for each location;
- neighbourhood management structures to involve local estate communities;
- cross-agency agreements to align services to the needs of estate residents; and
- a monitoring and evaluation framework to identify measurable outcomes.

The Department's *Bonnyrigg Living Communities Project* is an example of a community renewal response to the impact of poorly built environments on children and young people. In December 2004 Cabinet gave approval for the Bonnyrigg Living Communities Project, which will involve a public private partnership (PPP) to

plan and implement improvements to houses, roads, parks and community facilities. The partner will also undertake facilities management and tenancy management in conjunction with a provider from the community housing sector. This will be the largest social housing PPP in Australia.

In particular, the Department is working closely with Fairfield City Council in planning and consultation surrounding the Bonnyrigg Living Communities Project. This has involved a number of specific consultations with children and young people living in the Bonnyrigg community. One activity called '*a week with a camera*' involved children from both local primary schools being given a disposable camera to photograph what they liked and did not like about Bonnyrigg. The results were an incredible source of information from the perspective of the children about their built environment and these have been incorporated into the regeneration plan. Other activities included a basketball game targeted toward younger males and kids' days during school holidays.

1.4 Community Connections

Access to facilities and community connectedness are important issues in the development, implementation and coordination of policy, design and planning for the built environment for children and young people. The Department manages a number of strategies and initiatives aimed at building strong communities and assisting individual tenants and households to overcome social and economic disadvantage. Examples of these initiatives that relate to the built environment for children and young people include the following:

- **Priority Regional Communities Project** - the Department of Housing is the lead agency for the Priority Regional Communities Projects in Mt Druitt and Nowra. This whole-of-Government initiative aims to develop innovative solutions to tackling disadvantage, improve the co-ordination and delivery of human services and respond to systemic issues in these two locations.
- **The Community Greening Program** - the aim of the program is to build opportunities for community participation, boost well-being and a sense of belonging. The program receives significant in-kind support from various sponsors such as Scotts Australia. In 2004-05 the program continued to be highly popular with tenants and the wider community, with over 70 gardening projects and over 4,000 social housing tenants, (including many children and young people), participating in gardening activities across NSW during the year.

The Department supports major Government initiatives aimed at improving service linkages across agencies, supporting families and building stronger communities. This support involves participating in cross-agency strategy development, regional planning structures and local projects. The Department participates in a number of whole-of-Government initiatives, including:

- Families First;
- Aboriginal Child, Youth and Family Strategy;
- Community Solutions and Crime Prevention Strategy;
- Better Futures for Young People;
- Schools as Community Centres and Primary Connect Programs;
- NSW Strategy to Reduce Violence Against Women;
- Better Futures Regional Strategy; and

- a variety community strengthening initiatives.

A specific interagency initiative focusing on the needs of young families under stress, of which the Department is an active partner, is the *Domestic Violence Intervention Court Model* (DVICM). This initiative is led by the NSW Attorney General's Department. The DVICM involves agencies working together to improve responses to domestic violence at each stage of the criminal justice process, from the reporting of the incident through to the sentencing and management of the offender. The model, a NSW Government election commitment, is based on implementation of national and international best practice. The Department of Housing is a partner to the model through a Memorandum of Understanding which commits the Department to working with other agencies to link victims and /or perpetrators to appropriate Department of Housing assistance programs.

The model is being trialed for a period of two years in Wagga Wagga and Campbelltown. The trial commenced in September 2005 with establishment of support services for victims (funded by the Department of Community Services) in both locations, training of police in new procedures and establishment of perpetrator programmes in the trial locations. A component of the trial will be to encourage the greater use of exclusion orders by the Courts to exclude the perpetrator from the family home allowing the victim to remain in the family home and maintain existing networks and link to services.

Through supporting these initiatives, the Department is able to improve the planning, delivery and evaluation of services to residents of social housing communities, particularly those most in need of support services from other agencies.

The Department's commitment to improving community connections for children and young people living in social housing is reflected through a range of client segment strategies currently under development, including the *Young People's Housing Access Strategy*. The Housing Access Strategies are built on the Department's values of efficiency, integrity, innovation, diversity, fairness and quality. These values are supported through the following specific service delivery principles:

- **Access and Equity:** Service planning, allocation and delivery are fair, non-discriminatory and respond to the diverse needs within population groups and across geographic areas.
- **Participation:** Clients have the opportunity to participate in decisions about their housing and are informed about choices and options that might best meet their needs. Avenues are provided for clients and advocacy groups to give feedback on their service needs and the quality of services.
- **Maintaining connections and community:** Clients' connections with their communities, localities, families, services, workplaces, educational institutions and leisure activities are recognised.
- **Collaboration:** Consultation, collaboration and partnerships with local, regional and state level service and housing providers are essential to improve the range of housing options and ensure the best outcomes for clients.

- **Accountability and continuous improvement:** Departmental initiatives are monitored and evaluated to ensure that they are effective and responsive to the needs of diverse communities.

1.5 The Young Peoples Housing Access Strategy 2006 - 2010

The development of the *Young Peoples Housing Access Strategy* will provide a guiding overview of the Department's provision of housing assistance to young people on low incomes with unmet housing need. The target group for this Strategy is young people who are:

- homeless or at risk of homelessness;
- living in social housing; and
- experiencing significant housing stress (particularly with regard to affordability) in their current housing.

The Strategy is being developed concurrently with the NSW Government's review of the NSW Youth Policy 2002 – 2006. The Strategy advocates approaches focused on supporting meaningful community participation outcomes for young people.

The Strategy will also reflect the Department's commitment to a whole-of-government approach in devising policies aimed at assisting young people with support needs. Young people often require services in combination (for example housing and access to educational supports) in order to achieve successful outcomes.

The Department is also employing a range of other strategies aimed at providing a safe environment that offers appropriate social, recreational, educational and employment opportunities to children and young people living in social housing. These strategies are discussed below.

1.6 The Antisocial Behaviour Strategy project

The Department's Antisocial Behaviour Strategy project affects children and young people living in public housing in two ways:

- where a child or young person is engaged in antisocial behaviour, the strategy provides for a problem resolution process that is fair to all parties, and seeks to achieve a positive solution to the problem; and
- children and young people are often the victims of antisocial behaviour in Public Housing, and will benefit from a safer social environment in Public Housing localities.

The Antisocial Behaviour Strategy is supported by the Residential Tenancies Amendment (Public Housing) Act, passed on 29 June 2004, which provided for:

- the use of "acceptable behaviour agreements" to respond to antisocial behaviour in public housing;
- the Department to have the capacity immediately to end a tenancy after a tenant has seriously or persistently threatened or abused Department staff;
- new and revised policies concerning eviction from public housing.

As part of the Antisocial Behaviour strategy, the Department is establishing new or strengthening existing interagency relationships with NSW Police, the Department of Community Services, the Department of Juvenile Justice, the NSW Department of

Education and Training, NSW Health's Mental Health Services, and a variety of other agencies.

1.7 Children and young people and the Office of Community Housing

As community housing tenants, young people may be living in generic community housing services or in crisis and transitional accommodation, which is normally provided by specialist services funded through the Supported Accommodation Assistance Program (SAAP) or Crisis Accommodation Program (CAP) service model.

In either case, community housing services are a particularly useful vehicle for meeting the needs of young people, as they offer lower staff to tenant ratios, and many of the organisations that deliver these services offer social welfare skills and values, promoting a supportive environment that is well suited to children and young people. Community housing systems and processes are able to be flexible, adapting their services to the client's level of development, in order to assist them to promote and maintain their tenancy.

The flexibility of the community housing model in providing crisis accommodation for children and young people can be demonstrated by the range and size of community housing services. There are currently 391 community housing providers across the State, of which the vast majority manage less than 30 units.³

One of the strongest features of the Supported Accommodation Assistance Program/Crisis Accommodation Program service model is that it provides a holistic approach that is able to address both the young person's housing needs while also delivering a full range of support services. Some of the services are life skills such as budgeting, cooking and cleaning and so contribute to the capacity of young person to maintain a mainstream tenancy in the future. Other services relate to the issues that resulted in the young person being homeless in the first place and may include supports addressing issues such as familial breakdown, substance dependencies, juvenile offending, mental health issues, domestic violence and child abuse. A number of services within the model also attempt to extend the range of options and choices the young person has in the future, including services that link them back into education or give them employment training.

Another important feature of the Supported Accommodation Assistance Program/Crisis Accommodation Program service model is that it can ensure that young people entering the system at a moment of crisis are ultimately able to access transitional and exit accommodation where this is appropriate. The integrated character of the model is well suited to the changing levels of support young people require.

The experience children and young people have of housing can impact throughout their lives, enhancing or curtailing their life chances. The scale of these effects warrants organisations giving greater consideration to the impact of policy decisions on children and young people, particularly at the point where these considerations can include the voice of children and young people influencing the decision making process.

³ The majority of these small providers are funded under the Crisis Accommodation Program (CAP) and a significant number of these are targeted to the needs of young people. CAP is the housing element of a wider system of support that includes a range of support services funded under the Supported Accommodation Assistance Program (SAAP), which is managed by the Department of Community Services.

1.8 Homeless children and young people and the urban built environment

The contested nature of young people's access to the urban built environment, including public spaces, has been a central feature of youth research and practice. Researchers have demonstrated that exclusion and policing of young people in public spaces is often directed towards the most disadvantaged young people, including those from Aboriginal or culturally and linguistically diverse backgrounds. Homeless young people who are 'rough sleeping' are highly visible and as such are often subject to interventions by private security guards and police.

On Census night 2001, there were an estimated 26,676 homeless people in NSW. Approximately 43% of the NSW homeless population were aged less than 25 years (No Home No Justice: p.38)⁴. Based on Census data, in the period from 1994 to 2001, the rate of youth homelessness increased by 8.4% across Australia (Chamberlain & Mackenzie: 2002: 32)⁵.

The Department of Housing is the lead agency for the Partnership Against Homelessness (the Partnership), a network of 12 State government agencies that aims to improve services for homeless people in NSW.

The Partnership works closely with local government and the non-government sector through individual projects to provide critical expertise and input in delivering effective services for homeless people. A key priority area of the Partnership has been homeless people sleeping in public places. The Protocol For Homeless Persons in Public Spaces provides a code of conduct for officials of participating agencies in their interaction with homeless people including children and young people in public spaces. It is intended to protect and respect the interests of all parties without diminishing the rights of homeless people in public places or limiting the power of officials. It has been signed by the Department of Community Services, National Parks Authority, Sydney Olympic Authority, Royal Botanic Gardens and Domain Trust, Sydney Harbour Foreshore Authority, NSW Police Service, State Rail Authority, State Transit Authority, NSW Health, and the Department of Housing.

Within the scope of the Partnership Against Homelessness, the Department of Housing auspices the Staying Home Leaving Violence Pilot Project in East Sydney with funding from the NSW Department of Community Services. The pilot aims to prevent women and children's homelessness by enabling women who have experienced domestic violence to remain safely in their own homes. The SHLV worker provides outreach support and advocacy to support women to sustain housing, economic security and support networks. The one-year pilot will conclude in May 2006.

In addition to the Protocol, the Department of Housing has implemented a number of initiatives targeting homeless young people. For example, in 2004 the After Hours Temporary Accommodation Service was expanded throughout NSW, while the eligibility criteria was widened to include young people 16 years and over.

⁴ No Home, No Justice? The Legal Needs of Homeless People in NSW, Law and Justice Foundation, 2005: page 38.

⁵ Chamberlain & Mackenzie, Counting the Homeless 2001, Australian Bureau of Statistics and Research: 2003.

The Department of Housing is also an active partner in the Kings Cross Youth at Risk Project, led by South East and Illawarra Area Health Service. The Committee contains representation from a broad range of government and non-government organisations operating in the area. A number of strategies have been progressed under the project to reduce youth homelessness and develop improved relationships between government agencies, homelessness outreach services and homeless young people. The project has also sought to identify the needs and tailor appropriate responses to the needs of homeless young people.

1.9 The Community and Tenant Participation Program

The Department of Housing is committed to promoting tenant participation in identifying issues in the social housing built environment that affect children and young people, and responding to those identified issues in consultation with children and young people. The Department gives effect to this commitment by ensuring social housing residents have access to a range of formal and informal mechanisms that promote active tenant participation. Tenant Participation encourages social housing residents to have a say in decision making processes which shape the Department's policies, procedures, service delivery and local project initiatives.

The Department invests resources each year to implement the Tenant Participation Program, which includes the following program components:

- The Public Housing Customer Council;
- Regional Tenant resource Services;
- Public Tenant Councils;
- Community Development Resourcing Grants (of 100 applicants received in the 2005/06 funding round, 25 focus on children and youth activities); and the
- Housing Communities Assistance Program.

Term of Reference 2:

The mechanisms available for the monitoring and reporting on planning processes and decisions concerning the built environment, as they relate to and impact upon children and young people

The Department's Housing Market Strategy Team works closely with the Department of Planning, other state agencies and local government in the development of regional planning strategies, local plans and on specific development proposals. This facilitates creation of urban environments that support and enhance outcomes for all client groups, including families with children and young people.

The Department is involved in planning processes and decisions concerning the built environment, in relation to children and young people, in two contexts:

- planning and decision-making concern the redevelopment, maintenance and refurbishment of existing public housing facilities, and the development of new public housing areas; and
- commenting on development applications that may impact on children and young people, for example applications to close residential parks with a view to converting the land from lower cost to higher cost accommodation or for non-residential use.

The Department monitors these planning processes and decisions and reports on its activities in its Annual Report.

Planning processes and decisions in relation to specific Departmental projects that affect children and young people, such as Community Regeneration, the Antisocial Behaviour Project, Office of Community Housing projects, and the Partnership Against Homelessness, are monitored and reported on as part of the evaluation and monitoring frameworks of these specific projects. The Department's Annual Report provides a primary format for communicating the ongoing monitoring and performance of these projects.

Term of Reference 3:

Strategies to ensure that built environment issues affecting children and young people are readily identified, and receive coordinated attention across portfolios and different levels of government

The Department has a range of strategies and initiatives to ensure that built environment issues affecting children and young people are readily identified and coordination across portfolios occur. These include:

The Client Feedback Line

The Department maintains a *Client Feedback Line*, accessible by a free 1800 number for residents, applicants and their household members to make complaints or give suggestions about the Department's services, including the built environment. Clients contacting this line must have a response from the Department, either advising the outcome of the investigation or giving information about the progress of the investigation of the complaint or suggestion, within 15 days of the complaint or suggestion being made.

Consultation on the Young Peoples Housing Access Strategy

Developing the *Young People Housing Access Strategy* will include a comprehensive consultation program among young people. The process will commence with discussions with Government agencies and peak bodies including the Commission for Children and Young People, the Youth Advisory Council, the Youth Accommodation Alliance and the Department's own peak body consultation forum, the Non-government Organisation Reference Group. This will be followed by extensive consultation involving young people living in public housing, youth organisations and church, sporting, ethnic and other organisations that involve significant numbers of young people.

The Portfolio Strategy

The Portfolio Strategy aims to reconfigure the Department's housing portfolio to better match public housing stock to the needs of future clients in terms of dwelling size, location and special requirements. The Portfolio Strategy involves the provision of a planning framework for the preparation of all local area plans, involving coordination across different levels of government and provides for consultation with a range of demographic groups including young people.

Prevention Programs

As noted earlier, the Department is an active partner with other agencies in a range of initiatives aimed at achieving improved social, economic and environmental outcomes for disadvantaged families. Through these initiatives the Department is engaged in a whole-of-government approach to promoting the well-being of communities including children and young people.

Term of Reference 4:

The role of the Commission for Children and Young People in giving input to the Government and non-Government sectors on inclusive and integrated planning and policy-making for children and young people in the built environment

As noted earlier, the Department acknowledges the role of the Commission in giving input to government and non-government sectors on inclusive planning and policy-making for children and young people. The Department recognises the function of the Commission as including the monitoring of and reporting on issues affecting children and young people as a result of planning in relation to the built environment.

The Department looks forward to strengthening its relationship with the Commission in the future, through increased contact, exchanges of information and collaboration on shared priorities. The Department intends closer collaboration with the Commission through the development of the *Young Peoples Housing Access Strategy* in early 2006.

Term of Reference 5:***Any other matter considered relevant to the inquiry by the Committee***

The Issues Paper distributed by the Commission for Children and Young People notes the significant role public spaces can play in supporting the transition of young people into adulthood. In particular, the Issues Paper recognises the role of public spaces in allowing young people to gain experiences of the 'adult world', and recognise that social trends can curtail some of these experiences. 'Stranger danger' and the fear of crime are identified as among the most significant of these trends. The Department agrees with these observations.

Other social trends should also be recognised as having a potentially detrimental impact on children's experiences. One such trend is the growing culture of litigation and official attempts to limit organisational exposure by managing risk. Community organisations have expressed concern about the rise in litigation and the impact this can have on traditional community activities and organisations that struggle in the face of increased insurance premiums. This trend may have a particularly severe impact on young people, as organisations attempt to limit their liabilities and exposure by designing out the risk associated with children's activities⁶. Given the dependency of children on public spaces that are not under their control, they have few opportunities to replace these lost experiences. While it is important not to overstate the case, it is worth recognising that there can be an accumulation of consequences associated with risk free, overly structured play environments⁷.

Children from higher socio-economic groups often live in a more enriching environment and are more likely to be able to purchase 'enriching and developmentally rewarding' play and social activities than children whose parents live in areas with lower housing costs and have less disposable income. There is also evidence that this trend impacts particularly on young people with disabilities, who are more dependent on challenging and 'risky'⁸ play opportunities for personal development and are also more dependent on formal structure to provide these opportunities. It has been argued that it is through risky play opportunities that young people with disabilities are able to explore and expand the limitations that society's prejudices about their capacities imposes on them.

The final consideration that this paper would like to raise is that of contested space. Public and community spaces can serve a variety of different functions often at the same time. Recognition of the right to use public and community spaces is often predicated on an acceptance of the different uses that space can be put to. However, for young people public spaces and its potential uses are much more fluid than for other members of the community. In part, this is because the activities young people engage in are themselves fluid, prone to change and can change into something new in a very short period of time. For these reasons it may be argued that social policy and urban planners face significant challenges in responding flexibly to the demands young people place on public space.

⁶ F Furedi, "Courting Mistrust" Centre for Policy Studies, 1999

⁷ Moorcock "Swings and Roundabouts", Sheffield Hallam University

⁸ Managed risk reflecting their developmental capacities to recognise and manage the risk.