



# Advocate for Children and Young People Annual Report 2015



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Advocate for Children  
and Young People

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The Hon Don Harwin MLC  
President  
Legislative Council  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

The Hon Shelley Hancock, MP  
Speaker  
Legislative Assembly  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

In accordance with section 32 of the *Advocate for Children and Young People Act 2014* (the Act) I am pleased to present the Advocate's Annual Report for 9 January to 30 June 2015.

The report includes: a description of the Advocate's activities during the year in relation to each of the Advocate's functions; an evaluation of the response of relevant authorities to the recommendations of the Advocate; and any recommendations for changes in the laws of the State, or for administrative action, that the Advocate considers should be made as a result of the exercise of the Advocate's functions.

It should be noted that the Advocate's office is not a separate statutory body and so does not prepare its own financial statements. The Advocate's budget for the reporting period was allocated from the budget of the Department of Education and Communities. The final annual report of the former NSW Commission for Children and Young People, covering the financial period 1 July 2013 to 9 January 2015, provides the final accounts for that entity. The Commission's unspent funds were allocated to the office of the Advocate for the period 9 January to 30 June 2015.

As provided by section 32 of the Act, I ask that you now make this report publicly available.

Yours sincerely



Andrew Johnson

**Advocate for Children and Young People**

30 October 2015

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## Foreword from the Advocate for Children and Young People



It is a great pleasure to present the first annual report of the newly created Office of the Advocate for Children and Young People, for the period 9 January to 30 June 2015.

Following the establishment of the office on 9 January we began to ensure the participation of children and young people in all of our processes.

We engaged children and young people in the design of the office's overall image and turned their vision into reality through engaging with a design agency.

We also began work on establishing digital engagement platforms to further engage children and young people in the work of the office. As at the end of the 2014/15 financial year we have the framework and design suite of the new Advocate for Children and Young People's website which will focus on increasing engagement through a unique 'ten ways to participate' online program.

Building on the existing materials developed by the Commission for Children and Young People the office of the Advocate for Children and Young People developed new tools and guides to assist organisations in successfully ensuring the participation of children and young people in decision making processes. This led to the establishment of an Expert Advisory Committee on Participation.

Under the Act one of the core functions of the Advocate for Children and Young People is the development of the first three-year whole of government Strategic Plan for Children and Young People. Work on the Plan commenced with consulting directly with children and young people about what they feel the government should focus on to make their lives and the lives of all children and young people in NSW better. We have also been able to meet with NSW Government Departments and Agencies as well as with many NGOs and civil society organisations who work directly with and on behalf of children.

As at 30 June, 267 different groups have been involved in consultations. With the assistance of many organisations we have been able to reach out to more than 1,925 children and young people in NSW through facilitated consultations in school classrooms, youth centres, at youth events and recreation centres, as well as through online surveys and polling.

We have paid particular attention to ensuring that children and young people doing it tough have, and will continue to have, their voices heard in making NSW a better place for children and young people.

We have also been able to assist in three meetings of the Youth Advisory Council and seek their advice on branding, consultation processes and key priorities for the Plan.

Thank you to the former Minister for Citizenship and Communities, the Hon Victor Dominello, MP, and the Minister for Ageing, Disability Services and Multiculturalism, the Hon John Ajaka, MLC, for their support over this period.

Thank you also to the staff of the office of the Advocate for Children and Young People and the many government and non-government organisations who contribute to our work including the members of the Parliamentary Joint Committee on Children and Young People, the NSW Youth Advisory Council and of course the many children and young people across NSW who participated in our consultations and continue to engage with the office of the Advocate for Children and Young People.

A handwritten signature in blue ink, appearing to read 'Andrew Johnson', with a large, stylized initial 'A'.

Andrew Johnson

Advocate for Children and Young People

# Introduction

## About the Office of the Advocate for Children and Young People Governance and Role

The office is established under the *Advocate for Children and Young People Act 2014* (the Act). The Advocate for Children and Young People (ACYP) is an independent statutory appointment oversighted by the Parliamentary Joint Committee on Children and Young People.

The key role of the office is to advocate for the wellbeing of children and young people aged 0-24 years in NSW, and to promote their participation in the making of decisions that affect their lives.

The Advocate makes recommendations to government and non-government agencies on legislation, reports, policies and services affecting children and young people, and conducts and monitors research on issues affecting children and young people.

The Act requires the Advocate to develop a three-year whole of government Strategic Plan for Children and Young People. The strategic plan is an opportunity to transparently articulate the breadth of activities intended to improve the wellbeing of children and young people in NSW and help identify where greater cross-portfolio or cross-sectoral effort is required.



## Office Establishment

The office opened on 9 January 2015 with the appointment of the new Advocate, Mr Andrew Johnson. We thank the Office of the Children's Guardian (OCG) for the provision of administrative support during the set-up phase, given that the Advocate had no dedicated communications, IT or administrative support, and less than half the full complement of staff.

Establishment activities have included: reviewing the work of the former Commission for Children and Young People (Commission); completing separation of staff and activities between the office of the Advocate and OCG; preparatory work to transfer corporate services to the Department of Education and then to the Department of Family and Community Services; revising staffing structures; commencing sizing and recruitment of positions; establishing a new brand; and building and designing a new website for the office.

## Functions of the Advocate for Children and Young People

The Advocate works to improve the safety, welfare and well being of all children and young people in NSW.

We speak up for children and young people to ensure that their rights are respected and their points of view heard by adult decision makers.

We engage with the children and young people of NSW and listen to their feedback and input.

The role of the NSW Advocate for Children and Young People is to influence and initiate positive change by:

- making recommendations to Parliament, and government and non-government agencies on legislation, policies, practices and services that affect children and young people
- promoting children and young people's participation in activities and decision-making about issues that affect their lives
- conducting research into children's issues and monitoring children's well-being
- holding inquiries into important issues relating to children and young people
- providing information to help children and young people.





## **Our principles**

- The safety, welfare and well being of children and young people are the paramount considerations
- The views of children and young people are to be given serious consideration and taken into account
- A cooperative relationship between children and young people and their families and communities are important for the safety, welfare and well being of children and young people.

## **Our structure and staff**

The Advocate is an independent statutory officer supported by a small team of staff within the Department of Education and Communities during the reporting period.

The Advocate's budget was contained within the budget of the Department of Education and Communities during the reporting period.

As at 30 June there were 9.2 full time equivalent staff employed against a staff establishment of 16 positions.

### **Principal Officers**

As at 30 June 2015 our senior management team was:

Andrew Johnson BA LLB MSW  
Advocate

Gregor Macfie BA (Hons) LLB  
Director

## Year in Review 9 January – 30 June 2015

### **Advocate for and promote the safety, welfare and well-being of children and young people**

Everything the office does contributes to this key overarching function. The key focus of our work in this period was establishing the new office and commencing the development of the first legislated Strategic Plan for Children and Young People in NSW. The consultations with children and young people across NSW State on what the themes and directions of the Strategic Plan should be have been particularly extensive.

Promote the participation of children and young people in the making of decisions that affect their lives and to encourage government and non-government agencies to seek the participation of children and young people appropriate to their age and maturity.

### **Consultation with Children and Young People**

- The Advocate held focus groups with nearly 1,000 children and young people to seek their views on the priorities for the Strategic Plan. Overall the Advocate has received feedback from over 1,700 children and young people during the reporting period.
- The Advocate has sought feedback from homeless young people within drug and alcohol programs and young people in juvenile justice detention centres.

### **Developing materials and guides to assist organisations consult with children and young people**

- Collated all pre-existing Commission materials on participation/consultation with children and young people into one document
- Produced tools and check lists and video materials for consultation with children and young people
- Generating expert advice on participation and new and updated participation tools
- Established an Expert Advisory Committee on Participation
- Drawing on the lessons learned from the Advocate's consultations the office has produced new tools and material for use in the roll out of consultations with children and young people.

## **Produced new logo and brand identity for the office**

- Held consultations with young people to write a brief for the designers of the corporate identity of the office
- Worked with an agency and other young people to co-design the brand of the office

## **Conduct special inquiries under Part 5 into issues affecting children and young people**

No special inquiries were conducted in the reporting period.

## **Make recommendations to government and non-government agencies on legislation, reports, policies, practices, procedures and services affecting children and young people**

- ACYP reviewed and provided comment on Cabinet Minutes on wide-ranging issues affecting children and young people. Specific comment was provided on three Cabinet Minutes.
- ACYP provided a submission to the Federal Standing Committee on Environment and Communications Legislation Committee Inquiry into Enhancing Online Safety for Children Bill 2014 and the Enhancing On-line safety for Children (Consequential Amendment) Bill 2014. ACYP noted the persistence of online bullying among top-line issues raised by children and young people in face to face consultations, acknowledged the complexity of the issues canvassed in devising a comprehensive scheme to enhance online safety for children and the limitations of regulation over individual behaviour. The submission noted the assurances that the proposals would not unreasonably limit children's rights and freedoms and was broadly supportive of the initiative to establish coherent national leadership on the issue of cyber bullying of children.
- ACYP provided a submission into the National Children's Commissioner's examination of children affected by family and domestic violence. The submission noted the obligation flowing from the United Nations Convention on the Rights of the Child to pursue freedom from violence for children and suggested that it may be helpful to children's experience of violence in the home in its own right and not only as it relates to witnessing or being part of domestic and family violence or intimate partner violence experienced by adults in the home. The submission was supportive of elevating violence against children in the home to prominence in the national discussion and agenda.

## **Conduct, promote and monitor research into issues affecting children and young people**

The Advocate has replaced the Commission for Children and Young People as an industry partner for the two Australian Research Council (ARC) Linkage Grants. These research projects will inform longer-term policy development in the areas of young people's material deprivation and student voice and participation in schools.

As of June 2015 both projects were in their initial stages of implementation.

Deprivation and Exclusion among Young People is being led by the Social Policy Research Centre at the University of New South Wales.

The project will, for the first time in Australia, measure the nature and extent of disadvantage faced by different groups of NSW children and young people (aged 11 and 16 years) using methods that consider the views of young people themselves about what disadvantage means and how it can be identified. New indicators will be developed that build on and reflect the attitudes, views and experiences of young people that will then be applied to measure the degree of disadvantage.

The second project, Improving Wellbeing through student participation at school is led by the Centre for Children and Young people at Southern Cross University.

It will investigate how student participation at school is understood and practised by teachers and students and whether and how participation improves student wellbeing.

## **A Picture of Children and Young People in NSW**

Collated and summarized existing data from the Picture of NSW Children and Young People to provide a snapshot of children and young people in NSW to inform development of the Strategic Plan. This included a summary document collating the key data and producing a series of infographics from the data.

## **Promote the provision of information and advice to assist children and young people**

- Establishing a new website and integrated Customer Relations Management System. Website design was based on input from children and young people and is focused on children and young people being able to interact and give their views and input

## **Prepare, in consultation with the Minister, a 3-year Strategic Plan for Children and Young People in the State**

- Consultations with children and young people on themes and directions for the Strategic Plan
- Meetings with Departmental Secretaries and senior executives
- The Advocate met with senior executives in the NSW Public Service to discuss the development of the whole of government Strategic Plan for Children and Young People (Strategic Plan) and their priorities for children and young people.

## **Meetings with NGOs**

- The Advocate met with over sixty non-government organisations to discuss the development of the Strategic Plan and their priorities for children and young people.
- Establishing parameters for the development of the Strategic Plan which included Producing a document outlining approaches and methodologies including regional consultations and a synthesis of existing NSW Government plans relevant to children and young people
- Set dates for the first round of regional consultations in Illawarra Shoalhaven, Mid North Coast, and Central Coast.

## **Provide administrative support to the NSW Youth Advisory Council**

- The Advocate attended and provided support for three YAC meetings and provided training on policy, advocacy and branding



# Meetings held by the office of the Advocate for Children and Young People

## NSW Government

### Governor of NSW

### Minister for Ageing, Disability Services And Multiculturalism

### Minister for Citizenship and Communities

### Premier and Cabinet

- Directors

### Treasury

- Deputy Secretary
- Executive Director

### Planning and Environment

- Secretary
- Deputy Secretary

### Trade & Investment

- Secretary

### Education

- Secretary
- Deputy Secretaries
- Executive Director

### Family and Community Services

- Executive Directors

### Health

- CEO and Board of NSW Kids and Families

### Communities

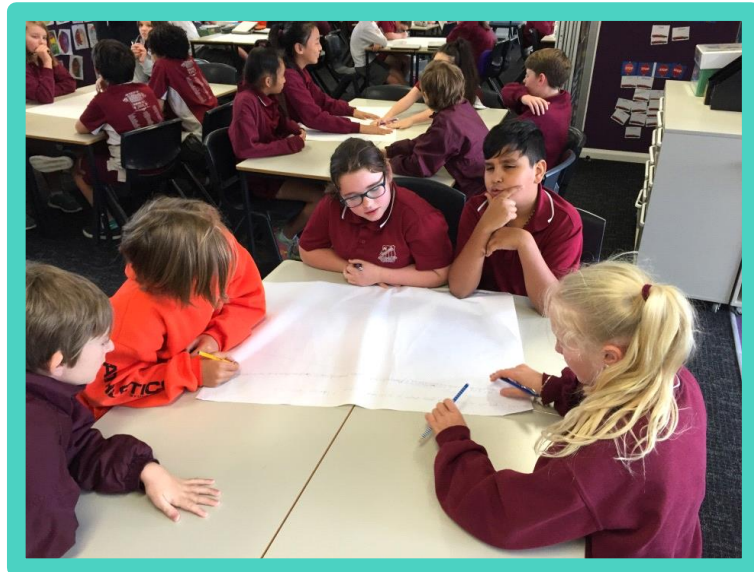
- Executive Director

### Transport

- Acting Secretary

### NSW Police

- Commissioner



**Juvenile Justice**

- Executive Director

**Aboriginal Affairs**

- General Manager
- Director

**Ombudsman**

- Ombudsman
- Deputy Ombudsman
- Deputy Ombudsman - Aboriginal

**Children's Court of NSW**

- President

**Mental Health Commission**

- Commissioner

**Multicultural NSW**

- Chief Executive Officer
- Director

**State Debt Recovery Office**

- Manager
- Assistant Manager

**NSW Office of Sport**

- Chief Executive
- Executive Director

**NSW Board of Studies****Information and Privacy Commission**

- Commissioner

**Office of the Deputy Premier**

- Senior Policy Advisor

**Customer Services Commissioner**

- Commissioner



## Non-Government Organisations (selected)

- Girl Guides
- Surf Life Saving Australia
- Optus Rock Corps
- Mission Australia
- Multicultural Youth Affairs Network
- Foundation for Young Australians
- Australian Indigenous Mentoring Experience
- Association of Child Welfare Agencies
- Aboriginal Child, Family and Community Care State Secretariat
- NSW Family Services
- Youth Action
- Association of Independent Schools
- Catholic Education Commission NSW
- Australian Research Alliance for Children and Young People
- UnitingCare Burnside
- Council of Social Service of NSW
- ReachOut
- Red Cross
- Barnardos
- Unicef
- National Association for the Prevention of Child Abuse and Neglect
- Youthsafe
- NSW Aboriginal Education Consultative Group
- Work Ventures
- CREATE Foundation
- Sydney University Indigenous Strategy and Services
- Volunteering NSW
- Scouts NSW
- BraveHearts
- Benevolent Society
- Karitane Connecting Carers
- P&C





- Sydney University – Indigenous Strategy and services
- PCYC
- University of Western Sydney - Office of widening participation
- Association Independent Schools NSW
- YMCA
- YWCA
- Relationships Australia
- Kids Cancer Project
- People with Disability Australia

### **Children and Young People**

- NSW Youth Advisory Committee: meetings and focus groups
- Former Commission’s Young People Advisory Group - 3 focus groups
- Key College – focus groups, in depth Interviews
- Gosford High – 2 focus groups
- Alexandria High – 3 focus groups
- Orana Juvenile Justice Centre Visits – 4 focus groups
- Coonamble Primary School – 1 focus group
- Coonamble High School – 4 focus groups
- Kirrawee High School – 6 focus groups
- Youth Awards
- Youth Week activities – including Forum on Inclusion at Parliament House
- UNSW student - Built Environment Program students
- Multi-Cultural Youth Network Mount Druitt
- Merrylands High School
- Scone High School
- Willoughby Girls High School
- Prairiewood High School
- PCYC Nations of Origin

## Committees

### Parliamentary Joint Committee on Children and Young People

Chair:	Ms Melanie Gibbons (Lib, LA Member).
Deputy Chair:	Mr Damien Tudehope (Lib, LA Member).
Members:	Ms Jodie Harrison (ALP, LA Member) Mr Michael Johnson (Nat, LA Member) The Hon. Greg Donnelly (ALP, LC Member) The Hon. Paul Green (CDP, LC Member) The Hon. Bronnie Taylor (Nat, LC Member)

### Advocate for Children and Young People Participation Advisory Committee

Ms Gillian Calvert, AO

Ms Peta Gillies

Prof Anne Graham

Ms Samia Michael

Dr Tim Moore

Mr Jono Nicholas

Ms Lynne Searle

Ms Robyn Munro-Miller

### Responses of authorities to recommendations made by the Advocate

No recommendations were made in the reporting period.

### Advocate's recommendations for changes in the laws of the State, or for administrative action

No recommendations were made in the reporting period.

