

## MEDIA RELEASE

20 November 2018

creating a better life  
for children and young  
people in care

# ISSUE OF ADOPTION IN NSW PEAK CONSUMER BODY REPRESENTING FOSTER KIDS PUTS FORWARD ONGOING CONCERNS

The recent changes to the NSW adoption laws have been garnering considerable media attention.

CREATE Foundation is the national consumer body representing the voices of children and young people with an out-of-home care experience (including kinship care, foster care and residential care). CREATE develops policy and research to report on and advocate for a better care system.

Whilst CREATE Foundation commends NSW government efforts to seek alternatives to children spending their lives in multiple foster homes with limited stability, and to provide permanency for those in long term stable foster care placements, it is **concerned that adoption is not the panacea for all children and young people.**

CREATE Foundation's CEO Jacqui Reed said today that "we continue to express our concern that the new amendments to the Children and Young Persons (Care and Protection Act) and the Adoption Act would mean children in the care system must be found a permanent home within two years of entering the child protection system."

"We understand that the Government is seeking to establish stability for children in the care system. However, we are concerned there is not enough clarity around how this will affect children. The question must be asked - is two years really sufficient to make detailed assessments on individual cases and for families to make improvements to their personal situation, before their child is placed for adoption? The priority must be on supporting families to appropriately care for their children."

"CREATE believes that each case should be assessed based on merit and not on a timeframe, with the wishes and voices of the children at the centre of the process."

"Likewise, we are seeking additional clarity on how the system will provide for Aboriginal and Torres Strait Islander children who are being swept up in this issue, and how it will provide for the likely repercussions."

"Finally," said Ms Reed "we are seeking particular rigour around the impact of adoption on siblings, and to ensure the rights of siblings to maintain a connection with one another, throughout the adoption process, is maintained. CREATE Foundation's Sibling Placement and Contact in Out-of-Home Care report (2015),

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identifies that many children and young people in care are separated from their siblings, and highlights the unique role that the sibling relationship plays in a child or young person's life. Ms Reed believes that "special consideration should be given to the impact of the adoption process on siblings and wider family relationships to ensure they are maintained." There is little doubt that instability for children and young people in the out-of-home care sector disadvantages them greatly and can negatively impact their future life prospects. Research shows that children who experience instability through moving around between multiple foster homes are more likely to experience emotional and psychosocial difficulties, more likely to struggle at school and more likely to become socially disadvantaged as they approach adulthood.

"At this critical moment in statutory history it is imperative that the NSW Government observe and respect the voices of children and young people who have experienced care when it comes to decisions regarding adoption. Children and young people are the experts in their own life experience and the views and opinions of the young person in question must be paramount in any decision regarding permanent adoption as this will fundamentally impact their lives for years to come."

Stability in care is the proven factor in developing a sense of security, belonging and a network of social support by children and young people, and is the ultimate goal for improving a young person's life in out-of-home care. With this in mind, CREATE believes that **adoption is just one aspect of the care options available to children and young people. Whilst it is rightly focused on prioritising permanency for at-risk children who are in need of stable care, there remain several other sound and proven options for these children's long term wellbeing.**

CREATE calls on the NSW Government to listen intently to the voices of children and young people about their wishes regarding adoption and moreover, that in the quest to reduce costs that the voices of children and young people are not overlooked.

For more information on CREATE, please visit our website at [www.create.org.au](http://www.create.org.au)

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(continued overleaf)

### **Key statistics on the care sector in Australia:**

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- 47,915 children were in out-of-home care across Australia at 30 June 2017
- Young people in out-of-home care are 16 times more likely to be under a youth justice order than the general population
- 35% of young people experience homelessness within the first year of leaving care
- 46% of males have been involved with the justice system since leaving care
- 29% of young people who have left care or preparing to leave care are unemployed
- 36% children and young people in care do not live with any of their siblings
- 35% of young people in care have five or more caseworkers during their time in care
- 67% of young people in care over the age of 15 are not aware of having a leaving care plan

McDowall, J. J. (2015). Sibling placement and contact in out-of-home care. Sydney: CREATE Foundation

**For further comment from CREATE's CEO Jacqui Reed and/or a young person with care experience please call Andrea Doney 0402050418 and [andrea@admarcoms.com.au](mailto:andrea@admarcoms.com.au)**

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