

Children who have experienced child protection, youth justice and homelessness

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Key messages

- Around 72,700 children aged under 18 (or 1.3% of children aged under 18 in Australia) were on care and protection orders during 2020–21, including around 56,900 children aged under 18 in out-of-home care.
- During 2020–21, nearly 9,300 young people aged 10 and over were under youth justice supervision, and more than half (53% or nearly 5,000) had interacted with the child protection system at some point in the previous 5 years, including just over 1 in 5 (21% or about 1,900) young people aged 10 and over who had been in out-of-home care.
- Over 78,500 children aged under 18 received support from specialist homelessness services (SHS) in 2020–21.
- Children aged under 18 who presented for SHS support and were on care and protection orders were more likely than other SHS clients of the same age to have experienced homelessness and to have received more intensive and varied support when accessing SHS support.
- Children aged under 18 on care and protection orders and young people aged 10–17 leaving custody were both more likely to receive SHS services in the future.
- Children aged under 18 who have been in out-of-home care were 3 times as likely to receive income support at ages 16–30 compared with the Australian population of the same age.

Introduction

Children interact with several systems and services as they transition to adulthood, including education and health services. Some children may have increased risk factors, including safety concerns, housing concerns or engagement in criminal activities. Children with multiple disadvantages face numerous and intersecting vulnerabilities – leading to potential involvement with the child protection system, the criminal justice system and/or housing services.

This chapter explores the experiences of children who have been in the child protection system and their interactions with youth justice supervision or homelessness services. Child protection and homelessness services data are presented for children aged under 18, and youth justice data for young people aged 10 and over, unless otherwise specified.

Child protection departments may work to strengthen families, with referrals to intensive family support services at any time for advice, education and support when a child is safe to stay at home. A child aged under 18 may also have contact with the formal child protection system if:

- it is not safe for them to remain at home
- they are at risk of being abused or neglected, or
- their parents are unable to provide adequate care.

In 2020–21, about 56,900 children aged under 18 were in out-of-home care.

The youth justice system is the set of processes and practices for managing young people aged 10–17 who have committed, or allegedly committed, an offence. Some young people aged 18 and over remain in the system due to their potential vulnerability or because they are still serving a sentenced order for offences committed before the age of 18. During 2020–21, nearly 9,300 young people aged 10 and over were under youth justice supervision.

An important feature of the youth justice system in Australia is diversion. Police may divert young people from further involvement with the youth justice system through a range of non-court actions, such as cautions, conferencing, counselling, and infringement notices. Courts may also decide to:

- dismiss a charge
- divert the young person from further involvement in the system (for example, by referral to other services), or
- transfer the young person to specialist courts or programs.

Another important feature of the youth justice system is the supervision of young people aged 10 and over on legal orders. They may be supervised in the community or in detention facilities, although most young people under youth justice supervision are supervised in the community. This is partly because a key principle in Australian youth justice is that young people should be placed in detention only as a last resort.

Specialist homelessness agencies provide a wide range of services to assist people who are experiencing homelessness or who are at risk of homelessness, ranging from general support and assistance to immediate crisis accommodation. Between 2014 and 2017, specialist homelessness services (SHS) supported more than 168,000 children aged under 18, of whom 16,000 were on a care and protection order at the time of their support or were transitioning from child safety placements.

Children engaged with the child protection system, youth justice supervision or homelessness services are at an increased risk of being involved with one or both of the others. Data on children who have been in contact with the child protection system, the youth justice system and homelessness services can assist support staff,

case workers and policy advisers to get the best outcomes for these children. It can also benefit families and communities by helping to inform them how they can support their children.

Child protection system

This section looks at children aged under 18 who came into contact with the child protection system. This may include children who were:

- subjects of investigations for alleged child maltreatment notifications
- on a care and protection order, which gives child protection departments partial or full legal responsibility for their welfare
- placed in out-of-home care as they were unable to live at home due to child safety concerns.

In Australia, state and territory governments are responsible for statutory child protection. Relevant departments support vulnerable children:

- who have been, or are at risk of being, abused, neglected or otherwise harmed
- whose parents are unable to provide adequate care or protection.

Child protection departments provide and/or fund a range of services to support children in the child protection system to ensure they have stable, long-term care arrangements. These include:

- intensive family support services
- care and protection orders
- out-of-home care.

In 2020–21, 1 in every 32 Australian children aged under 18 (178,800) came into contact with the child protection system, which may include investigations of notified abuse/neglect, care and protection orders or placement in out-of-home care.

A summary of the main components of the child protection system, and the number of children in contact with these components, is presented in Table 6.1.

Table 6.1: Components of the child protection system for vulnerable children aged under 18, 2020–21

Component	When does a child interact with this component?	What's involved?	How many children?
Investigation	Children become the subject of an investigation when a child protection department receives a notification of child maltreatment that meets a threshold for further action.	Child protection workers investigate an allegation of child maltreatment. This includes a range of information gathering activities such as interviews, record checks and home visits.	121,000
Care and protection order	Orders are granted for children who have been found to be the victims of child abuse/neglect or are in need of protection. In most cases this occurs following a substantiation; however, orders can be made to remove children from unsafe environments immediately.	An order conferring legal responsibility for a child is made through the courts. This has the effect of transferring parental responsibility for the child to the child protection department, or an authorised Aboriginal community-controlled organisation, or a nominated carer, or initiating supervision of parents.	72,700
Out-of-home care	Out-of-home care placements are provided to children who are unable to live at home. This may be for child protection reasons or to provide respite for parents.	A child is placed in alternative accommodation as they are unable to live at home. The type of placement is dependent upon each child's circumstances.	56,900
Intensive family support services	Families can be referred to intensive family support services at any time. Child protection departments may utilise these services in less severe cases and to help facilitate reunification of families.	Families are referred to these services for advice, education and support. The aim is to prevent separation of children from parents and to achieve reunification where possible.	36,400

Source: AIHW 2022a.

Children aged under 18 who are at a serious risk of harm or have no other care options are placed on care and protection orders.

The 3 main categories of legal responsibility conferred by care and protection orders are:

- parents retain legal responsibility
- departments are given legal responsibility
- nominated carers are given legal responsibility.

Care and protection orders

Care and protection orders are legal orders or arrangements that give child protection departments partial or full responsibility for a child's welfare. Children aged under 18 are placed on care and protection orders if they are at a serious risk of harm or there are no other care options. Children might be admitted (or re-admitted) to a care and protection order for various reasons, including substantiated abuse, irretrievable breakdown in the relationship between the child and their parents, or where parents are unwilling and/or unable to adequately care for the child.

The type of order issued for each child depends on many factors, such as the child's age, alternative care options available, the severity of harm to the child, the time period associated with various protection orders and/or the likelihood of the child's remaining in care or being reunited with their family.

Around 72,700 children aged under 18 were on care and protection orders in 2020–2021.

Children in out-of-home care

Out-of-home care is overnight care for children aged under 18 who are unable to live with their families due to child safety concerns.

Children aged under 18 are placed in out-of-home care when:

- they are the subject of substantiated child abuse and/or neglect, and need care and protection
- parents are incapable of providing adequate care
- alternative accommodation is needed during times of conflict
- parents or carers need respite.

Consistent with the principle of keeping children with their families, out-of-home care placements are considered as a last resort. Children who are, or have been, in out-of-home care – such as foster, relative/kinship or residential care – face high levels of vulnerability and have a high risk of experiencing poor outcomes in key areas important to wellbeing. They are more likely to experience both immediate

(for example, education and health) and longer term adverse outcomes (for example, employment, substance abuse, criminal involvement, and housing) than children living at home (AIFS 2016, 2019; Gypen et al. 2017). These experiences may reflect the:

- life disruptions that led to their placement in care
- wider exposure to disadvantage and trauma during their childhood
- quality, security and stability of their placements
- lack of family and support networks to assist their transition from out-of-home care to independence (FaHCSIA 2011; Mendes and McCurdy 2019).

In Australia, around 46,200 children aged under 18 were in out-of-home care as at 30 June 2021. The vast majority of these children (91%) were in homebased care. Of the children in out-of-home care:

- 54% were in relative/kinship care
- 36% were in foster care
- 1.3% were in other types of home-based care.

Table 6.2 provides further information on the types of placement considered to be inscope for out-of-home care.

Table 6.2: Types of out-of-home care placement for children aged under 18

Type of out-of-home care	Where is the child living?	Who is caring for the child?
Home-based care	The home of a carer who is reimbursed for care expenses. This includes relative/kinship care, foster care and other home-based out-of-home care.	A nominated and approved carer, such as a relative, family friend or non-familial foster carer.
Residential care	In a residential building with paid staff.	Staff employed to provide care to children placed in the residence.
Family group homes	A home provided by a department or agency.	Live-in carers who are reimbursed and/or subsidised for providing care to the child.
Independent living	A private board or lead tenant household.	The child is responsible for their own care, with the department retaining oversight of their welfare.
Other	The child may have another living arrangement, such as in a disability service, boarding school, hospital or hotel/motel.	These placements may have rostered or paid staff but are generally not home-like environments.

Source: AIHW 2022a.

Children who experience out-of-home care can have poorer outcomes than children who do not (Gypen et al. 2017) as they are affected by the complex circumstances (such as exposure to disadvantage, vulnerability and trauma) that contributed to their being placed in out-of-home care. These situations are likely to influence their need for further services and support as they transition into adulthood, including financial government assistance through income support, housing services and health systems. The long-term consequences of a poor start in life can flow through to adulthood and include increased reliance on government payments and health systems, as well as other programs (Gypen et al. 2017; Walsh et al. 2018).

Research shows that children who are, or have been, in out-of-home care were 3 times as likely (between 2006–07 and 2020–21) to receive income support payments at ages 16–30 compared with the Australian population of the same age (56% compared with 18%) (AIHW 2022b). While receipt of income support generally tends to be for short periods associated with key life stages – such as pursuing further education or training, or starting a family – it appears more likely to be ongoing support for the out-of-home care population. For example, children who have been in out-of-home care were 4 times as likely to be on income support at age 30 as the Australian population of the same age (54% compared with 14%) and 5 times as likely to be on income support for 6 or more years as the Australian population aged 16–30 (49% compared with 11%) (AIHW 2022b).

As well, children with experiences of out-of-home care are 13 times as likely as children without these experiences to receive a Crisis Payment, due to challenging or unstable personal circumstances (including prison release or domestic violence). Receipt of a Crisis Payments nearly triples between ages 16–18 (from 1.5% to 4.1%) and then gradually increases to 5.0% at age 28 (compared with 0.1% to 0.5% between ages 16–22 and 0.1% between ages 28–30 for the Australian population) (AIHW 2022b).

Demographics of children in out-of-home care

Aboriginal and/or Torres Strait Islander children

As at 30 June 2021, about 19,500 Aboriginal and/or Torres Strait Islander (First Nations) children aged under 18 were in out-of-home care – a rate of 58 per 1,000 First Nations children aged under 18.

Rates for First Nations children in out-of-home care varied by age groups. First Nations children aged 5–9 and 10–14 had the highest rates of out-of-home care (65 per 1,000 First Nations children), while First Nations children aged under one had the lowest rate (30 per 1,000).

In 2020–21, 63% of First Nations children aged under 18 in out-of-home care were placed with First Nations or non-Indigenous relatives/kin or other First Nations caregivers (AIHW 2022a). The relatively high proportion of First Nations children placed

either with First Nations caregivers or with relatives is likely due to the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP). For more information, see *The Aboriginal and Torres Strait Islander Child Placement Principle indicators* at <https://www.aihw.gov.au/reports/child-protection/atsicpp-indicators/contents/about>.

Children with disability

Children with disability are a particularly vulnerable group, especially children in the out-of-home care system (Royal Commission into Institutional Responses to Child Sexual Abuse 2016).

Disability is a multi-dimensional and complex concept and jurisdictions may define it differently. There are also differences in how information about disability is captured in jurisdictional processes and client information systems. Bearing this in mind, as at 30 June 2021, data on disability status was available for 63% of children aged under 18 in out-of-home care. Of these children, about 30% were reported as having disability (AIHW 2022a).

Age

As at 30 June 2021, almost one-third (32%) of children in out-of-home care were aged 10–14; a similar proportion were aged 5–9 (30%).

Children in residential care were older than children in home-based care – 87% of children in residential care or family group homes were aged 10 or over, while only 45% of children of the same age were in home-based care.

Less than 2% of children in residential care or family group homes were aged under 5, compared with 24% of children in home-based care (AIHW 2022a).

For more information on the demographics of children in out-of-home care, see *Child protection Australia 2020–21* at <https://www.aihw.gov.au/reports/child-protection/child-protection-australia-2020-21/contents/about>.

New substantiations for children in care

Sometimes a child in care can be the subject of further abuse – for example, by their carer or another person in the household or care facility, or where the carer is assessed as having failed to protect the child.

In the context of state and territory child protection systems, abuse in care refers to the abuse of children aged under 18 (including children at risk of abuse) who are:

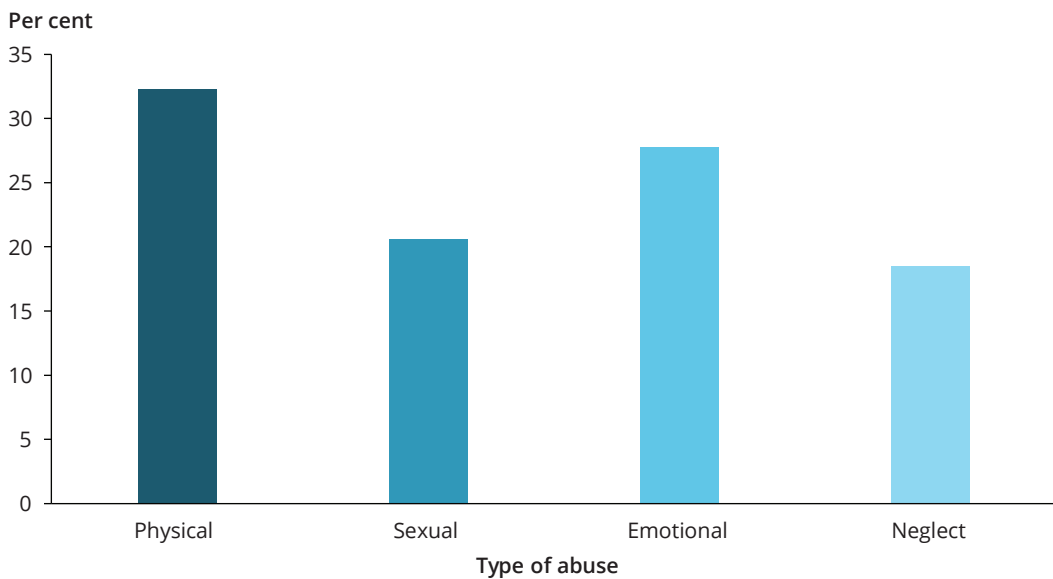
- in out-of-home care
- on third-party parental responsibility orders, or
- on other orders that transfer full or partial parental responsibility for the child to an authority of the state or territory.

Abuse in care can involve physical abuse, sexual abuse, emotional abuse and neglect. In 2020–21, around 1,400 children were the subject of a substantiation of abuse in care. Among these children:

- 41% were aged 10–14 at the time of substantiation, followed by children aged 5–9 (27%) and 15 and over (22%)
- more were girls (54%) than boys (46%)
- 46% were First Nations children
- physical abuse was the most common primary type of abuse in care (32%), followed by emotional abuse (28%), sexual abuse (21%) and neglect (19%) (Figure 6.1).

Figure 6.1: Nearly one-third of children aged under 18 abused in care were physically abused

Children aged under 18 who were the subject of a substantiation of abuse in care, by primary type of abuse, 2020–21



Source: AIHW 2022c.

For more information on new substantiations for children in care, see *Safety of children in care 2020–21* at <https://www.aihw.gov.au/reports/child-protection/safety-of-children-in-care-2020-21/contents/about>.

Children in care have already experienced negative life events and may have been removed from their families of origin because of severe abuse. If these children are then abused while in care, the compounding experience of more abuse may result in further complex trauma and cumulative harm (Uliando and Mellor 2012). Children in care who have experienced abuse are at an increased risk of involvement with

the juvenile justice system (Yampolskaya et al. 2011). Abuse in care can also lead to placement instability as children may be removed from a placement after disclosing abuse. Once moved, the survivor may experience further placement changes as carers are unable to manage the ways in which children express complex trauma (Royal Commission into Institutional Responses to Child Sexual Abuse 2017).

In some instances, changes in placement are necessary to achieve better outcomes for children. These may be to move a child experiencing further abuse in their out-of-home care placement, to place children with their siblings or relatives, or to provide a better fit between a carer and the child (AIFS 2021b).

Given that the demand for out-of-home care placements continues to increase (Uliando and Mellor 2012) and the number of children in care steadily increases (AIHW 2022a), it may be challenging to source a new foster or kinship placement if a child is removed because of abuse. This may result in living instability for the child, or their placement in a residential care facility. Placement instability may also lead to further adverse outcomes, such as homelessness and rough sleeping, as a result of there being no viable placement options.

Research shows that a sense of security, stability and permanency are strong predictors of improved outcomes for children after they leave care. Children in planned, stable out-of-home care placements tend to have better learning and psychosocial outcomes than children experiencing instability in out-of-home care (AIFS 2016).

Stability and permanency outcomes for children in out-of-home care

For children in out-of-home care, permanency is about securing a safe, stable and loving home with families that can offer lifetime relationships and a sense of belonging (Tilbury and Osmond 2006). Permanency is a multi-faceted concept, with at least 3 dimensions:

1. relational permanence: the opportunity to experience positive, caring and stable relationships with significant others
2. physical permanence: stable living arrangements
3. legal permanence: the legal arrangements of a child's custody and guardianship (AIFS 2021a; Osmond and Tilbury 2012).

Children exit out-of-home care to a range of permanency outcomes, including reunification, adoption and third-party parental care arrangements. The stability of these permanency outcomes can be measured, using the number of children who return to out-of-home care after their exit. Of the nearly 6,500 children aged 0–16 who exited out-of-home care to a permanency outcome in 2019–20, 87% did not return to care within 12 months.

For some children, the relevant child protection department may deem it in their best interest to remain in out-of-home care for longer periods (2 or more years). Of the 31,400 children aged under 18 who had been in out-of-home care for 2 or more years as at 30 June 2021, 82% were on long-term guardianship orders. Of the children who had been in out-of-home care for 2 or more years, most (87% or 27,300) had fewer than 3 placements in the previous 2 years. This suggests that most children who enter out-of-home care experience physical and legal permanency with their living arrangements and guardianship (AIHW 2023). For further information on permanency outcomes, see *Permanency outcomes for children in out-of-home care: indicators* at <https://www.aihw.gov.au/reports/child-protection/permanency-outcomes-children-indicators/contents/about>.

Experiences of youth justice and child protection

This section presents information on young people aged 10 and over under youth justice supervision during 2020–21 who had also been involved in the child protection system in the 5 years from 1 July 2016 to 30 June 2021. Information on these young people includes their age when first under youth justice supervision, their out-of-home care living arrangements, their placements and their time in care.

Youth justice data presented in this section are for young people aged 10 and over, unless otherwise specified. For this age group, some comparisons are made between young people under youth justice supervision who were placed in out-of-home care and young people who were not (that is, they had no contact with the child protection system).

For more information on the data used in this section and its comparability, see *Young people under youth justice supervision and their interaction with the child protection system 2020–21* at www.aihw.gov.au/reports/youth-justice/young-people-under-youth-justice-supervision/summary.

What is youth justice supervision?

Youth justice supervision is a component of the youth justice system. In Australia, the states and territories are responsible for dealing with young people who have committed, or are alleged to have committed, criminal offences. Young people enter the youth justice system when the police investigate them for allegedly committing an offence and (depending on the outcome of the investigation) charges may be laid. If the young person is found guilty, a court will then sentence them.

The youth justice system applies to young people aged 10–17 at the time of the offence in all states and territories. Some young people aged 18 and over remain in the system due to their potential vulnerability or because they are still serving a sentenced order for offences committed before the age of 18. In Victoria, some young people aged 18–20

may be sentenced to detention in a youth justice facility. Children aged under 10 cannot be charged with a criminal offence in any state or territory.

There were nearly 4,700 young people under youth justice supervision in Australia on an average day in 2020–21.

A youth justice department may supervise young people aged 10 and over at any stage of their pathway through the youth justice system. There are 2 main types of supervision:

- **Community-based supervision:** This made up 84% (or about 3,900) of the youth justice population on an average day in 2020–21. It involves young people being supervised by a youth justice department while living in the community. Young people may be unsentenced (before a young person's case is heard by the court or while the case is in progress), or a court may have sentenced them to a period of community-based supervision. Community-based supervision is also provided for young people released from sentenced detention on parole or supervised release.
- **Detention:** This made up 17% (or about 790) of the youth justice population on an average day in 2020–21 (proportions may not sum to 100% as some young people aged 10 and over were under community-based supervision and detention on the same day). It involves young people being supervised by a youth justice department while being detained in a youth justice centre or detention facility. As with young people under community-based supervision, these young people may be unsentenced or a court may have sentenced them to a period of detention.

For more information on the programs and services offered by each state and territory for young people under community-based supervision and in detention, see Appendix 4 of *Youth Justice in Australia 2020–21* at www.aihw.gov.au/getmedia/343e7be4-e676-4ec8-9c31-fc9ce5922291/aihw-juv-138-Appendix-4.pdf.aspx.

Young people may be under multiple types of youth justice supervision in the same year, or concurrently, where supervision orders relate to different charges. For example, a community-based supervision order may contain a period of detention, or a young person may be in sentenced community-based supervision and receive an additional unsentenced community-based supervision order for additional offences.

For more information on youth justice supervision in Australia, see *Youth Justice in Australia 2021–22* at www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2021-22/contents/summary.

Young people who have experienced both youth justice and child protection

Research shows that children who have been abused or neglected are at greater risk of engaging in criminal activity and entering the youth justice system. For example,

one study found that being maltreated as a child roughly doubles the probability of committing a crime (Currie and Tekin 2006).

While most children who are abused and neglected do not go on to offend, a large proportion of children who do offend have a history of abuse or neglect (AIFS 2011). This is particularly so for young people in detention. A survey of young people aged 14 to 21 in detention in New South Wales found that 64% of young women and 68% of young men had experienced any childhood abuse or neglect, while 46% and 27%, respectively, had suffered severe abuse or neglect (JH&FMHN and JJNSW 2017).

Other research has found that young people who have experienced a greater number of substantiations for reported abuse or neglect, ongoing abuse from childhood through to adolescence, and placement in out-of-home care are more likely to receive a conviction than young people in the general population (Malvaso et al. 2017).

Involvement with the youth justice system can make involvement with the child protection system more likely, or vice versa. For example, a young person's contact with the youth justice system might lead to a child protection notification being made if abuse or neglect is suspected by, or reported to, child protection agency staff (AIFS 2020).

Different age cohorts can have contact with the youth justice system (aged 10 and over) and the child protection system (aged 0–17); hence, involvement in the youth justice system tends to happen after involvement in the child protection system. This is highlighted in *'Crossover kids': vulnerable children in the youth justice system: Report 2 – Children at the intersection of child protection and youth justice* (SAC 2020), which found that 74% (569 of 767) of young people aged 10–17 had not offended before being placed in out-of-home care. Over half (61% of 287) of the young people aged 10–17 who experienced residential care who offended committed their first offence either during or after their first residential care placement (SAC 2020).

Interactions with the child protection and youth justice systems

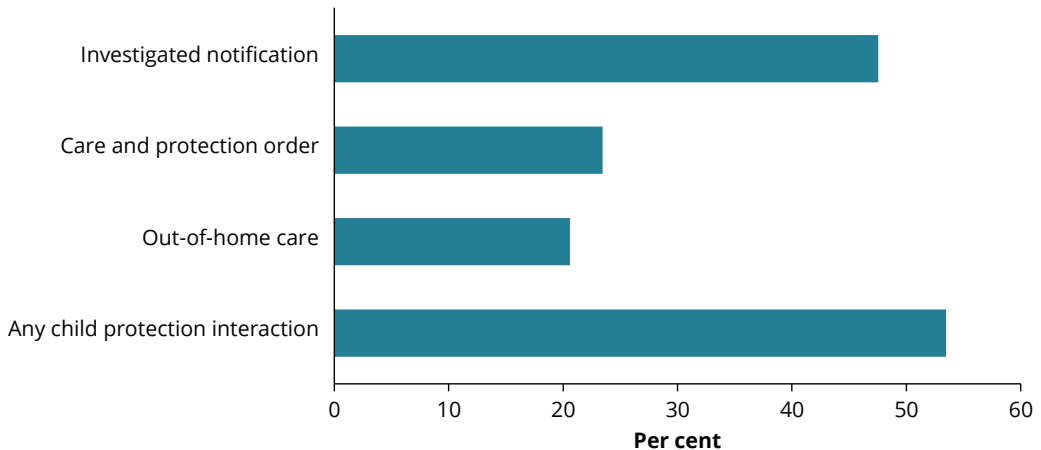
Of the nearly 9,300 young people aged 10 and over under youth justice supervision during 2020–21, 53% (or almost 5,000) had an interaction with one of the 3 main components of the child protection system (see Table 6.1 for more information on these components) in the 5 years from 1 July 2016 to 30 June 2021:

- almost half (48%) were the subject of investigated notifications
- almost one-quarter (23%) had a care and protection order
- about one-fifth (21%) had at least one out-of-home care placement in the 5 years from 1 July 2016 to 30 June 2021 (Figure 6.2).

More than 1 in 4 (28%) young people aged 10 and over under youth justice supervision during 2020–21 had an interaction with the child protection system during 2020–21.

Figure 6.2: More than half of young people aged 10 and over under youth justice supervision had an interaction with one of the 3 main components of the child protection system

Proportion of young people aged 10 and over under youth justice supervision during 2020–21 who had an interaction with the child protection system in the 5 years from 1 July 2016 to 30 June 2021, by type of child protection service



Note: Out-of-home care includes all funded living arrangements that are in scope for out-of-home care, including respite care. See Table 6.2 for details on in-scope living arrangements.

Source: AIHW child protection and youth justice supervision linked data collection 2020–21.

A slightly higher proportion of young people in detention than under community-based supervision in 2020–21 were placed in out-of-home care in the 5 years from 1 July 2016 to 30 June 2021 (24% compared with 20%).

Demographics

During 2020–21, males made up 79% of young people under youth justice supervision; females made up 21%.

Females under youth justice supervision during 2020–21 were about 1.8 times as likely as males to have had an interaction with out-of-home care during the 5-year period from 1 July 2016 to 30 June 2021 (32% compared with 18%).

First Nations young people

It is important to understand how the past shapes the lives of First Nations people today: they have a long history of trauma, cultural dispossession and forced displacement and assimilation – which affects their physical, mental and social wellbeing. For more information, see *Determinants of health for Indigenous Australians* at <https://www.aihw.gov.au/reports/australias-health/social-determinants-and-indigenous-health>.

First Nations young people continue to be over-represented in all aspects of the child protection and youth justice systems. For example, while only 5.8% of young people aged 10–17 in Australia identified as being First Nations, almost half (49%) of the young people aged 10–17 under youth justice supervision on an average day in 2020–21 were First Nations young people. Further, more than half (53%) of young people aged 10–17 in detention were First Nations young people.

During 2020–21, nearly 4,100 First Nations young people aged 10 and over and almost 5,000 non-Indigenous young people aged 10 and over were under youth justice supervision. Of these:

- 1 in 4 (25%) First Nations young people were also placed in out-of-home care in the 5 years from 1 July 2016 to 30 June 2021
- nearly 1 in 5 (18%) non-Indigenous young people were also placed in out-of-home care in the 5 years from 1 July 2016 to 30 June 2021.

Age at first supervision

Among young people aged 10 and over under youth justice supervision in 2020–21, young people with out-of-home care during the 5-year period from 1 July 2016 to 30 June 2021 had a first youth justice supervision at a younger age than young people who had not been in out-of-home care during the same period.

Young people under youth justice supervision during 2020–21 who had been placed in out-of-home care in the 5 years from 1 July 2016 to 30 June 2021 were nearly 3 times as likely to be aged 10–13 at their first youth justice supervision than young people under youth justice supervision only (37% compared with 13%). Young people with multiple placements in out-of-home care (more than one) were more likely than young people with one placement to be under youth justice supervision at an early age (38% compared with 32%) (Table 6.3).

Table 6.3: Young people aged 10 and over under youth justice supervision during 2020–21 who had an interaction with the child protection system in the 5 years from 1 July 2016 – 30 June 2021, by age at first supervision and type of interaction

Age at first youth justice supervision (years)	Youth justice only		Youth justice and out-of-home care		Youth justice and one placement in out-of-home care		Youth justice and multiple placements in out-of-home care (more than one)	
	No.	%	No.	%	No.	%	No.	%
10–13	573	13.3	716	37.5	113	31.8	564	38.1
14–17	3,340	77.4	1,166	61.0	236	66.5	894	60.4
18+	401	9.3	28	1.5	6	1.7	22	1.5
Total	4,314	100	1,910	100	355	100	1,480	100

Notes

1. Out-of-home care includes all funded living arrangements that are in scope for out-of-home care, including respite care. See Table 6.2 for details on in-scope living arrangements.
2. Total number of placements will not sum to the out-of-home care total as the count of placements excludes respite care.

Source: AIHW child protection and youth justice supervision linked data collection 2020–21.

Living arrangements

Living arrangements are the type of placement that a child aged under 18 receives when in out-of-home care, and can include residential care, foster or relative/kinship care and other types of care (see Table 6.2 for more information on out-of-home care types).

For this section, out-of-home care is measured by selecting living arrangements that are in scope for out-of-home care. Young people aged 10 and over may have been in more than one type of out-of-home care, so proportions will not sum to 100%.

For more information, see *Young people under youth justice supervision and their interaction with the child protection system 2020–21* at <https://www.aihw.gov.au/reports/youth-justice/young-people-under-youth-justice-supervision/summary>.

For young people aged 10 and over under youth justice supervision in 2020–21 who had been placed in out-of-home care (about 1,900) at least once in the 5 years from 1 July 2016 to 30 June 2021:

- almost 3 in 4 (73%) had at least one placement in residential care
- about 2 in 3 (68%) had at least one placement in foster or relative/kinship care
- 18% had a placement only in foster or relative/kinship care.

This distribution equates to 15% of people under youth justice supervision in 2020–21 having had a placement in residential care, 14% having had a placement in foster or relative/kinship care and 3.7% having had a placement in only foster or relative/kinship care in the 5 years from 1 July 2016 to 30 June 2021.

Placements and time in care

Continuous time in out-of-home care and the number of placements are measures of the stability of a child's living situation.

The time in continuous care is the time spent in out-of-home care with no breaks longer than 60 days. Breaks in care can occur due to a child being reunified with their family, adopted, placed in a more permanent type of care, entering detention or for other reasons (AIHW 2022a).

Placements are the distinct living arrangements that occur in a period of care, such as relative/kin care, foster care and residential care.

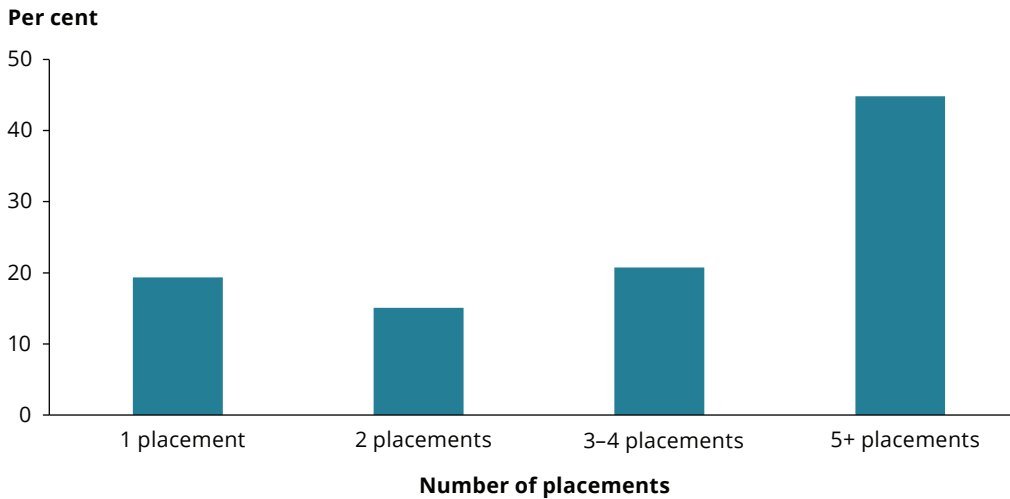
For this analysis, young people aged 10 and over who were in living arrangements that were in scope for out-of-home care (see Table 6.2) were selected, and periods of respite were excluded (for more information, see the Technical notes to *Young people under youth justice supervision and their interaction with the child protection system 2020–21* at <https://www.aihw.gov.au/reports/youth-justice/young-people-under-youth-justice-supervision/summary>).

Of young people aged 10 and over who had been under youth justice supervision during 2020–21 and in out-of-home care (about 1,900) between 1 July 2016 to 30 June 2021:

- 2 in 5 (40%) had been in continuous out-of-home care for one year or less, while 1 in 4 (25%) had been in continuous out-of-home for 4 or more years
- 1 in 5 (20%) had one care placement, more than 1 in 3 (36%) had 2–4 placements and 45% had 5 or more placements (Figure 6.3)
- just under 1 in 4 (23%) had 5 or more placements when in care for 1 year or less. In contrast, almost 3 in 5 (58%) had 5 or more placements when in care for 4 or more years. The longer young people had been in care, the more likely they were to have had more than one placement.

Figure 6.3: Young people aged 10 and over under youth justice supervision and in out-of-home care were likely to have had 5 or more placements in out-of-home care

Proportion of young people aged 10 and over under youth justice supervision during 2020–21 who had been in out-of-home care in the 5 years from 1 July 2016 to 30 June 2021, by number of placements



Note: The number of placements excludes respite care.

Source: AIHW child protection and youth justice supervision linked data collection 2020–21

Homelessness services and child protection

Homelessness

Safe, secure housing is fundamental to people’s health and wellbeing, and children aged under 18 are particularly vulnerable to the detrimental effects of homelessness. Governments across Australia fund services to support people who are homeless, or at risk of homelessness. Services are delivered mainly by non-government organisations, including those that:

- specialise in delivering services to specific target groups (such as children aged under 18, or people experiencing family and domestic violence)
- provide more generic services to children aged under 18 facing housing crises (AIHW 2022d).

There are several definitions of homelessness (Box 6.1). These technical definitions underpin the various data sources used to describe homelessness in Australia.

Specialist homelessness services (SHS) supported over 76,000 children aged under 18 in 2021–22 (AIHW 2022d). Of these children, 7,900 were on a care and protection order at the time of their support, or reported transitioning from foster care and child safety residential placements among their reasons for seeking support.

Box 6.1: Defining homelessness

There is no single definition of homelessness. Researchers, advocates and policy advisers have interpreted it in many ways. In Australia, statistical definitions developed for specific data collections are commonly used.

Census of Population and Housing

The Australian Bureau of Statistics (ABS) defines homelessness for the Census of Population and Housing (Census) as the lack of one or more elements that represent 'home'. The ABS statistical definition considers homelessness to be 'when a person does not have suitable accommodation alternatives'. Specifically, people are considered homeless if their current living arrangement:

- is in a dwelling that is inadequate
- has no tenure, or if their initial tenure is short and not extendable, or
- does not allow them to have control of, and access to space for, social relations (ABS 2012).

These conceptual components are used to develop specific 'homelessness operational groups' that describe broad categories of living situations considered to be homeless. Importantly, the definition includes people living in severely overcrowded conditions.

Specialist Homelessness Services Collection

The SHS collection is the national data set on specialist support provided to Australians who are homeless or at risk of homelessness. The data collection is limited to people receiving support from an SHS agency and is not designed to measure homelessness (noting that agencies support both people experiencing homelessness and people at risk of homelessness).

An SHS client is considered homeless if they are living in non-conventional accommodation (such as living on the street, often termed rough sleeping), living in short-term or emergency accommodation (such as crisis accommodation) or in accommodation without tenure (such as living temporarily with friends and relatives) (AIHW 2022d). The definition does not include overcrowding as a form of homelessness.

For further information, see *Technical paper: alignment of the Specialist Homelessness Services Collection (SHSC) and the ABS Census definitions of homelessness* (AIHW 2022f) at <https://www.aihw.gov.au/reports/homelessness-services/technical-paper-alignment-of-the-shsc/summary>.

Why do people experience homelessness?

Homelessness can be the result of many social, economic and health-related factors. Individual factors, such as low educational attainment, whether someone is working, experience of family and domestic violence, ill health (including mental health) and disability, trauma, and substance misuse may make a person more at risk of becoming homeless (Fitzpatrick et al. 2013). Structural factors, including lack of adequate income and limited access to affordable and available housing, also contribute to risk of homelessness (Johnson et al. 2015; Wood et al. 2015).

Families with children make up a large proportion of SHS clients (just under half reported a living arrangement at the start of support of one parent or couple with child/ren in 2021–22) (AIHW 2022d). This highlights the impact of homelessness or risk of homelessness on children aged under 18. Nearly 70% of children aged under 18 who presented to an SHS agency in 2021–22 did so as part of a family group (single parent/guardian or couple with child/ren) (AIHW 2022e).

Some children present for homelessness support on their own. Of the children aged under 18 who presented to an SHS agency in 2021–22, around 18% did so independently (AIHW 2022e). Some risk factors involved in children's entries into homelessness include family conflict (including domestic violence or abuse), problems at school (including academic failure and suspension), a history of problem behaviours and problematic substance and/or alcohol use (Grattan et al. 2021; Heerde et al. 2020; Heerde et al. 2021). Conversely, the structural factors involved in the underlying conditions of youth homelessness include limited affordable housing, financial insecurity, and accessibility issues with welfare services (Johnson et al. 2015; Mackenzie et al. 2020; Pearl et al. 2021).

Homelessness services

Across Australia, SHS agencies aim to assist people experiencing or at risk of homelessness through prevention or early intervention, and by supporting these people during and after a housing crises. The agencies receive government funding to deliver accommodation-related and personal services, they vary in size and in the types of assistance they provide.

The SHS Collection is the national data set on specialist support provided by SHS agencies to Australians who are homeless or at risk of homelessness (Box 6.2).

Box 6.2: Specialist Homelessness Services data

The SHS Collection started on 1 July 2011. Data are provided by over 1,700 government-funded agencies that deliver homelessness services to people in need of support. These data are based on interactions between clients and service providers and are collected at fixed points in time:

- at the start of a support period
- at the end of every month during a support period
- at the end of a support period.

SHS agencies provide these data to the AIHW on a monthly basis. For detailed information about the Collection, see www.aihw.gov.au/about-our-data/our-data-collections/specialist-homelessness-services-collection.

Longitudinal data

The analyses of SHS data presented in this article are based on longitudinal data constructed from support-period level data between 2014–2017.

For the longitudinal analysis, most client characteristics were measured by examining whether a particular event or situation occurred at any of the 3 time points for any of the support periods that occurred within 2014–2017. During this time frame:

- the client's state or territory, age and sex are recorded at the start of the first support period.
- vulnerabilities – including mental health issues, drug and/or alcohol problems, and experience of family and domestic violence issues – are assessed, using the same criteria as detailed in *Specialist homelessness services annual report 2021–22* at <https://www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report/contents/about>.

Longitudinal variable derivations are explained in more detail in the Methodology section of *Specialist homelessness services client pathways: analysis insights* at www.aihw.gov.au/reports/homelessness-services/shs-insights/contents/technical-notes/methodology.

Reporting children aged under 18 on care and protection orders in the Specialist Homelessness Services Collection

Pathways into homelessness for children aged under 18 on care and protection orders are complex. For example, children aged under 18 who present alone may have absconded from their home due to family violence, abuse or neglect (Noble-Carr and Trew 2018). Children may also seek support from SHS agencies with their carers.

A client is reported as being under a care and protection order if they are under 18 and reported 'transition from foster care/child safety residential placements' as a reason for seeking assistance (or the main reason for seeking assistance), or had a current care arrangement (see Table 6.2 for more information on out-of-home care types).

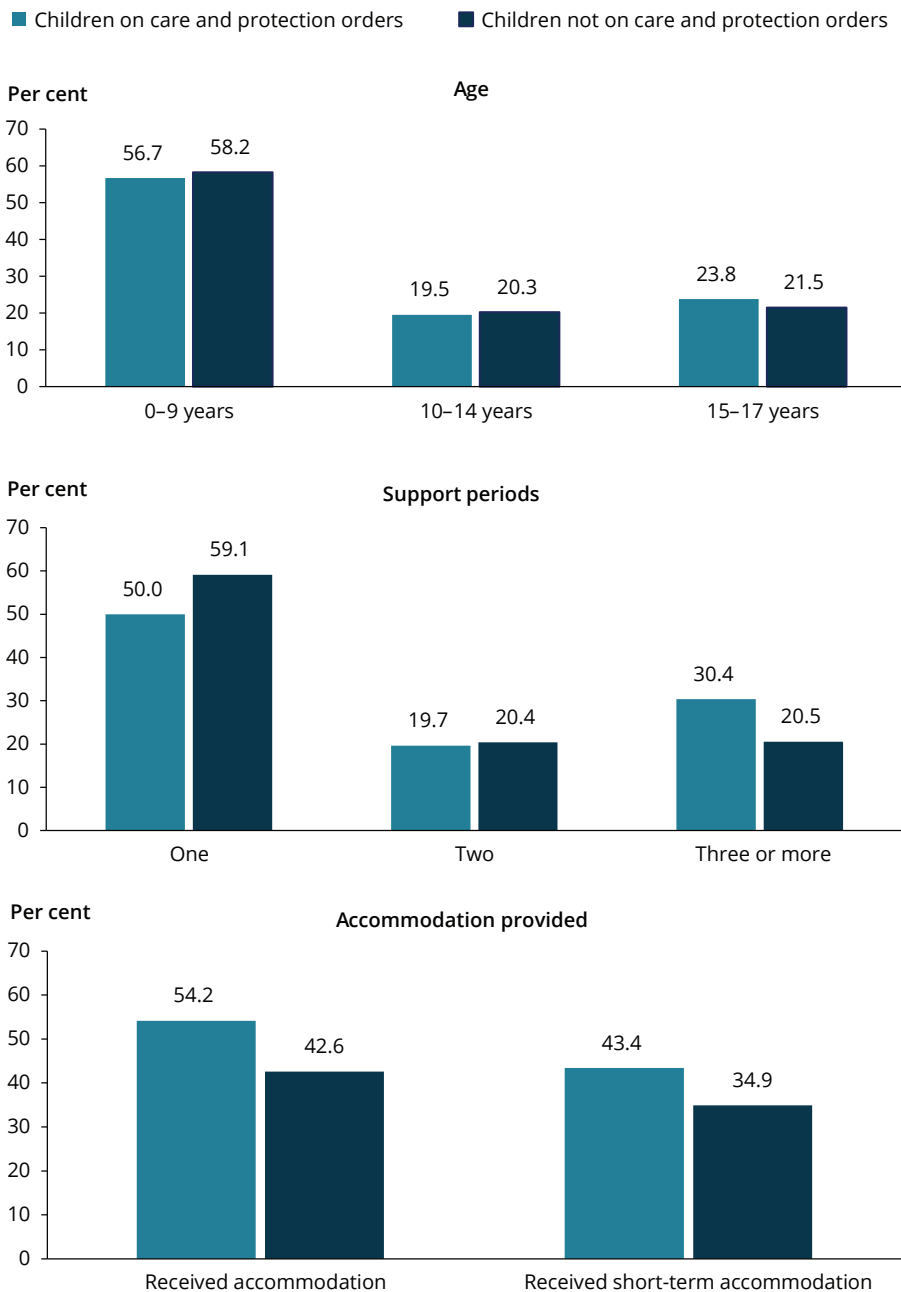
Key findings from the SHS longitudinal data

SHS supported over 168,000 children aged under 18 between 2014 and 2017. Of these, 16,000 were on a care and protection order at the time of their support, or reported transitioning from foster care and child safety residential placements among their reasons for seeking support.

There was no marked difference in the age profile of children receiving SHS support who were on care and protection orders compared with children who were not; over half (57%) were aged 0–9 (Figure 6.4). Note: children not on care and protection orders were defined as clients aged 17 and under who received support between 2014 and 2017 but who were not recorded as being on a care and protection order or as having 'transition from foster care and child safety residential placements' as a reason for seeking support from SHS.

Figure 6.4: Children aged under 18 on care and protection orders were more likely than other SHS clients aged under 18 to have multiple periods of SHS support

SHS clients aged under 18 on care and protection orders 2014–2017, key findings



Note: Percentages are calculated using total clients within the cohort as the denominator (child protection order clients: 15,936, non-child protection order clients: 152,469).

Source: AIHW analysis of SHS longitudinal data 2014–2017; Table S6.4.

SHS clients aged under 18 on a care and protection order were more likely to have experienced homelessness

Two-thirds (67% or 10,700 children) of the 16,000 care and protection order clients had experienced homelessness while seeking or receiving support sometime in the period 2014–2017. This compares with 55% of children who received SHS support in that time but were not on care and protection orders at the time of support.

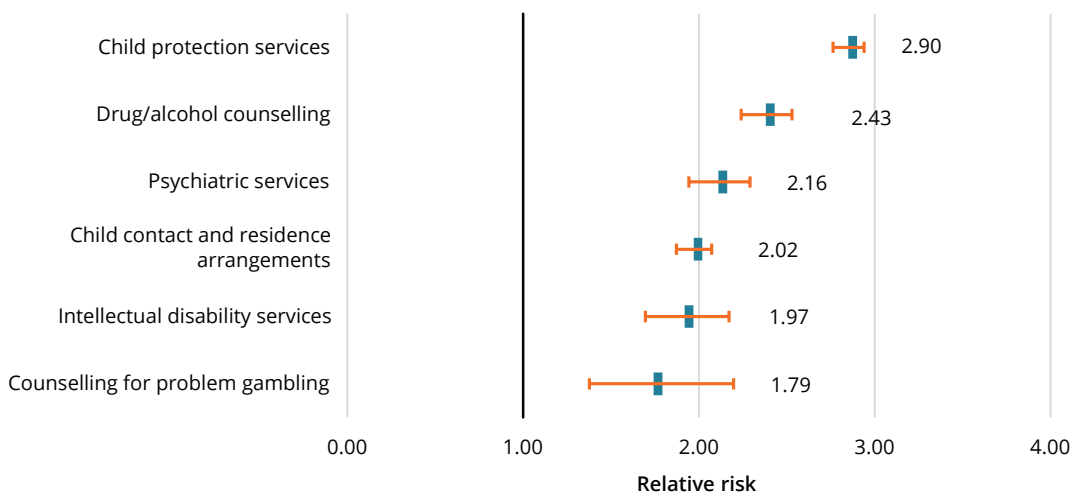
SHS clients aged under 18 on a care and protection order received more intensive and varied support

Children aged under 18 on care and protection orders sometime between 2014 and 2017 received more SHS support than children not on such orders; 30% received 3 or more episodes of SHS support compared with 21% of children not on care and protection orders (Figure 6.4). A greater proportion of children aged under 18 on care and protection orders received accommodation support sometime between 2014 and 2017 (54% compared with 43%), typically short-term accommodation (43% compared with 35%) (Figure 6.4).

Children aged under 18 on care and protection orders were more likely to receive nearly all types of service, including child protection services (2.9 times more likely), drug or alcohol counselling (2.4 times more likely), psychiatric services (2.2 times more likely) and intellectual disability services (2.0 times more likely) (Figure 6.5).

Figure 6.5: SHS clients aged under 18 on a care and protection order were more likely to come into contact with the child protection system, drug/alcohol counselling and psychiatric services than other clients aged under 18

SHS clients aged under 18 on care and protection orders 2014–2017, relative risk of need for services



Note: Relative risk is derived by comparing 2 groups for their likelihood (risk) of an event. It is calculated by dividing the probability of a child protection order client needing an SHS service/assistance by the probability of a non-child protection order client needing an SHS service/assistance.

Source: AIHW analysis of SHS longitudinal data 2014–2017 ; Table S6.5.

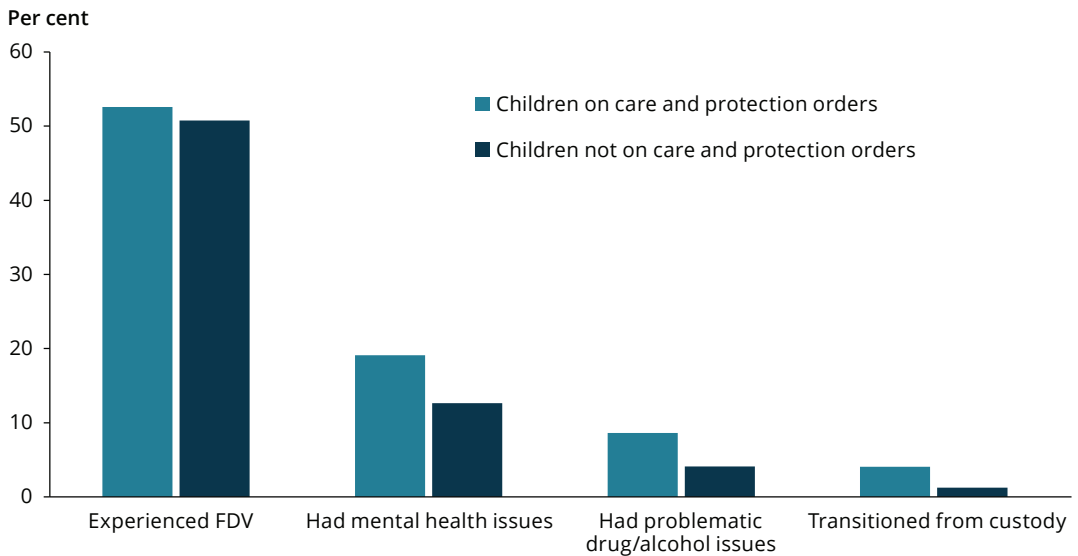
Among their reasons for seeking support, children aged under 18 on a care and protection order at some time in 2014–2017 were more likely to report disengagement with school or other education and training as a reason for seeking support (8.1% compared with 4.6% of children not on care and protection orders).

Children aged under 18 on care and protection orders during 2014–2017 were more likely than children not on care and protection orders:

- to have had mental health issues (19% and 13%, respectively)
- to have had problematic drug or alcohol issues (8.6% compared with 4.1%)
- to have transitioned from custody (4.1% compared with 1.2%) (including clients aged over 9 who were transitioning from or had exited youth or juvenile justice detention centres between 2014 and 2017) (Figure 6.6).

Figure 6.6: SHS clients aged under 18 on a care and protection order experienced more vulnerabilities than other SHS clients aged under 18

SHS clients aged under 18 on care and protection orders 2014–2017, by client vulnerabilities



Source: AIHW analysis of SHS longitudinal data 2014–2017; Table S6.4.

Note: FDV = family domestic violence.

Longer term engagement with SHS

Regression models were used to examine which client characteristics or support experience between 2014–2017 were associated with ongoing SHS support (beyond 2014–2017).

Of the 16,000 children aged under 18 whom SHS supported between 2014–2017 who were on a care and protection order, nearly 23% (3,600) received SHS support in the future (2017–2021); children with a mental health issue between 2014–2017 were more likely to receive support in the future than children without a mental health issue. First Nations children aged under 18 on a care and protection order were also more likely to access SHS services than non-Indigenous children on care and protection orders.

Transitioning from custody between 2014 and 2017 was also associated with an increased likelihood of receiving SHS support in the future (22% more likely); nearly 650 children aged under 18 (4.1%) on care and protection orders were transitioning from custody at the time of their SHS support. Of the 3,600 children who continued to receive SHS support in the future, 200 (5.5%) were transitioning from custody at the time of their future SHS support.

Conclusion

Some children who have experienced out-of-home care may face continued vulnerabilities and are at a higher risk of experiencing poor outcomes in key areas important to their wellbeing. These areas include employment, involvement in the criminal justice system and housing.

Children aged under 18 who are, or have been, in out-of-home care are 3 times as likely to receive income support payments at ages 16–30 than the Australian population of the same age. As well, income support for the out-of-home care population appears to be ongoing. For example, children who have previously been in out-of-home care were 4 times as likely to be on income support at age 30 and 5 times as likely to be on income support for 6 or more years as children who have not been in out-of-home care.

Most children experiencing abuse and neglect or who have interacted with the child protection system do not have subsequent interactions with the youth justice system. However, of those young people aged 10 and over who are under youth justice supervision, more than half had interacted with the child protection system at some point in the previous 5 years. About 1 in 5 young people aged over 10 involved in the youth justice system have been in out-of-home care at some point. Children who have experiences in both child protection and youth justice are more likely to be First Nations people, younger at their first youth justice supervision and have multiple placements while in out-of-home care.

Similarly, children aged under 18 on care and protection orders are more likely to experience homelessness than people who are not on care and protection orders when seeking support from SHS services. SHS clients aged under 18 on care and protection orders experience more vulnerabilities than other clients of the same age and are also more likely to be in contact with the child protection system, drug/alcohol counselling and psychiatric services.

Children engaged in any one of these systems – the child protection system, youth justice supervision, and homelessness services – are at an increased risk of being involved with one or both of the others. A better understanding of the characteristics and pathways of children in the child protection system, under youth justice supervision and who access SHS can help support staff, case workers and policy advisers to get the best outcomes for these children.



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