

FREQUENTLY ASKED QUESTIONS

Your Voice – Children's Out of Home Care Advocacy Service

This FAQ brochure is intended to answer some commonly asked questions about 'Your Voice' - Children's OOHC Advocacy Service (Your Voice). For an overview of our service please also see our Information Sheet for Caseworkers.

Does a young person need to be in OOHC to access Your Voice?

Your Voice is a service which has been set up specifically for children and young people¹ in out-of-home care (OOHC), including children and young people who are transitioning to independence.

Does a young person need to agree to be referred?

Yes. Your Voice is a voluntary service. There needs to be a discussion with the young person about the service and they must agree to be referred before we can accept a client into the service. Young people can choose to stop engaging with us at any time.

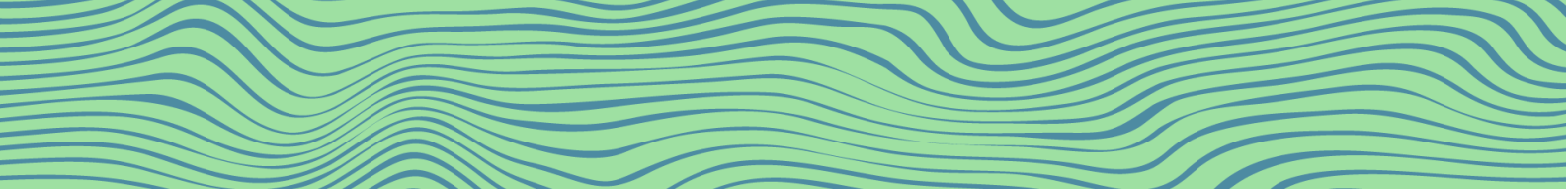
We have a number of resources to help caseworkers explain the service to young people so that young people can make an informed decision about whether to agree to being referred: this includes a short video which caseworkers can show young people, and tailored information sheets for young people and caseworkers.

We are also happy to speak with young people and answer any questions they have about the service or would like more information to help them decide whether they want to be referred to Your Voice. We are also happy to speak with caseworkers about the service generally or about how it may be able to assist a young person you/they are working with.

Is there an age limit for clients?

The service caters for children and young people in OOHC therefore most clients will be under 18 years old. Whilst there is no minimum age the child or young person

¹ For the purposes of this factsheet, we define child or young person to mean any person under the age of 18 and will refer to them as **young person**. We acknowledge that the *Children and Young Persons (Care and Protection) Act 1998* has different definitions.



needs to have capacity to provide instructions to their lawyer. Younger clients may be less capable of giving instructions. This is something our lawyers will assess.

What areas in NSW are you servicing?

We are a service primarily for young people in High Cost Emergency Arrangements (HCEAs) and will consider referrals for any young people in HCEAs all across NSW. We will also consider referrals for other young people in care on a case-by-case basis. We have staff based in Sydney, the Central Coast, and Newcastle and so have more flexibility to support young people in those locations/nearby regions.

Can you assist a child where there are interim orders in place?

No. If there are only interim orders in place, it means there are current proceedings before the Children's Court. Where there are current proceedings the young person will already have a care lawyer allocated and so any issues the young person is having should be dealt with by that lawyer.

If we receive a referral for a young person who already has a care lawyer assisting them, we will let you know and confirm the details of that lawyer.

Does a young person need to have a clearly defined legal issue to be referred?

No. Whilst we are a legal service, the young person doesn't need to know if the problem they have is a legal issue. We will work with the young person to identify the legal and wellbeing issues they may be experiencing, and discuss the options available for resolving their problems. However, if the young person has identified a legal issue please note that on the referral form.

Once a referral is made how long will the client wait to speak with a lawyer?

We aim to speak with the young person as soon as we practically can. Our service will triage and allocate referrals very quickly, and not keep young people waiting. Sometimes, however, we may need to get more information to properly assess a referral. We will aim to make contact with the young person's caseworker within two business days of receiving the referral to discuss the best way to reach out to a young person. If a particular referral requires urgent attention, please ensure that is clear on the referral form so we can action it appropriately.

When I refer a client will I be notified that the young person is getting assistance?

Yes. Our team will update the referrer once a young person has been accepted as a client with Your Voice. We will also generally speak with the caseworker before reaching out to a client to discuss the best way to contact a young person.

Once a client has engaged with us, however, we can only get back in touch if our client consents for us to contact you. This is because there are rules about what we can and can't tell you about our clients known as client legal privilege.

Can the caseworker be present when you speak with the young person?

This may be possible. Many clients value the support of their caseworkers and are happy for them to be present at meetings. As a service we are client-centred and can accommodate this request as it also assists us to be able to work collaboratively with caseworkers to find solutions to the young person's legal and wellbeing issues.

However, when making a decision about whether the caseworker can be present, we also need to give consideration to the following:

- as direct representatives for our clients, we respect that clients can make decisions about who (if anyone) they want to be present when they speak with us;
- as lawyers we also need to speak to clients (usually at least once) without caseworkers present to confirm that the client understand the privileged relationship they have with a lawyer and their right to be able to speak privately with lawyers;
- depending on the issues, a client may prefer to speak with us without caseworkers present so they can speak freely about what may be concerning them.

Can the Your Voice team meet with the young person in their home?

Yes. We are a client-centred service and try to meet with clients wherever they feel comfortable, which may include their homes.

We are, however, a small team and our lawyers are located in Sydney, the Central Coast and Newcastle. Face to face services outside of those regions are therefore subject to our service capacity. We will nevertheless do our best to accommodate the needs of each client and work with the client to develop appropriate alternatives if needed.



What is the role of your Wellbeing Team?

The Wellbeing Team is a specialist team of allied professionals within Your Voice, which presently includes two senior youth caseworkers and an Aboriginal Field Officer. The Wellbeing Team aims to ensure the young person is considered in the context of their wellbeing needs including: social and community connections, empowerment and identity, housing, education and skills, finances, health, safety, and connection to culture. The Wellbeing Team works with our lawyers to support young people holistically, and works in partnership with clients' caseworkers and other relevant professionals to advocate for the needs of young people in care. Our Wellbeing Team does not duplicate the role of DCJ or undertake case management.

What cultural planning/support can your Aboriginal Field Officer provide?

The Aboriginal Field Officer (AFO) sits within the Wellbeing Team. They do not duplicate the role of caseworkers or do cultural planning for DCJ or the agency providing case management. The AFO can work directly with Aboriginal and Torres Strait Islander young people in care to explore their identity, journey and cultural connections, which can help inform the young person's cultural growth and ongoing pathways. Our AFO can work with DCJ caseworkers and other relevant professionals to ensure a young person's cultural, identity and community needs are being met. Our AFO also works with the Your Voice team to provide support with meeting cultural and community expectations and embedding this into our practice.

What does assistance with leaving care/Leaving Care Plans look like?

Your Voice can support young people leaving care with advice and assistance to access statutory entitlements and other aftercare supports. A key focus is supporting young people eligible for Leaving Care Plans (LCP) to have input into a tailored plan which will support them as young care leavers. We advise clients about what can be included in LCPs and help them articulate other supports they may want to be included. We often review the draft versions of plans with clients and will advocate for additional supports if required. We advise about aspects of aftercare such as the financial supports (ie, Independent Living Allowance/TILA) and specialist aftercare services. We can also assist clients to access their LCPs/aftercare supports once they have left care.

Can the Your Voice team provide support or advice to potential carers?

No. Your Voice is a direct representation service for children and young people in care. We cannot assist carers or potential carers. Where appropriate, and where instructed to do so by the child or young person, we may provide information to a carer or refer a carer or potential carer to access independent legal advice and support. We would encourage DCJ caseworkers to consider making a LAFPA referral for potential carers wanting legal advice.

Where and how is the service being promoted?

Your Voice is a pilot program focussing on children and young people in High Cost Emergency Arrangements. The service is currently being promoted to DCJ staff. In certain circumstances, we are also liaising directly with key contacts in other services within Legal Aid NSW, the Aboriginal Legal Service NSW/ACT and a few other non-government agencies regarding a limited number of targeted referrals.

We have developed and circulated information sheets for children and young people and also for caseworkers. There is a video for young people which explains our approach to providing services. All these resources are available on the DCJ intranet.

How do I make a referral to Your Voice?

At this stage all referrals from DCJ need to be made through the High Cost Emergency Squad via email to AllocationsHCEASU@dcj.nsw.gov.au.

If you have any questions about the service you can contact us on 02 9068 1789 or email YourVoiceAdvocacyService@legalaid.nsw.gov.au.