

# Research in Brief



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## Independent Living Support for At-Risk Children and Adolescents: Gaps and Policy Implications<sup>1)</sup>

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‘Youth in preparation for independent living’ as the category of individuals for whom ‘independent living support’ is intended is so narrowly circumscribed as to include only those discharged from foster care facilities, group homes, or foster care homes that are under the jurisdiction of the Ministry of Health and Welfare, leaving a great many other youth in need of support excluded. While there are some youth who have lived under the care of more than two of the child protection, adolescent protection, and juvenile protection systems, it is those discharged from the latter two who are assessed to be more vulnerable as they prepare for independent living and thus in greater need of support. This study discusses ways to provide support to all at-risk children and adolescents who, upon discharge from facilities under child welfare, adolescent protection, or juvenile protection, require independent living support as they transition into adulthood.

### Introduction: gaps in independent living support

Children and adolescents lacking support from their families and identified as needing socioeconomic assistance and protection are placed in out-of-home protection under the jurisdiction of either the Ministry of Health and Welfare (MOHW), the Ministry of Gender Equality and Family (MOGEF), or the Ministry of Justice (MOJ), depending on the administrative path through which they are identified.

1) This article is a reworking of “Ways to Improve Support for Youth in Preparation for Independent Living,” a presentation coauthored by Sang Jung Lee and Jiyon Kim and delivered to the Special Committee for Standing Together with Youth in Preparation for Independent Living, Presidential Committee for National Cohesion, on February 27, 2023

While each ministry governs a system of protection for children under 18, acting as surrogates for these children’s families with its respective legal framework, ‘youth in preparation for independent living’ as the category of individuals for whom ‘independent living support’ is intended is so narrowly defined as to include only those discharged from foster care facilities, group homes, or foster care homes under MOHW’s jurisdiction, leaving a great many other youth in need of support excluded. Furthermore, on top of the fact that youth discharged from protection or facilities under the jurisdiction of MOGEF or MOJ remain excluded from independent living support, the current systemic segmentation and the lack of integrated information management create difficulties even in identifying the scope and depth of the exclusion.

## ●● What does independent-living support consist of and for whom is it intended?

Article 38 of the Child Welfare Act defines “youth in preparation for independent living” as young adults who, upon reaching 18, either continue residing in or age out of a foster home or foster care facility, or are within 5 years of returning to their original families before turning 18. According to MOHW’s independent-living support manual, children and youth eligible for independent-living support are those under 24 years of age who currently live in, or are within 5 years of exiting, foster care placements. Thus, youth independent-living support has been provided each year to a total of twelve to thirteen thousand individuals 18 to 24 years of age who have lived in foster care facilities, group homes, or foster homes that are under MOHW’s jurisdiction. A recent amendment to the Child Welfare Act, inserted as of August 8, 2023, has extended the eligibility for youth independent-living support to children and adolescents who are currently in foster care under MOHW’s jurisdiction.

**[Table 1] Whom does independent living support target, as defined by Article 38 of the Child Welfare Act?**

### Independent living support as outlined in Paragraph 1 is eligible for:

1. Individuals under the entrusted care of a foster home.
2. Individuals under the care of a child welfare facility.
3. Individuals discharged from protection pursuant to Article 16, or within 5 years of discharge from an applicable facility.
4. Individuals, other than those falling under the preceding Subparagraphs 1 through 3, whose protection has been terminated or who have been discharged from an applicable facility before reaching 18 years of age and who are deemed by the Minister of Health and Welfare to require independent living support.

Support projects that target youth discharged from the child welfare system of MOHW have grown in budget ever since the implementation in 2019 of the independent-living allowance and integrated housing service. This expansion now provides a broader range of services to a growing number of young people.

Following the announcement of two consecutive measures—the cross-ministerial ‘Plan for Increasing Support for Children Discharged from Foster Care’ in July 2021 and MOHW’s ‘Plan for Supplementing Support for Youth in Independent-Living Preparation’ in November 2022—the government has implemented several actions. These include providing foster care children with the option to remain in foster care after turning 18, establishing an independent-living support system, expanding the independent-living allowance to enable more youth to receive an increased amount over an extended period, increasing the amount of the lump-sum independent-living support fund, introducing health cost support, and enhancing job placement and employment support.

The independent-living allowance has increased from KRW300,000 a month to KRW400,000 and further to KRW500,000 in 2024, with the eligible period extended from ‘within three years’ to ‘within five years’ of discharge from the child welfare system.

The integrated housing support, initially introduced in 2019 as a pilot project covering seven designated areas and now integrated into the comprehensive independent-living support program, is, as part of the integrated case management provided by local independent-living support centers in 17 metropolitan cities and provinces throughout the country, made eligible for more young people preparing for independent living. The health cost support program, the latest addition to the system of support for youth in independent living preparation, consists of reducing the out-of-pocket payment share to 14 percent, irrespective of the number of health services provided and the total cost incurred. Furthermore, the amended Child Welfare Act, effective 2023 onward, allows foster care children to remain in foster care, if they choose to, until they reach the age of 24, as well as extends the comprehensive independent-living support to these adolescents in extended foster care.

While many young people transitioning out of child foster care, adolescent protection, or juvenile protection require support to promptly settle into their communities, independent living support is primarily available only to those discharged from the child welfare system under the jurisdiction of MOHW.

Adolescents residing in shelters under the Youth Welfare Support Act are often victims of abuse—negligence and violence committed by their family guardians—for whom, placed there as a result mostly of a family breakup or family conflict, returning to their families is hardly feasible, and who, caught in the revolving door of in and out of shelters and left little prepared until their early youth for independent living, are in a situation comparable to that of ‘youth preparing for independent living’ under the Child Welfare Act. However, adolescents discharged from shelters do not receive as much support from MOGEF as ‘youth in preparation for independent living’ do under the Child Welfare Act. While most of the children and youth discharged from foster care facilities and group homes are eligible for independent living support under the Child Welfare Act, only a small fraction of out-of-shelter adolescents receive such support as allowance and case management services from self-reliance support centers operating under MOGEF’s jurisdiction.

Young people who either have been transferred from a residential child care facility to an adolescent shelter before turning 18 or have aged out of an adolescent shelter are mostly excluded from independent living support under MOHW’s jurisdiction, as adolescent shelters are not considered part of foster care

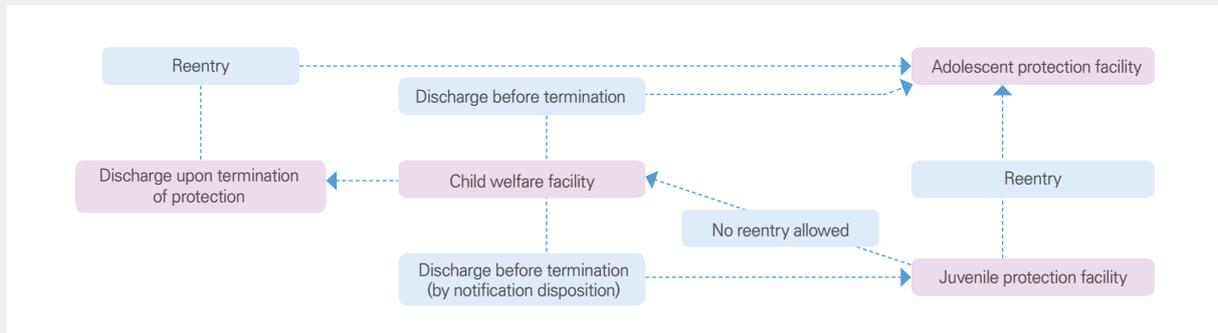
facilities. Similarly, children and adolescents deemed to be at risk under Paragraph 1 of the Article on “Decision of Protective Detention of Juvenile” in the Juvenile Act who are accordingly entrusted to foster care facilities as per Subparagraphs 1 and 6—not Subparagraphs 8 to 10 where the protective disposition involves transferring a juvenile to a reformatory—are given little formal independent living support even when they leave their foster care placements without any prospect of returning to their families. Subparagraph 1 corresponds to the ‘youth recovery support center’ defined in the Youth Welfare Support Act, and Subparagraph 6 concerns what is defined in the Child Welfare Act as a ‘protection and treatment facility for children.’ Furthermore, children and adolescents who, pursuant to Subparagraph 7 of the same paragraph, are transferred to a medical care institution have been left excluded from independent living support on top of having to face prejudice and stigma around their ‘halfway house’ stay, due to inconsistencies existing across the legal frameworks and ministries concerned, even though placements in these facilities may be extended for a long-term stay if necessary, by six months at a time. Also remaining outside the eligibility of independent living support are adolescents who, through the ‘notification disposition’ process<sup>2)</sup>, have been transferred from a child welfare facility to a juvenile reformatory, and for whom it is difficult upon the termination of their reformatory stays to meet the eligibility criteria requiring at least two consecutive years of stay under foster care, where time spent in a reformatory is not counted. Furthermore, there are young adults with disabilities—an estimated 4 percent of all youth preparing for independent living—who have been placed in residential care facilities intended for disabled people along the course of their years in foster care. However long they have lived in child foster care previously, these young people are counted as ineligible for independent living support once their stay at residential disability facilities end.

While there are some youth who have lived under the care of more than two of the child protection, adolescent protection, and juvenile protection systems, it is those discharged from the latter two who are assessed to be more vulnerable as they prepare for independent living and thus in greater need of support. Among young adults discharged from either adolescent shelters or juvenile protection facilities, 18.8 percent and 28.2 percent, respectively, had previously lived in child foster care facilities, who, having transitioned between systems, are likely left ineligible for independent living support. Compared to general youth their age, those discharged from the three different protection systems—each governed by MOHW, MOGEF, and MOJ—are less likely to attend college, have a higher prevalence of debt, experience more suicidal thoughts and attempts, and are more likely to have outstanding insurance payments. Their life experiences tend to be more negative, and, overall, they are less prepared for independent living. Among youth discharged from the three different protection systems, those from adolescent shelters and juvenile protection facilities are more vulnerable in many respects than their counterparts from child care facilities.

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2) The notification disposition is a juvenile justice process whereby the guardian, school principal, head of the care facility, or chief probation officer can directly petition a judge with a case involving a child aged 10 to 18, bypassing an investigative procedure. Following the filing of the case, the court may issue a protective order.

**[Figure 1] Youth discharged from child foster care and their transitions between systems**



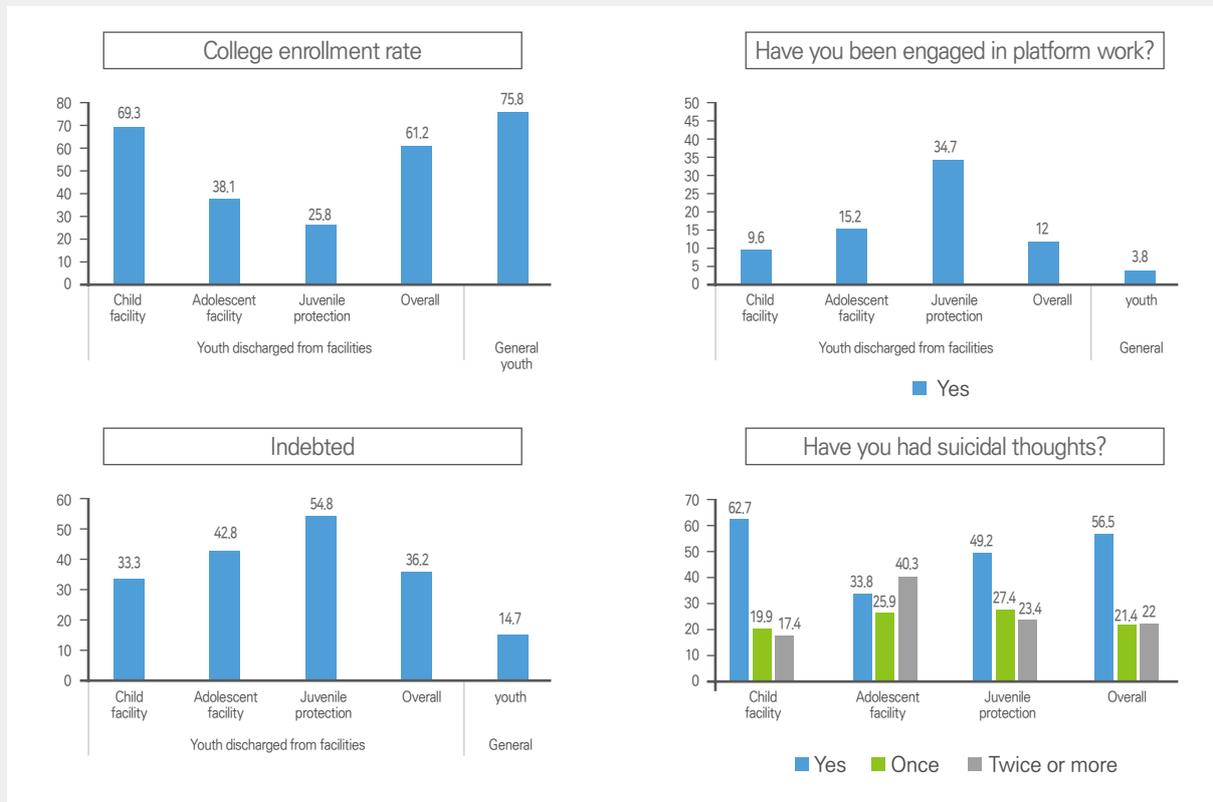
Note: The diagram is based on the results of a face-to-face survey conducted with 30 individuals aged 19 and over, who have been discharged from facilities and are in the process of transitioning to independent living.

Sources: Lee, Sang Jung & Kim, Jiyon. Ways to Improve Support for Youth in Preparation for Independent Living (February 27, 2023). Presentation to Committee for Standing Together with Youth in Preparation for Independent living, Presidential Committee for National Cohesion.

Data Source: Kim, Jiyon et al. (2022). 2022 Report on Living Conditions of Youth Discharged from Facilities. National Youth Policy Institute

Youth discharged from child foster care had a far higher college enrollment rate (69.3 percent) compared to those from adolescent shelters (38.1 percent) and juvenile protection (25.8 percent). The percentage of youth who had engaged in platform work was over twice as high among those discharged from juvenile facilities (34.7 percent) compared to those from adolescent shelters (15.2 percent), and over 1.5 times higher among those from adolescent shelters compared to those from child care facilities (9.6 percent). Also, the proportion of those indebted was higher among youth discharged from adolescent shelters (33.3 percent) or juvenile protection facilities (54.8 percent) than among youth discharged from child care facilities. Additionally, youth discharged from adolescent shelters or the juvenile protection system had higher prevalence of having had suicidal thoughts than youth from child care facilities—40.3 percent and 23.4 percent, respectively, compared to 17.4 percent.

[Figure 2] Independent living among youth discharged from facilities



Source: Lee, Sang Jung & Kim, Jiyon. Ways to Improve Support for Youth in Preparation for Independent Living (February 27, 2023). Presentation to Committee for Standing Together with Youth in Preparation for Independent living, Presidential Committee for National Cohesion.

Data Source: Kim, Jiyon et al. (2022). 2022 Report on Living Conditions of Youth Discharged from Facilities. National Youth Policy Institute



## Concluding remarks: implications for improvement

With the amended Child Welfare Act put into effect on February 9, 2024, the Ministry of Health and Welfare has expanded some of its support programs, including the independent living allowance, so as to benefit, via review by a child welfare deliberation committee, youth who, before turning 18, were removed from a child welfare facility to an adolescent shelter or juvenile protection facility. However, youth discharged from either the adolescent protection system or the juvenile protection system without having been in the child welfare system remain ineligible for independent living support. This brief makes several suggestions for improvement.

The term ‘youth in preparation for independent living’ has come about and gained currency following the announcement of the cross-ministerial ‘Plan for Increasing Support for Children Discharged from Foster Care’ in July 2021, where it was proposed as an official replacement for ‘children discharged from

foster care'. However, it is not as if the term 'youth in preparation for independent living' implies a legally-bound responsibility exclusively for those discharged from facilities under MOHW's jurisdiction. To align with the policy's intent, the term needs to be redefined to encompass all youth discharged from out-of-home placements, whether under the child welfare system, the adolescent shelter, or juvenile protection, who require support as they transition to independent living in adulthood.

There is a need to integrate the support programs that are currently run by different ministries. The existing gaps in independent living support stem primarily from the fact that the three systems—child welfare, adolescent protection, and juvenile protection systems—are each administered apart from one another under the jurisdiction of MOHW, MOGEF, and MOJ, respectively. To substantially reduce gaps in independent living support and disparities between the different ministries, it is necessary to consolidate a variety of support programs of similar functions, currently under the jurisdiction of different ministries supporting at-risk children and adolescents, into a single entity with centralized authority for budget administration. This should additionally involve creating a system of supervision and information management that links the central government, metropolitan municipalities, and lower-tier localities, by means of which children and adolescents at risk are identified and their facility admission and discharge, as well as the support programs delivered and the outcomes thereof, managed in an integrated way, in order to provide support services continuously across different life stages. Independent living support should be delivered in ways that cater to vulnerabilities. Current living support is eligible for youth aged 18 to 24 who have spent more than two consecutive years in residential care facilities under the jurisdiction of MOHW and who have been discharged from one of them, but not before reaching 15 years of age. These eligibility criteria leave many who need support excluded. The independent living support system needs to change, providing services tailored to individual vulnerabilities so as to cover children and adolescents in the systems under the jurisdiction of MOGEF or MOJ, youth who have spent their out-of-home placement years drifting from one facility to another across different jurisdictions, and children and adolescents who get discharged midway. In order to make decisions about what services to provide to whom and about which private-sector providers to designate for follow-up management, cities and lower-tier localities should each put in place, as part of their integrated management of child welfare, adolescent protection, and juvenile protection, a deliberation committee (for child and adolescent welfare) tasked with considering the vulnerabilities, independent-living status, and needs of each youth preparing for independent living.