



FAMILY MATTERS

Kids safe in culture, not in care

**South Australian
Report
August 2014**

1. Introduction

As part of the Secretariat of National Aboriginal and Islander Child Care's (SNAICC) strategy to reduce the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care *Family Matters, Kids safe in culture, not in care* are rolling out state and territory forums engaging with key stakeholders on this important issue. Early childhood and child protection service providers, representatives from Aboriginal community controlled organisations and members of the community are being invited to identify local issues and recommend solutions which could be implemented by the community, government and non-government sectors.

Family Matters, Kids safe in culture, not in care hosted its third public forum in Adelaide on Wednesday 27 August and a community meeting in Port Augusta on Friday 29 August 2014. The forum in Adelaide was organised in partnership with Aboriginal Family Support Services, Uniting Communities, SA Council of Social Service and Child and Family Welfare Association SA. The forum attracted 182 attendances, of that 58 per cent came from the non-government sector, 36 per cent were from government and 6 per cent from the tertiary sector. The community meeting in Port Augusta attracted 38 people predominantly from the non-government sector.

An issues paper focussing on South Australia was distributed to all participants prior to the forum and provided a comprehensive evidence base to discussions. The issues paper highlights that while, Aboriginal and Torres Strait Islander children make up just 3.5 per cent of the child population (aged 0-17 years) in SA they comprise 30 per cent of all children in out-of-home care. Aboriginal and Torres Strait Islander children are 11.5 times more likely to be in out-of-home care than non-Aboriginal children which is higher than the national average. In South Australia, Aboriginal and Torres Strait Islander child removal has more than tripled in the past 10 years from 236 children in 2003 to 788 in 2013.

The Minister for Aboriginal Affairs and Reconciliation agreed to open the forum but due to health reasons had to withdraw just before the event. The Guardian of Children and Young People, Pam Simmons replaced the Minister and officially opened proceedings. A panel of speakers provided context to the small group discussions and included Sharron Williams, CEO Aboriginal Family Support Services; Sonia Waters, Director Aboriginal Services, AnglicareSA; Pam Simmons, Guardian of Children and Young People; Simon Schrapel Chief Executive, Uniting Communities and Robyn Layton Adjunct Professor, School of Law, University of South Australia. Fiona Arney Professor, University of South Australia representing the Minister for Education and Child Development, Jennifer Rankine, officially closed the forum.

The Adelaide forum and Port Augusta community meeting generated an unprecedented amount of media coverage including the Australian Associated Press, ABC television news, Port Augusta television, two articles in the Adelaide Advertiser, the Transcontinental Newspaper, Koori Mail, National Indigenous Times, The Stringer, ABC News online, Herald Sun online, the Guardian online, National Indigenous Radio Service, ABC Radio Breakfast, ABC Radio News and ABC Radio Broken Hill.

The outcomes of the forum discussions, which are detailed in this report, provide a contextual layer to the evidence base presented in the issues paper. They give an insight to the lived experience of Aboriginal and Torres Strait Islander peoples who have had contact with the child protection system in South Australia.

2. Evaluation

A total of 82 people completed an evaluation, which represents a 45 per cent response rate in the total number of people attending the public forum. They reported the following:

- 96% were motivated to make a difference to the lives of Aboriginal and Torres Strait Islander children
- 98% said the forum increased their understanding of the issue
- 99% believed the speakers were well informed and their speeches stimulating
- 97% thought the facilitator was good and their voices heard
- 94% believed the forum was the right length of time
- 99% thought the venue was suitable and had good facilities and
- 99% enjoyed the food and said it met their dietary requirements.

3. Acknowledgements

The Secretariat of National Aboriginal and Islander Child Care (SNAICC) gratefully acknowledges the financial support and sponsorship of the *Family Matters - Kids safe in culture not in care* public forum and community meeting from the Aboriginal Family Support Services, Anglicare SA, Council for the Care of Children, Families SA, Uniting Communities, South Australian Council of Social Service, Child and Family Welfare Association SA, and Key Support.

4. Small Group Discussions

At the time of registration participants at the public forum nominated one topic they wished to discuss. The issues paper circulated prior to the public forum provided an evidence base to these topics. The topics are derived from the Family Matters strategic framework and form the objectives for this national initiative. They were developed as a result of discussions by 1 100 people at the SNAICC conference in June 2013.

Topic One - Understanding and respect for Aboriginal and Torres Strait Islander cultures, including child-rearing practices

Issue and Barriers

Participants in this group discussed the need for two-way learning. Non-Aboriginal people need to apply an Aboriginal cultural lens and Aboriginal people have a responsibility to educate others about cultural child rearing practices. One participant stated that people need to understand which is cultural in child rearing and which are the effects of trauma.

There was a lot of discussion about the need for Aboriginal culture and child rearing information to be included in the curriculum of university courses for social workers, rather than learning about the history of colonisation. They highlighted that personal beliefs and values can impact on how social workers do their job. For example a social worker with a privileged upbringing may see an Aboriginal person's house as not up to their standard and consider it grounds for a substantiated notification for neglect. Another participant stated students only ever saw Aboriginal people in crisis or in contact with the child protection system. This can contribute to a biased view of Aboriginal people and their culture. One person stated the situation on the lands is very different from the city, sleeping outside on a mattress may look like neglect but it's not, its just cooler.

I had a strong Nan and Pop and she fed 17 children and sent them to school. They taught me to live in a white man's world because we can never go back, but we need to do this without losing our culture. If you don't know how to work with the Aboriginal community, just ask and we will tell you". Family Matters Adelaide Forum Participant

They highlighted the need for flexibility and that Families SA decision-making was not always viable on the ground. Aboriginal workers present said they had to be brave to challenge decisions, as they feared that it would jeopardise their employment. Other Aboriginal workers present, stated they provided cultural advice within Families SA but that it was not heard or acted upon.

Participants said that a consistent approach was needed in relation to the development of cultural competence for both the government and non-government sectors. They suggested a partnership approach was required with one participant suggesting that after the forum, there could be discussion about what child protection training should look like.

Cultural safety plans were also discussed and that ideally foster carers and Aboriginal family members should be involved in their development. One participant described working with a family who were concerned about their child being placed with non-Aboriginal carers, however they developed a cultural safety plan which included a stipulation if the child's hair was cut, it was sent back to the homelands.

Participants at the Port Augusta meeting emphasised the importance of listening to Aboriginal people when we work them. Non-Aboriginal people could be encouraging Aboriginal people to share the way they do

business. They said the missing link in the development of family care plans was the involvement of extended family members.

Recommendations

Government

Implement cultural awareness and Aboriginal child rearing training for all staff at Families SA, involving community elders whenever possible.

Develop and deliver a training package for non-Aboriginal foster carers and provide cultural awareness training for members of the judiciary.

Develop and implement an Aboriginal workforce strategy to increase the recruitment and retention of Aboriginal staff at Families SA.

Implement a policy, which ensures family care meetings occur well before a child protection hearing so the family has time to address issues before an order is made.

Non-government

Lobby for the inclusion of cultural competency in the curriculum of universities.

Organise a meeting of non-government CEOs to discuss and develop a position on funding and lobby government on resource allocation for the provision of services.

Develop assessment tools to monitor and evaluate what is working in the community and develop specific key performance indicators.

Community

Have conversations with people about Aboriginal culture and the differences in child rearing practices.

Topic Two - Aboriginal and Torres Strait Islander Involvement in Child Protection Decision-Making Issues and Barriers

Participants in this group were adamant the child protection system was not working. They said prevention and early intervention should occur as quickly as possible and families should be clearly advised of Families SA's concerns and be given the support and assistance to address them.

People were concerned that family care meetings are structured around Families SA and don't always take into account family members' views or extended kinship relations. Grandmothers and aunts, they said needed to be involved in the development of family care plans and participate in child protection decision-making. Participants also said that consideration of cultural issues and kinship relations were sometimes taken into account but it would depend on who was receiving this advice in the field.

These comments were also shared in Port Augusta. They also said more opportunities were needed for Aboriginal people to sit down and openly discuss what was happening in communities. The communities themselves need a voice and sense of empowerment. Port Augusta participants highlighted that subjecting people who were already traumatised to attend a meeting was further disempowering. They said negotiate the meeting time and location.

"My mother gave birth to 14 children and four were taken away and placed in institutional care. No one went back and explained to her why they were taken. She went to the grave not knowing." Family Matters Adelaide Forum Participant

At the Adelaide forum people recognised that section four of the Children's Protection Act stipulates Aboriginal participation in decision-making and stated this often occurred towards the end of the process.

Participants stated that family members need to be involved early on and at every stage of the assessment process. Family care meetings should always have a cultural representative present.

Port Augusta participants highlighted that family care meetings happen too close to going to court. They need to occur in a timely manner and in more appropriate language. They said the meetings need to be more culturally appropriate and less traumatic for family members.

In Adelaide, forum participants said that greater evidence needs to be collated on the Child Abuse Hotline before an investigation commences. A participant said anyone could report that children or young people are at risk, neighbours, family, the police, and sometimes it was done with malicious intent. Participants said that for families to receive support they had to be part of the system. It was highlighted that there was a whole range of non-government agencies that had previously provided prevention and intervention services but their funding had been cut and so was the services. There was nowhere for families to go and get this support.

A number of people questioned the length of time and the process used for the assessment of Aboriginal family members as kinship carers. One participant stated, "It takes six months to assess people as foster carers. They should consult with us. We know our families, we know where our children will be safe."

"I was asked by a five year old boy the other day whether my daughter had to be taken away. I said no but I was. My daughter was never taken away because I fought for her and she is at university at the moment. We need to stand up for the community". Family Matters Adelaide Forum Participant

Recommendations

Government

Increase the number of gazetted Aboriginal community controlled organisations and provide adequate resources to enable them to fulfill their role.

Develop a consistent approach to the development of family care plans, which involve extended family members such as aunts and grandmothers.

Outsource the development of cultural support plans to NGOs so they have the capacity of keeping children connected to their family and the community.

Establish culturally appropriate ways of communicating to enable more families to seek advice, understand the grievance process and be involved in child protection decision-making.

Review confidentiality guidelines to enable sharing of information to support children and young people being connected to their culture.

Review who has the child protection delegations in Families SA and afford senior Aboriginal people the authority for decision-making and not just providing advice.

Re-introduce the specialised Aboriginal child abuse report line and link reports of abuse or risk of abuse with the provision of early intervention services.

Non-government

Provide culturally appropriate training to foster carers.

Analyse child protection reviews and reports and produce a manifesto of recommendations not implemented.

Educate young people in care about parenting and child protection.

Establish a service which provides advocacy, assistance with the grievance and appeals process, and an independent tribunal to scrutinize the department's decision-making.

Recommend that Create secures additional funding to employ more young Aboriginal consultants.

Topic Three - Aboriginal and Torres Strait Islander Child Placement Principle

Issues and Barriers

This workshop discussed the human rights aspect of child removal and the impacts of isolation from family and culture. One participant stated it was like taking away a child's childhood and has a ripple effect for the remainder of their lives. The broader public they said needed to understand and be educated on Aboriginal history and hear stories about child removal.

Participants stated Families SA's approach to kinship care needs to change. The current system of deciding who gets placed into kinship care is arbitrary and inequitable and doesn't recognise informal care arrangements for example with grandparents. All children should be with family, while effort is made to place children with immediate families, Families SA need to recognize the important role of extended family members in the care of children.

They said the balance has to shift in decision-making on placements from a non-Aboriginal focus to an Aboriginal focus. They also emphasised they need to ensure children know their family roots and that Link-up and other research support is critical.

A participant stated one of the biggest barriers in the assessment of kinship carers was whether the family had an existing history with Families SA as this was often a deterrent in favorable assessments.

They highlighted that alternative options are needed for children who were being removed, for example Aboriginal controlled boarding schools such as Wōrawa assists in maintaining family and cultural connections, and improves educational outcomes. Bi-lingual education, they stated was essential in keeping children engaged in traditional culture.

During this workshop people recognized that non-Aboriginal carers were required but they needed to be culturally respectful, culturally competent, aware of Aboriginal history and ensure that children maintain connection with their culture. One person suggested that foster families need to have a formal connection with the birth family and community.

Discussion also focused on the need to have more Aboriginal people employed in mainstream NGOs and how they might partner with an Aboriginal organisation to deliver more culturally appropriate services.

Training, they said was really important. They highlighted that all professionals have to be culturally competent and have an understanding of how colonisation has contributed to intergenerational trauma. In particular the judiciary requires training. A participant stated the courts undermine the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) by fast tracking the process because of beliefs and judgements about Aboriginal families.

"You live with a fear that your children will be removed. I'm not going to ask for help because my kids are going to be removed. White people don't have that, they can ask and get help". Family Matters Adelaide Forum Participant

Recommendations

Government

Recruit more Aboriginal kinship care workers.

Adopt the Winangay model for assessment of foster and kinship carers.

Implement cultural awareness training for non-Aboriginal carers and ensure children are culturally safe.

Explore alternative and Aboriginal community controlled models of residential care.

Commence early family conferencing at the beginning of an investigation.

Non-Government

Lobby for the adoption of alternative options such as Aboriginal controlled boarding schools like Worawa (Healesville, Vic).

Provide support and recognise informal kinship placements.

Topic Four - Trauma, social and economic disadvantage links to child abuse and neglect Issues and Barriers

This group focussed a lot of their discussion on the impact of colonisation, stolen wages, stolen generations and the loss of land. Participants felt strongly that the general public needed to hear the history of Australia to understand how this has contributed to trauma, grief and social and economic disadvantage. The apology, they said meant a lot to Aboriginal people, but the government really needs to acknowledge Australia's history in order to assist Aboriginal and Torres Strait Islander people with their healing. A participant said there was an absence of any political or ethical leadership today, governments will not act unless there is a public outcry and groundswell of support.

They highlighted that education was the key to moving away from social and economic disadvantage however the education system needed to be more flexible to support the needs of Aboriginal children. Remote education, they said needs to be different and use culture, language and painting delivered by Aboriginal teachers. One participant commented that when Aboriginal people do graduate from university they are not given the opportunities in the workplace as they still face discrimination and racism.

"We need to invest in families to break the cycle of trauma". Family Matters Adelaide Forum Participant

The group acknowledged the inter-generational transference of trauma and with that came a myriad of other issues. One participant commented if you try to deal with the issues but not the poverty, you won't deal with the trauma that comes with it. They also identified that Aboriginal children need positive role models and this was challenging with the high rate of incarceration of Aboriginal fathers. These comments were also echoed at the community meeting in Port Augusta.

They said programs are needed to address intergenerational trauma, grief and loss, with one participant stating, "No one walks into our homes and asks how we are". Another participant suggested that Families SA needs to split its investigative arm away from early intervention and prevention services.

Participants highlighted that it was really important to educate non-Aboriginal families, particularly those who are caring for Aboriginal children to encourage them to support their engagement with culture. An unconscious assimilation occurs as children see the differences in the ways of life and they distance themselves from Aboriginal culture.

During this workshop it was recognised that many of the large NGOs do fantastic work but in the end they are usually trying to replicate a commercial version of something communities would have done naturally. Participants said these programs need to be Aboriginal led, non-judgemental and with ongoing funding.

"Grieving is a natural process for Aboriginal people but we have been told not to grieve that way. But you can't move on if you haven't grieved. You carry a burden. We've been grieving for over 200 years". Family Matters Adelaide Forum Participant

Recommendations

Government

Implement strategies to help children in foster care to remain attached and connected to their culture.

Introduce compulsory professional Aboriginal cultural learning within government agencies as a condition of employment.

Utilise cultural consultants in the development and delivery of cultural awareness training.

Non-government

Implement a strategy to encourage Aboriginal staff to be employed in kindergartens to help grow children's cultural awareness and understanding and build staff's cultural capacity.

Lobby for the introduction of cultural safety officers for organisations that have high interaction with Aboriginal people.

Establish a network of agencies to form working groups to investigate cultural awareness curriculums across the range of educational institutions and deliver proposals on more appropriate learning for students.

Community

Bring agencies, organisations and community groups together to help affect change.

Topic Five - Investment in Prevention and Early Intervention

Issues and Barriers

Participants in this group said the government needs to be persuaded to invest more money into prevention and intervention and not at the tertiary end of child protection. They highlighted funding issues and the fact that government contracts and tenders are often only for one year, they are then renewed or defunded. A number of people expressed concern that prevention and early intervention services were not funded to meet demand and required a vigorous evaluation and evidence base to ensure their continuation. They recognised the good services which were culturally appropriate were ones that employed Aboriginal staff, consulted with family and had connections with other agencies. They also highlighted that geographic isolation makes remote service delivery complicated and challenging.

"We need non-Aboriginal people to share the vision of what Aboriginal people are saying". Family Matters Adelaide Forum Participant

Comments were made about the need for collaboration across the government and non-government sectors and that prevention and early intervention services need to be culturally appropriate and trauma informed. They said community felt safe with non-government organisations. The health clinics were given as an example of culturally safe places. Participants said services need to honour culture in everyday spaces for example having Nunga Rooms. It was highlighted that some programs that were very strict and inflexible may not be culturally appropriate and lacked an Aboriginal focus and framework.

"My mum always irons everything because her mother told her that was how you could keep your kids." Family Matters Adelaide Forum Participant

People present said there was not enough support and care for parents or caregivers who have had their children removed. Family preservation and reunification was not occurring. One participant said when a child has been removed Families SA are not coming from a child reunification process. More resources they said needed to be invested in families so their children can be returned quicker.

Collaboration between services was again emphasised and that a child and family centred approach was required. Participants highlighted that family conferences are initiated when the families are involved in

court rather than in the beginning. They said referrals aren't getting out from Families SA quickly enough to ensure the provision of services early and avoid child removal.

They highlighted there was a lack of community empowerment and not enough realistic or authentic investment. Participants said the lack of engagement and absence of power in communities and families meant that Aboriginal people did not have enough control or resources to participate in decision-making.

In Port Augusta they identified there was a need to slow down the number of children being placed into care while money was redirected into prevention and intervention services. One participant spoke about the number of enquiries, reviews, Royal Commissions and research reports which have focussed on child removal but it appeared that workers in government agencies haven't read them. The solutions she said are already contained in these documents.

Recommendations

Government

Work toward the reunification of children with their birth families.

Consult with families on local issues acknowledging history; intergenerational trauma and the risk imposed on Aboriginal and Torres Strait Islander workers.

Fund organisations to provide outreach services in remote communities.

Remove labelling around fostering, encourage contact with Aboriginal communities and provide support post placement.

Non-government

Bring together a group of interested NGOs who are having problems with getting referrals from Families SA. Document solutions and suggest a partnership approach with Families SA.

Develop a strategy to debunk the myths about trauma targeting pre-school, school, TAFE and the workplace.

Educate community members using positive role models and mentoring and providing positive stories of how people have moved on.

Develop cultural awareness training for students and workers within the community sector.

Develop culturally appropriate programs for parents and foster carers.

Deliver programs, which support families to engage in services.

Lobby the education department to increase cultural strength (language, identity) and Aboriginal studies in school.

Topic Six - Level of expenditure on Aboriginal and Torres Strait Islander children and families in accordance with over-representation

In this workshop a lot of discussion focussed on capacity building Aboriginal organisations so they could be empowered to take on the responsibility for child protection services and out-of-home placement in a sustainable way. They highlighted the important role governments could play in enabling empowerment through policy frameworks and facilitating partnerships with NGOs, communities and families. They spoke about the importance of community engagement and community ownership and expressed frustration that these conversations continue but nothing seems to change. The NSW model of transference of responsibility to Aboriginal community controlled organisations was consistently raised as a preferred way of working. Participants suggested that money needed to be invested at a grassroots level, where the community knows the family and the child.

Successful community based responses to addressing substance misuse and financial issues require long term funding. It was highlighted that the Aboriginal Family Support Services (AFSS) have not received additional funding commiserative to their increased workload. Participants also discussed the strategic networking role AFSS plays in South Australia, a role for which they receive no additional funding. Participants highlighted that AFSS is funded for just one cultural consultant position across the state responsible for the gazetted child protection role which was just not sufficient. They suggested that principal Aboriginal consultants employed by Families SA should be relocated to AFSS.

Participants also raised that when Families SA make policy decisions such as the introduction of solution based case work the NGO sector is expected to implement these strategies without additional funding. People present at this workshop also recognised there had been some improvements since Families SA undertook a review a few years back. They highlighted the positive benefits of Families SA staff living on the Anangu Pitjantjatjara Yankunytjatjara (APY) Land and Yalata. The staff, they said could become active members of the community, not just 'welfare workers'. They also recognised that Families SA was under resourced, particularly in regional areas. Participants also noted that Families SA were very risk adverse which may result in more children being removed.

One person suggested that a two pronged approach was required, an injection of funding in accordance to over-representation but it needed to be spent on early intervention/prevention programs to reduce the rate at which children are entering the system. Another person suggested redirecting funding to new models of care. While another person stated the Communities for Children funding model could be appropriate.

Recommendations

Government

Inject funding into prevention and intervention services to match the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care.

Design and deliver trauma informed early intervention and prevention strategies.

Redirect funding from commercial care to new creative models of care.

Invest in community and capacity building solutions in a sustainable way.

Introduce long term funding with a ten-year minimum.