



Brief on COVID-19 response and recovery issues for Aboriginal and Torres Strait Islander children and families in contact with child protection services

Background and context

The Australian Government has been emphatic that Aboriginal and Torres Strait Islander people over the age of 50 are at the same level of risk as non-Indigenous people over the age of 70 and should self-isolate. The response to supporting vulnerable children and their families must be similarly emphatic and robust.

Our children are 10 times more likely to be living in out-of-home care than non-Indigenous children and already experience increased risks of poor health and well-being outcomes.

SNAICC – National Voice for Our Children has engaged with over 50 service providers for Aboriginal and Torres Strait Islander children and families through fortnightly teleconference and one-on-one phone calls to gather information about the impacts of COVID-19 on children and their families. COVID-19 is having a disproportionately high impact on Aboriginal and Torres Strait Islander children and families in contact with child protection services, impacting significantly on Aboriginal and Torres Strait Islander parents and carers of children and people who provide vital support services to families.

COVID-19 is intensifying the stress and anxiety that families feel within child protection systems, compounding trauma and mental health issues. Restrictions on social contact have limited opportunities for children to connect with their families and cultures – connections that are vital to their immediate and long-term well-being.

The NBN, internet, mobile phones and access to technology have become critically important to keeping the economy running and for maintaining important cultural and social connections. The crisis has highlighted the ‘technological divide’ that excludes many Aboriginal and Torres Strait Islander families from accessing these resources.

Less access to technology is particularly evident in remote areas where internet access is not always available. But it also impacts all communities experiencing higher levels of social and economic disadvantage, and the resulting challenges to meet the costs of purchasing and maintaining internet, computers, devices, and telecommunications. For larger families, having adequate computers, phones and other technology for every child is a particular challenge.

This brief provides an overview of the most common and critical issues identified by SNAICC in its ongoing engagement with services and makes recommendations to address these challenges.

Key principles underpinning responses to mitigate the impact of COVID-19 on Aboriginal and Torres Strait Islander children

Special measures must be implemented to ensure that vulnerable children in contact with child protection systems are kept safe and maintain their connection to culture and identity as a high priority. The following principles underpin SNAICC's recommendations to Australian governments and their bureaucracies in relation to Aboriginal and Torres Strait Islander children:

- The rights of children are upheld during this crisis and throughout the social and economic recovery from it.
- That the government partner with Aboriginal and Torres Strait Islander community-controlled services that are already providing essential services to children and families to facilitate a number of the recommendations in this paper.
- A communication strategy is established that informs services and communities about what actions are being taken and a 1800 help desk is established to provide guidance and information to services and parents.
- No parent is penalised in respect of a reunification plan because of the impacts of COVID-19 beyond their control.

Key issues: child protection and family services

1. Family and cultural contact, reunification and permanent care

Restrictive measures imposed due to COVID-19 have limited access between children in out-of-home care and their parents and family members. Policy responses have been inconsistent, with some states and territories limiting contact visits, some requiring services to support visits without safety guidance, and some measures not considering the developmental needs of young children. Reduced contact can have devastating impacts on children, and particularly for babies, very young children, and mothers who may still be breastfeeding. Reduced contact can be harmful for children and parents' attachments, well-being and prospects of reunification. Alternative contact arrangements, such as by videoconference, are often not appropriate for young children and children with disabilities.

For Aboriginal and Torres Strait Islander children contact is vitally important, not only with parents but with extended family and kin. Even where contact with parents has been maintained, COVID-19 has reduced the opportunity for children in out-of-home care to participate in the cultural life of their communities and to visit their Country.

COVID-19 measures have also prevented parents from following reunification plans due to reduced access to support services, higher levels of stress and anxiety, and reduced physical contact with their children. The consequences are magnified in many states and territories that impose limited timeframes for pursuing reunification before children are moved to permanent care orders. Adjournments and delays to court proceedings have also delayed decisions about child removal, family contact, placement and reunification, further hindering work towards family reunification.

Recommendations:

- That all reunification/restoration plans are reviewed and adapted to be progressed to the fullest extent possible in the context of COVID-19.
- That no parent is penalised in respect of a reunification plan or court proceeding because of COVID-19 impacts beyond their control.
- That where assessments were not conducted face to face during social distancing measures, governments acknowledge that the assessment may not be accurate and that this is considered in any future assessments or court proceedings.
- That implementation of permanent care orders be suspended until the crisis is over.
- That governments develop clear policies on safe contact visits for this and any future pandemics, in alignment with the developmental needs of children until a vaccine is found.
- That governments engage Aboriginal and Torres Strait Islander community-controlled services to facilitate safe contact until the crisis is over.
- That governments communicate with families consistently about changes to contact arrangements, including communicating in language.
- That governments invest additional resources into the implementation of cultural support plans during the recovery from COVID-19 to address reduced cultural contact for children during the pandemic.
- That governments work with Aboriginal and Torres Strait Islander organisations to provide clear advice and protocols for carers on maintaining children's cultural connections and relationships in the context of social distancing measures.

2. Mental health and well-being

Aboriginal and Torres Strait Islander children and families in contact with child protection systems are commonly impacted by experiences of trauma and require high levels of therapeutic support. Disruption and stress caused by COVID-19 are affecting the mental health of children and parents who are already experiencing high vulnerability. Additional stress is resulting from economic hardship, health issues, isolation, increased demands of home schooling, and a lack of respite for parents and carers of children with disabilities, behavioural issues and developmental delays. Protective factors, including cultural and community networks that support well-being for children and families, are heavily disrupted while social distancing measures are in place.

There is strong evidence that loss of cultural connection and a positive sense of self-identity are contributing factors to high rates of Aboriginal and Torres Strait Islander youth suicide. Many of the issues raised regarding interrupted family and cultural connections can have dire impacts on the mental health and well-being of young people in child protection systems if left unaddressed.

While a model of telehealth is being rolled out across Australia to respond to mental health issues, there is high concern that vulnerable Aboriginal and Torres Strait Islander families and children in out-of-home care are missing out. Families encounter multiple access barriers to telehealth including: a lack of access to technology for some; restricted capacity of services to build trusting relationships through online communications; and services that are not culturally safe or designed to meet the specific needs of children and their families.

Recommendations:

- That governments take measures to ensure the roll out of the telehealth model is accessible to, and adapted to the needs of, children in out-of-home care, including:
 - Ensuring the continuation of therapy and access to medications for children throughout the pandemic.
 - Providing technology where needed for children to access telehealth services.
- That governments invest additional resources in Aboriginal and Torres Strait Islander community-controlled organisations to address the mental health and well-being needs of children and their families during the recovery from COVID-19; particularly children in or at risk of entering out-of-home care.
- Additional therapeutic support is provided for young children and infants in particular recognising the potentially harmful impact of the pandemic on developing brains, including 1) heightened feelings of anxiety, distress, and uncertainty, 2) worry about infection or infecting family members and Elders, and 3) disruption to usual care and education, especially for those who have had therapy disrupted by the lockdown period.
- That governments fund the development and rollout of national guidelines, standards training, and accreditation for Aboriginal and Torres Strait Islander trauma-informed practice in work to support Aboriginal and Torres Strait Islander children and families.

3. Support for kinship carers

The response to COVID-19 is creating many additional challenges for both kinship and foster carers. The impacts are often felt more acutely by Aboriginal and Torres Strait Islander kinship carers who provide a high level of care for children in their communities, often with less support and facing higher levels of social and economic disadvantage and discrimination than other carers. Many Aboriginal and Torres Strait Islander kinship carers are grandparents and many are in the high COVID-19 risk category above 50 years of age.

Kinship carers are under additional pressures as a result of issues including providing additional home education support for children, unemployment and financial hardship, and changed contact arrangements for children with their parents. At times during the pandemic, there has been difficulties for carers to access essential family supplies, including basic food items and hygiene products. While these challenges are being faced by all families, the impacts on kinship carers are often greater as many are providing care for children who have high needs, including disabilities, behavioural issues and experiences of trauma. Responses must also address the needs of permanent kinship carers who may be receiving less support due to no longer being considered part of the statutory system.

Recommendations:

- That governments assess the adequacy of payments for carers facing financial hardship and additional challenges to provide care during the COVID-19 recovery. This must include additional funds to address the challenges of self-isolation for carers over 50 in the case of future COVID-19 waves.
- That governments ensure carers have the technological resources and supports needed to access telehealth services for themselves and the children they care for.

- That governments take measures to guarantee essential family supplies, including food and hygiene products, to remote communities during future pandemics or emergency situations.

4. Prevention and early intervention

Many family support programs and services intended to work with families to address the issues that create risks for child neglect and abuse have been either limited or halted at various stages of COVID-19 restrictions. Many services have transitioned to over-the-phone support, which reduces the quality of relationship building that is central to effective family support service provision. These disruptions disproportionately impact families who do not have access to technological resource or who do not speak English as a first language.

Throughout the recovery from COVID-19 families are likely to experience heightened pressures and stress resulting from the economic downturn, unemployment, long-term mental health impacts and potential further social restrictions that come with any future waves of the virus. As a result, it will be more important than ever to advance the already well-recognised national priority to invest more in early intervention and prevention services that can address the increasing over-representation of Aboriginal and Torres Strait Islander children in child protection systems. Investing in families must not be viewed as expendable in any post-COVID government saving measures. The immediate and long-term social and economic costs of the out-of-home care system are well known, and increased prevention and early intervention efforts will help our families, society and the broader economy to emerge stronger through the COVID-19 recovery.

Recommendations:

- That governments increase their investment in prevention and early intervention family supports, recognising the overwhelming evidence for and benefits of this approach, and the greater support needs of families resulting from the crisis.
- That governments provide clear advice and guidance on ensuring the continuation of family support services wherever possible, subject to any current or future COVID-19 restrictions, and on resuming and extending interrupted services when restrictions lift. This should include working with services to identify additional resources needed to continue safe service provision, for example PPE or technology.

5. Family violence

Home and social isolation are high risk factors for increased incidence of family violence. Confinement to the home environment limits the opportunity for victims of violence to seek support from services or within their social and community networks. Further, the experience of being confined at home can heighten tensions that lead to family violence. Many victims of family violence are reluctant to involve law enforcement, and with limited other face-to-face supports available, there is high concern that many victims are without support currently. Children are particularly vulnerable in these circumstances to being victims of violent acts or witnessing violence between their parents and other family members. Some services have raised concern that children who are victims of violence may go unseen at this time when they are not attending school and are not visible in the community.

A number of stakeholders have raised concerns around a lack of targeted funding for Aboriginal and Torres Strait Islander domestic and family violence services. Stakeholders reported that some clients were not comfortable accessing mainstream services and preferred the option to access more culturally appropriate Aboriginal and Torres Strait Islander community-controlled services better targeted to meet their needs.

Recommendations:

- That governments allocate immediate emergency relief funding for Aboriginal community-controlled organisations that deliver services to Aboriginal and Torres Strait Islander people experiencing family violence and support women and children to access accommodation and essential items.
- That governments expand dedicated care packages for Aboriginal and Torres Strait Islander people experiencing family violence, especially women and children to ensure their safety, health and well-being.
- That the Police refer Aboriginal and Torres Strait Islander people who experience family violence to their nearest FVPLS which can be found at www.nationalfvpls.org.au.

6. Access to technology

Lack of access to technology or internet connection throughout the pandemic has severely impacted on children's access to education and families' access to mental health, health and other support services. SNAICC has heard from a number of stakeholders that out-dated telecommunications infrastructure and lack of access to internet, particularly in remote areas, has severely impacted the ability of Aboriginal and Torres Strait Islander children and families to adapt to social distancing measures. Many Aboriginal and Torres Strait Islander community-controlled organisations have also struggled to adapt to working from home without the technological infrastructure in place to enable that to happen. Dedicated investment is required to improve the technological capability of Aboriginal and Torres Strait Islander community-controlled organisations and to improve access to telecommunications for remote communities.

Recommendations:

- That governments increase investment into telecommunications to improve and upgrade infrastructure in remote communities to ensure that telecommunications are at a standard that enables Aboriginal and Torres Strait Islander communities to access essential services.
- That governments provide carers and children in out-of-home care with technological resources needed to access essential support services and for children to maintain contact with their families.

7. Service workforce and funding arrangements

COVID-19 has been highly disruptive for Aboriginal and Torres Strait Islander community-controlled organisations and their capacity to provide services to children and families. These organisations have been required to respond promptly to a crisis that disproportionately affects their staff and clients, with limited resources. Key impacts of COVID-19 have been on client number, and on services that organisations have the capacity to provide.

Government messaging around Aboriginal and Torres Strait Islander people aged 50 or over being at the same level of risk from COVID-19 as non-Indigenous people over the age of 70

has had significant impacts on people's ability to continue working. Service providers in remote areas have also identified that a lack of local workforce development has left them short of staff and unable to fill positions after staff from outside the community have left during the pandemic.

Many organisations have adapted their service delivery model where possible to provide supports to children and families. However, models that include home visitation, such as Intensive Family Support Services – with a focus on preserving and reunifying families – require significant adaptation and cannot be fully converted to a virtual model of practice. Those continuing to provide face-to-face supports have been required to reduce on-site staffing and the number of families due to social distancing restrictions.

All these factors will impact on the capacity of service providers to meet their funding requirements. The Department of Social Services (DSS) has acknowledged that COVID-19 will impact upon service providers and advised organisations to document its impacts on service provision and report these to their Funding Arrangement Manager. The National Indigenous Australians Agency (NIAA) has adopted a similar policy of flexibility, indicating that it will talk through funding arrangements with organisations and vary funding arrangements where required.

It is critical that policy supports clarity and certainty around funding arrangements to ensure that Aboriginal and Torres Strait Islander services remain viable and are well positioned to meet increased demands for supporting Aboriginal and Torres Strait Islander families during the recovery from COVID-19.

As well as immediate funding certainty, further investment is required to support Aboriginal and Torres Strait Islander child and family services to respond to the specific needs of families impacted by trauma, unemployment and financial hardship during the recovery from COVID-19. This aligns with the soon-to-be-finalised Closing the Gap Agreement which recognises that building the role and capacity of community-controlled organisations is a high priority to improve outcomes for Aboriginal and Torres Strait Islander peoples.

Recommendations:

- That governments adopt and communicate clear guidelines that support clarity, certainty and flexibility of funding arrangements with Aboriginal and Torres Strait Islander community-controlled organisations where COVID-19 has disrupted service delivery.
- That the Commonwealth Government create a dedicated fund to support Aboriginal and Torres Strait Islander children and families throughout the pandemic and recovery process, with prioritised investments in Aboriginal community-controlled organisations that could be used for, but not limited to:
 - addressing the mental health and well-being needs of children and their families, particularly children in the out of home care and youth justice systems;
 - measures to address food insecurity;
 - improving technological capability of Aboriginal and Torres Strait Islander community-controlled services; and
 - supporting the Aboriginal and Torres Strait Islander workforce, including developing workforce capacity.