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**They've Gotta Listen**

**Aboriginal and Torres Strait Islander Young People in Out of Home Care**

**Report by the Institute of Child Protection Studies**

**DHCS Response**

**December 2008**

## KEY MESSAGES FROM THE THEY'VE GOTTA LISTEN REPORT AND DHCS RESPONSE

Theme	Item	Key Message	DHCS Response
Family	1.1	The need for support to be provided to families early so that they can deal with key challenges.	<p>The Department recognises that providing support to families early is a key way of preventing problems from escalating later on down the track.</p> <p>The Department has a number of measures in place to support vulnerable Aboriginal and Torres Strait Islander families early in the life of an issue. These include:</p> <ul style="list-style-type: none"> <li>• recent amendments to the <i>Children and Young People Act 2008</i>, which allows for an early intervention and support approach to some care and protection concern reports as an alternative to statutory intervention,</li> <li>• additional resources for the <i>Integrated Service Delivery to Aboriginal and Torres Strait Islander People</i> project, which has a strong early intervention focus and seeks to build on the strengths of Indigenous families and empower them to respond to the key challenges and issues they face, and</li> <li>• continued support for community-based Indigenous family support services through organisations such as Gugan Gulwan Youth Aboriginal Corporation, Billabong Aboriginal Housing Cooperative and the Wreck Bay Aboriginal Community Council.</li> </ul> <p>The Department also operates Child and Family Centres at Gungahlin and Tuggeranong, which provide a variety of universal and targeted services to families. These services include parenting information, facilitated playgroups, individual and family support. The 'Growing Healthy Families' program is an Indigenous community development project that is operated through these Centres with funding support from the Commonwealth's Indigenous Coordination Centre in Queanbeyan. Under this program, Indigenous community workers are employed to undertake community development work through local Koori Preschools. These workers engage with Indigenous families in the promotion of protective behaviours that improve social, emotional, cognitive and developmental outcomes for children.</p> <p>There is also a Government commitment to work towards a third Child and Family Centre (CFC) in Belconnen and to establish a virtual CFC on line.</p>
Family	1.2	Young people stress the importance of being placed with or supported to remain connected to siblings and other family.	<p>The <i>Children and Young People Act 2008</i> provides the legislative framework for supporting Aboriginal and Torres Strait Islander children and young peoples' connection to family, community and place, and it is supported by departmental policies and practice.</p> <p>Every effort is made to work with families to address concerns around the safety and wellbeing of children and young people, and the department can work with families through Voluntary Care Agreements and Supervision Orders as an alternative to longer-term out-of-home care arrangements.</p> <p>In the event, an Aboriginal or Torres Strait Islander child and young person needs to be placed in out-of-</p>

			<p>home care, a decision-maker within the Department must comply with Section 513 of the <i>Children and Young People Act 2008</i>, which provides a hierarchical set of placement options for Indigenous children and young people beginning with a kinship carer or a foster carer who is a member of the child's/young person's Aboriginal or Torres Strait Islander community.</p> <p>In addition to this, as part of a child's/young person's overall care plan, the Department prepares Cultural Plans for all Aboriginal and Torres Strait Islander children and young people being placed in out-of-home care. These Cultural Plans provide a mechanism for enhancing and maintaining the child/young person's identity as an Aboriginal and/or Torres Strait Islander person, and includes strategies for connecting them to family and kin, including siblings.</p> <p>The Department also operates the Aboriginal and Torres Strait Islander Kinship and Foster Care Service, which recruits, trains and supports Indigenous families willing to become care families to Aboriginal and Torres Strait Islander children and young people in out-of-home care. This Service provides an important, culturally appropriate placement option for departmental staff looking to place Aboriginal and Torres Strait Islander children and young people in out-of-home care.</p> <p>There is also a commitment to work towards providing greater support to Grandparents, particularly Grandparents who are primary carers.</p>
Family	1.3	The need to identify strengths and resources in the family.	<p>The Department recognises the benefits of building on the strengths and resources within families and makes very effort to work with family members to address the key challenges and issues they face. Strengths-based models of intervention are a feature of the Department's engagement with families. The <i>Integrated Service Delivery to Aboriginal and Torres Strait Islander People</i> project, in particular, seeks to build on the strengths of families and empower them to response to the key challenges and issues they face. Participation in this project is voluntary, and as such, the family is placed at the centre of case planning and decision-making processes.</p> <p>As mentioned earlier, the Child and Family Centres at Gungahlin and Tuggeranong provide a variety of universal and targeted services to families including parenting information, facilitated playgroups, individual and family support. These centres operate the 'Growing Healthy Families' program, which is an Indigenous community development project that employs Indigenous staff to undertake community development work through local Koori Preschools.</p>

Theme	Item	Key Message	DHCS Response
Culture	2.1	The need to identify young people's cultural needs and wishes.	<p>The Department has a range of measures in place to identify the cultural needs and wishes of Aboriginal and Torres Strait Islander children and young people. These include:</p> <ul style="list-style-type: none"> <li>making every effort to engage with the families of Indigenous children and young people and to have them actively participate in case planning and implementation,</li> <li>taking steps to identify and engage with the Aboriginal and Torres Strait Islander child's and young person's kin and boarder community,</li> <li>working with Indigenous community organisations in our engagement with Aboriginal and</li> </ul>

			<p>Torres Strait Islander children and young people, and employing Aboriginal and Torres Strait Islander staff to support Indigenous children and young people and to provide other staff with advice and guidance on Aboriginal and Torres Strait Islander issues.</p> <p>The Department also prepares Cultural Plans for all Aboriginal and Torres Strait Islander children and young people placed in out-of-home care. These plans provide an opportunity for departmental staff to identify cultural needs and wishes in consultation with the child or young person and other key stakeholders including family and Indigenous community organisations involved in providing ongoing services to the child or young person.</p>
Culture	2.2	The need to identify possible resources available to young people from their local community.	<p>The Department operates a number of initiatives to support Indigenous children and families including:</p> <ul style="list-style-type: none"> <li>targeted Indigenous family support services,</li> <li>the <i>Integrated Service Delivery to Aboriginal and Torres Strait Islander People</i> project,</li> <li>an Aboriginal and Torres Strait Islander Kinship and Foster Care Service,</li> <li>Narrabundah House—a supported accommodation facility for young Indigenous men, and</li> <li>Indigenous community development and direct child and family parenting and well-being services in Gungahlin and Tuggeranong.</li> </ul> <p>The Department also fund a number of community-based Indigenous services such as:</p> <ul style="list-style-type: none"> <li>the Gugan Gulwan Youth Aboriginal Corporation, which operates as a youth drop-in service,</li> <li>targeted family support services through Gugan Gulwan, Billabong Aboriginal Corporation and the Wreck Bay Aboriginal Community Council,</li> <li>targeted alternative educational programs through Gugan Gulwan and Galilee, and</li> <li>other youth and family support services.</li> </ul> <p>As part of the Indigenous cultural planning process, Aboriginal and Torres Strait Islander children and young people being placed in out-of-home care are provided with a list of Indigenous-specific support services and a calendar of significant events relevant to the local Aboriginal and Torres Strait Islander community. Information on available services is also provided to young people through normal case management practices.</p>
Culture	2.3	The need to keep young people connected to their communities, particularly through cultural gatherings and activities.	<p>In the ACT, there are a number of Indigenous foster care families receiving support and assistance through mainstream service providers such as Marymead, Barnardos and Galilee. These mainstream organisations provide a range of supports to care families, which can include respite, supervision and training.</p> <p>The Aboriginal and Torres Strait Islander Kinship and Foster Care Service is operated by the Department. Indigenous care families registered with the Service receive a level of support comparable to that provided by mainstream organisations and can include respite, supervision and training. In line with mainstream organisations, this Service is rolling out the Accredited Training Program for Foster Carers to ensure its carers are fully qualified and skilled to meet the needs of the children and young people placed with them. These staff also work closely with Care and Protection Services to ensure Aboriginal and Torres Strait Islander care families are appropriately supported financially.</p>
Culture	2.4	The need to provide appropriate levels of support to Aboriginal foster families to ensure that they can meet the needs of the children (including financial support, respite, supervision and training).	

Culture	2.5	The need to provide training to staff on how to appropriately work with Aboriginal foster carers to ensure that they are able to meet the needs of foster children.	<p>The Department offers a range of learning and development opportunities to all Departmental staff to enable them to develop a knowledge and understanding of the issues affecting Aboriginal and Torres Strait Islander people in contemporary Australian society. Cultural Awareness Training is part of the Department's core training for staff and Aboriginal and Torres Strait Islander issues are discussed at a number of points during the Department's Induction program.</p> <p>In 2008, the Department introduced the Accredited Training Program for all Foster Carers. This Training Program includes specific components on issues relating to the needs of Aboriginal and Torres Strait Islander children and young people in out-of-home care. The Department has also conducted the 'Engaging With Our Mob' training course, which provides participants with an insight into Aboriginal and Torres Strait Islander people, their culture and the issues affecting them. There is also specific training on the Indigenous cultural planning process and Indigenous staff within ATSI are available at all times to provide advice and guidance on Indigenous cultural issues, family links and protocols.</p> <p>In May 2008, the Chief Executive, DHCS launched the Department's Reconciliation Statement of Commitment, which commits the Department to develop a Reconciliation Action Plan by May 2009. Building the cultural competency of staff and work practices are likely to be a feature of the Action Plan. Planning is in train to provide cultural competence training to staff in 2009.</p>
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Theme	Item	Key Message	DHCS Response
Participation	3.1	The need to provide young people with information before, during and after leaving care (particularly about where they are being placed, where their siblings are placed and their rights).	<p>As part of the Department's case management practices, children and young people in out-of-home care are provided with information and advice at various times, and the Department will continue to work with members of a child/young person's care team to facilitate information flow at key points in a child/young person's life.</p> <p>Under the new <i>Children and Young People Act 2008</i>, planning is required for all children and young people leaving care. This includes preparing and providing the young person with information about other family members, opportunities, rights and available assistance. The <i>Time to Fly</i> resource kit is designed to assist young people when leaving care to transition to living independently. The resource is a joint initiative between the CREATE Foundation and OCYFS, based on the successful Tasmanian model, which provides practical life skills information.</p> <p>The Department is also finalising the development of age appropriate Charter of Rights for Children and Young People in the care of the Chief Executive. This will provide information to children and young people about their rights and contain other useful contact information.</p>
Participation	3.2	The need to give young people opportunities to make decisions (or play a part in decision-making) about issues that affect their lives (including where they are placed, what arrangements they have for contact and in identifying their cultural needs).	<p>The Department is committed to working in a child-centred way and to embracing mechanisms that hears and response to the voices of children and young people, and this is a key feature of the new legislation.</p> <p>As part of its case management practices, the Department, in collaboration with its community sector partners, have adopted a range of measures to involve children and young people in the decision-making process. Case meetings, annual reviews and family conferencing are some of the mechanisms for engaging with children and young people.</p> <p>The new <i>Children and Young People Act 2008</i>, contains enhanced provisions for the involvement of young</p>

			people in decision making.
Participation	3.3	The need for organisations and agencies to work together, particularly to ensure that families (both natural and foster) are adequately resourced and supported.	<p>The Department recognises the importance of working in partnership with Aboriginal and Torres Strait Islander people and our community-sector partners around the safety and wellbeing of Indigenous children and young people.</p> <p>As mentioned earlier, the Department has a range of mechanisms in place to support this partnership approach including employing Aboriginal and Torres Strait Islander staff in key areas, particularly service delivery areas, administering Indigenous-specific programs and services, pursuing a process of Reconciliation and investing in a number of integrated approaches to service delivery.</p>
Participation	3.4	The need for Aboriginal and non-Aboriginal services to work together to establish and to ensure that young people's cultural connections are maintained.	<p>The Department's Reconciliation Statement of Commitment, cultural planning process, ATSI/CPS Protocol and cultural awareness training are four key measures that help guide non-Indigenous staff within the Department around their work with Indigenous families and Indigenous staff.</p> <p>In addition to the above, the Department has invested resources into a number of integrated approaches to service delivery that seek to enhance cooperation and collaboration across the sector. The <i>Integrated Service Delivery to Aboriginal and Torres Strait Islander People</i> project, is one of these approaches and building respectful relationships between Indigenous and non-Indigenous service providers is a feature of this project.</p>

Theme	Item	Key Message	DHCS Response
Culture and Family	4.1	Culture needs to be recognised as an integral part of young people's lives and for a young person's cultural needs to be identified and responded to in assessments, planning and service delivery. This should be done with young people to ensure that it reflects their needs and wishes.	<p>The Department recognises that culture, identity and voice is central to lives of Aboriginal and Torres Strait Islander children and young people and there are a range of measures in place to respond appropriately and sensitively to these issues.</p> <p>Through its programs and services, every effort is made to ensure Aboriginal and Torres Strait Islander children and young people can develop a strong sense of their cultural identity and maintain connections to their family and community. The Department employs Indigenous staff to support children, young people and their families, funds Indigenous community organisations to provide additional support and is pursuing a number of strategies to build the cultural competent of its policies, practice and workforce.</p> <p>Child-centred practice and cultural planning processes are key instruments for responding appropriately to the cultural needs of Aboriginal and Torres Strait Islander children and young people accessing departmental services.</p>
Culture and Family	4.2	Providing and supporting opportunities for young people to participate in cultural activities and the cultural life of the community is essential and should be reflected in practice.	<p>As mentioned earlier, as part of the Indigenous cultural planning process, Aboriginal and Torres Strait Islander child and young people being placed in out-of-home care are provided with a list of Indigenous-specific support services they can access and a calendar of significant events relevant to the local Aboriginal and Torres Strait Islander community.</p> <p>Through its case management practices, the Department works with Aboriginal and Torres Strait Islander children and young people, their families and our community-sector partners to facilitate Indigenous children</p>

			and young people's participation in cultural events and the cultural life of their community.
Culture and Family	4.3	All Aboriginal and non-Aboriginal services are responsible for the safety and wellbeing of Aboriginal and Torres Strait Islander children and young people and services must develop cultural competences and courage (through training, learning circles and mentoring) if they are to respond appropriately and to avoid further cultural abuse.	<p>As mentioned previously, the Department is pursuing a number of strategies to build the cultural competent of its policies, practice and workforce. It:</p> <ul style="list-style-type: none"> <li>• employs Indigenous staff to support children, young people and their families,</li> <li>• funds Indigenous community organisations to provide additional support to these children, young people and their families,</li> <li>• operates Indigenous-specific services in-house,</li> <li>• has a number of Indigenous-specific policies such as the Indigenous cultural planning process and an ATSI/CPS Protocol,</li> <li>• has a number of Indigenous-specific initiatives in place,</li> <li>• delivers cultural awareness training to staff,</li> <li>• has delivered a Reconciliation Statement of Commitment, and</li> <li>• is working towards a Reconciliation Action Plan by May 2009.</li> </ul> <p>Through the Department's programs and services and case management practices, every effort is made to ensure the needs of Aboriginal and Torres Strait Islander children and young people are addressed. As mentioned earlier, child-centred practice and cultural planning processes are key instruments for responding appropriately to the cultural needs of Aboriginal and Torres Strait Islander children and young people accessing departmental services.</p>
Culture and Family	4.4	Maintaining links with families, particularly siblings, is essential for Aboriginal young people and must be integrated into case planning. This might require additional resources and the provision of transport.	<p>As mentioned earlier, the <i>Children and Young People Act 2008</i> provides the legislative framework for supporting Aboriginal and Torres Strait Islander children and young peoples' connection to family, community and place, and it is supported by departmental policies and practice.</p> <p>Every effort is made to work with families to address concerns around the safety and wellbeing of children and young people, and the department can work with families through Voluntary Care Agreements and Supervision Orders as an alternative to longer-term out-of-home care arrangements.</p> <p>In the event, an Aboriginal or Torres Strait Islander child and young person needs to be placed in out-of-home care, a decision-maker within the Department must comply with Section 513 of the <i>Children and Young People Act 2008</i>, which provides a hierarchical set of placement options for Indigenous children and young people beginning with a kinship carer or a foster carer who is a member of the child's/young person's Aboriginal or Torres Strait Islander community.</p> <p>In addition to this, as part of a child's/young person's overall care plan, the Department prepares Cultural Plans for all Aboriginal and Torres Strait Islander children and young people being placed in out-of-home care. These Cultural Plans provide a mechanism for enhancing and maintaining the child/young person's identity as an Aboriginal and/or Torres Strait Islander person, and includes strategies for connecting them to family and kin, including siblings.</p>

Theme	Item	Key Message	DHCS Response
Participation and Collaboration	5.1	Young people have the capacity and willingness to participate in decision-making and need information about their situation to make choices and to deal with their circumstances.	<p>As discussed earlier, the Department is committed to working in a child-centred way and to embrace mechanisms that hears and response to the voices of children and young people.</p> <p>As part of its case management practices, the Department, in collaboration with its community sector partners, have adopted a range of measures to involve children and young people in the decision-making process. Case meetings, annual reviews and family conferencing are some of the mechanisms for engaging directly with children and young people.</p>
Participation and Collaboration	5.2	To alleviate frustration and further harm, services working with young people need to appropriately engage young people and provide them opportunities to discuss their issues and to make decisions in regards to their case plan.	<p>The Youth Directorate area of OCYFS is responsible for the implementation of the ACT Young People's Plan 2004-2008. The Youth Advisory Council and the Youth InterACT events and conferences generate discussion on issues that impact on young people, the promotion of youth inclusion, participation and feedback to the Government on issues of importance to young people. There are significant opportunities through these forums to focus on issues relating to planning and decision making with Aboriginal and Torres Strait Islander young people.</p> <p>Also, as part of its ongoing work, the Department, through ATISIS, will continue to explore opportunities to provide information and resources to Aboriginal and Torres Strait Islander children and young people and to empower them in decision-making processes.</p>
Participation and Collaboration	5.3	Non-Aboriginal workers have an important part in supporting Aboriginal and Torres Strait Islander people and have the support of the Aboriginal community to do so if done respectfully and preferably, with guidance from Aboriginal people.	<p>The Department recognises the importance of working in partnership with Aboriginal and Torres Strait Islander people around the safety and wellbeing of Indigenous children and young people. As mentioned earlier, the Department has a range of mechanisms in place to support this partnership approach including employing Aboriginal and Torres Strait Islander staff in key areas, particularly service delivery areas, administering Indigenous-specific programs and services and pursuing a process of Reconciliation.</p> <p>The Department's Reconciliation Statement of Commitment, cultural planning process, ATISIS/CPS Protocol and cultural awareness training are four key measures that help guide non-Indigenous staff within the Department around their work with Indigenous families and Indigenous staff.</p>
Participation and Collaboration	5.4	Collaboration enhances Aboriginal and non-Aboriginal services capacity to meet young people's needs but has to be fostered through respectful relationships with ongoing opportunities to meet and share ideas (i.e. from ongoing training and development relating to cultural competence).	<p>In addition to the above, the Department has invested resources into a number of integrated approaches to service delivery that seek to enhance cooperation and collaboration across the sector. The <i>Integrated Service Delivery to Aboriginal and Torres Strait Islander People</i> project, is one of these approaches and building respectful relationships between Indigenous and non-Indigenous service providers is a feature of this project.</p>

Participation and Collaboration	5.5	Non-Aboriginal 'champions' have an important part to play in bringing Indigenous and non-Indigenous worker together, in fostering relationships and resolving cultural tensions. They should be guided and supported by Aboriginal leaders.	<p>As part of the Department's work around Reconciliation, a cross departmental working group of senior officers have been formed to develop a departmental Reconciliation Action Plan. The Group has acknowledged that one of its functions is to champion Aboriginal and Torres Strait Islander issues in the workplace and to foster respectful and productive relationships between Indigenous and non-Indigenous staff and clients. The Group includes a number of experienced Indigenous staff and is supported with advice and guidance by the Director, ATSIIS who is Aboriginal and another officer from ATSIIS who is Torres Strait Islander.</p> <p>It is envisaged the Group will explore opportunities to consult with and engage representatives of the local Aboriginal and Torres Strait Islander community such as the ACT Indigenous Elected Body and the United Ngunnawal Elders Council.</p>
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Theme	Item	Key Message	DHCS Response
Supporting Indigenous Foster Carers	6.1	Aboriginal foster carers often experience similar challenges to those of non-Aboriginal foster carers (in regards to receiving adequate training, resources and support) which can be exacerbated because of financial constraints and which are often not resolved due to non-Aboriginal workers and organisations not feeling competent to work with Aboriginal families.	<p>The Department recognises the disadvantaged circumstances of Aboriginal and Torres Strait Islander people and values the contribution made by Indigenous and non-Indigenous care families to the lives of Aboriginal and Torres Strait Islander children and young people in the out-of-home care sector.</p> <p>Through the Aboriginal and Torres Strait Islander Kinship and Foster Care Service, the Department is rolling out the Accredited Training Program to all carers within the Service to ensure they are fully qualified and skilled to meet the needs of the children and young people placed with them. The Service is operated by Indigenous staff who are sensitive to the inter-relatedness of family relationships in the ACT and who actively works with care families to resolve issues of conflict and uncertainty. These staff also work closely with Care and Protection Services to ensure Aboriginal and Torres Strait Islander care families are appropriately supported financially.</p> <p>Care families within the Aboriginal and Torres Strait Islander Kinship and Foster Care Service may also access counselling services, training and networking opportunities as appropriate.</p>
Supporting Indigenous Foster Carers	6.2	Aboriginal foster carers often have to manage personal relationships with their foster children's birth parents and relatives (particularly in kinship arrangements) and often this is stressful.	<p>The increasing responsibilities on grandparents and their subsequent needs for support have been recognised by the ACT Government. As part of its 2008 election campaign, ACT Labour made a commitment to provide additional resources for a grandparents support service, and to design and deliver, in consultation with the Aboriginal and Torres Strait Islander community, a program to support older Canberrans—in particular grandmothers—who are primary carers of their grandchildren.</p>
Supporting Indigenous Foster Carers	6.3	Aboriginal foster carers may need additional support and counselling so that they can deal with their own emotional needs (particularly in regards to their own and their community's experiences with child removal).	