SUBMISSION OF THE

NGAANYATJARRA PITJANTJATJARA
YANKUNYTJATJARA
WOMEN’S COUNCIL ABORIGINAL CORPORATION
TO THE

INQUIRY INTO THE CHILD PROTECTION SYSTEM IN THE
NORTHERN TERRITORY 2010

Women’s Law, Grandmother’s Law is really important to us. It teaches us many important ways for women. It teaches us right way for children to be looked after and taught.

But a lot has changed for us on communities. We are worried about losing our traditional means of controlling and caring for children. We are worried about our family structure breaking down. We are worried about grog and petrol sniffing and how that affects our families. And we are also worried that government and welfare mob don’t understand our way and our problems.

We women have ideas about what to do to make it better. We want government and welfare mob to listen to what we say and our ideas. We want them to work with us and our organisations, to get it right.

Like we say in this story we have already lost too many of our children in the past. Those children that were taken away and many who have passed away. We don’t want to lose any more.

The NPY Women’s Council

History and overview

The Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women’s Council (NPYWC) began in 1980 and was separately incorporated some years later, in 1994. NPYWC now comes under the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth.)

The push for a separate women’s forum came about during the South Australian Pitjantjatjara Land Rights struggle of the late 1970s. During consultations over land rights, many women felt that their views were ignored, so they established their own organisation. Its region covers 350,000 square kilometres of the remote tri-State cross-border area of Western Australia, South Australia and the Northern Territory. Anangu and Yarnangu (Aboriginal people) living on the Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara lands (Western Desert language region) share strong cultural and family affiliations. What began as an advocacy organisation is now also a major provider of human services in the region, in essence working to address the needs that clinical health services cannot, and that government agencies do not directly provide in this remote area. NPYWC has taken this direction because of the glaring needs that exist in member communities.

NPYW C represents women in the region, which has an over-all population of around 6000. The members’ determination to improve the quality of life for families in the region drives the organisation. Its existence gives members an avenue for participation in the decision-making processes that affect them and their families. It is a permanent forum where they are able to raise issues and make their opinions and decisions known. It also provides opportunities for Anangu to learn, share knowledge and keep informed about relevant issues. NPYWC’s success is largely due to its capacity to provide a decision-making process steered by the members. One of the major advantages of its existence is the development over time of members’ ability to consider and analyse policy issues, deal with government agencies and advocate on their own behalf.
NPYWC’s Constitutional Objectives

The central objective of the corporation is to relieve the poverty, sickness, destitution, distress, suffering, misfortune or helplessness among the Aboriginals of the Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara communities and, for the purpose of advancing this central objective, to:

a) provide a forum for Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara women to discuss their concerns;

b) assist and encourage the representation and participation of women from the Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara region on local, regional and other relevant bodies;

c) help individual women and girls to achieve further training, education and employment;

d) establish, provide and or promote services to improve the health and safety, education and general well-being of people in the Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara region;

e) establish, provide and promote the artistic and cultural interests of Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara women;

f) promote and support the achievements and authority of Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara women;

g) gather and provide information about issues of importance to Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara women and to the broader community;

h) promote and encourage the law and culture of Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara women;

i) support and encourage other women and organisations who work towards similar aims.

NPYWC has its administrative office in the main regional town of Alice Springs. Regional offices are located at Umuwa in SA, Wingellina, Warakurna, Warburton and Kiwirrkurra in WA.

NPYWC Services

NPYWC currently operates with a budget of up to $8M per annum from a wide variety of agencies. It employs at present more than fifty staff, the majority full-time, several part-time, a couple on a casual basis and occasional short-term contract staff for specific research or other projects. Programs operate where at all possible, funding and recruiting permitting, with a team consisting of a (usually non-Aboriginal) staff member with formal professional qualifications and an Anangu project worker who is in most, but not all instances employed for their language skills, community knowledge and contacts and cultural knowledge.
NPY Women's Council have a holistic approach to service delivery and combine funds from various agencies to fund services according to the needs identified by their members and according to funding guidelines. Currently, the NPY Women's Council delivers services in 5 main streams; Domestic and family Violence Service (including sexual assault), Child Nutrition and Wellbeing Program, Youth Services, Aged and Disability Advocacy and case management, Emotional and Social Wellbeing and Ngangkari (traditional healers).

Publications


"They Might Have to Drag Me Like a Bullock," on the care needs of the aged, NPYWC, 1995.

"Ngamanta Rarningka Latji Warparp; We Have Been Doing This Work for a Long Time," Women's Centres Book, NPYWC, 1999.


"Minymaku Way" SBS Film Production documenting the work of NPY, 2001.

"I Want to be Free" Domestic Violence music video, NPYWC DV Service with young women from the Ngaanyatjarra lands, WA, 2002.


"Speak Up Against Child Sexual Abuse" campaign television and radio ads., 2008.

Awards

"National Drug and Alcohol Award for Excellence in Prevention" from the National Council on Drugs to the Opal Alliance: NPY Women's Council, General Property Trust (GPT) and Central Australian Youth Link Up Service (CAYLUS) for successful lobbying to have Opal ‘unsuffiable’ low octane fuel subsidised by the Australian Government in commercial retail outlets in the Central region; June 2007;


NPYWC Submission to the NT Child Protection Inquiry, April 2010
"Women in Community Policing" Award, Australasian Policewomen’s conference, Darwin, August 2005;


"Best Practice Award" for the Child Nutrition Project, 1997. Awarded by OATSIIH;

"Finalist 2010 Excellence in Indigenous Health Awards; Outstanding Delivery in Child and Maternal" Health, NPYWC Child Nutrition Program, April 2010;

"An Outstanding Contribution to Australian Culture” for the Kungka Career Conference, 1999. Awarded by the Centre for Australian Cultural Studies Canberra;

Human Rights and Equal Opportunity Commission Award to NPY Women’s Council in the Community Sector, 2000;

Special Mention for the Women’s Centres Book – “Nganana Rawangka Atajji Warkariap; We Have Been Doing This Work for a Long Time”, 2000. Awarded by the Centre for Australian Cultural Studies Canberra;


Telstra National Aboriginal & Torres Strait Islander Art Award, Tjanpi Aboriginal Baskets weavers for the Tjanpi (grass) Toyota, Darwin, August 2005.

"We support young mothers to care for their children, and young mothers, children and young people who are in DV situations. In our communities a lot of abuse occurs in families through alcohol and gambling and substance abuse. Petrol sniffing, marijuana, domestic violence and teenage pregnancies are big problems in our communities. What is not discussed is all the children who are suffering as a result. In the communities there are very limited services for women and children.

It is time that mainstream children’s services developed more creative and effective strategies that will improve the lives of children in this region. Government Policy and programs must recognise the huge differences within Australia, not only cultural and social but geographic as well. Remote Northern Territory is not the same as remote Victoria. It is time for government agencies to work more closely with us to address these issues."

Mary Anderson

Child Nutrition Worker

NPY Women’s Council (2002)
1. Protocols for Working in Collaboration

In 2001 the NPY Women’s Council was a member of a group of concerned organisations working with children and young people in central Australia that formed the Child Welfare Coalition. This Coalition then met with NTFC to form the FACS/Child Welfare Coalition Reference Group. The purpose of this group was to form a set of protocols that would ensure the statutory and non-government sector working to protect children were working collaboratively with clearly articulated roles and responsibilities and mechanisms for information sharing.

This Protocol was signed off by all agencies and NTFC in November 2003. Unfortunately this Protocol was not taken up as standard practice and adhered to by many agencies, particularly NTFC, despite regular meetings and the good will of Senior Managers within each agency. The Protocol clearly outlines each agency’s role and responsibility in child protection and details how, when and what information should be shared in order to provide the best possible service for people involved with the Statutory child protection system.

In 2007, considerable effort was made by NTFC and the Coalition to ensure that all those working with vulnerable families in central Australia were trained in the practical implementation of the Protocol with the development of implementation guidelines, standard pro formas, grievance procedures and regular Protocol training sessions for new staff. Unfortunately it has been extremely difficult to ensure NTFC Staff adhere to the Protocol for the following reasons:

a. When training sessions are held very few NTFC staff attend and those that do usually do not stay for the duration of the training.
b. New NTFC staff are not made aware of the Protocol upon commencement and when they are they are not able to locate a copy of the Protocol and associated guidelines in their offices.
c. Many NTFC staff consider the Protocol an interruption to their work.

NPYW C and the Coalition have consistently argued that NTFC must adopt the Protocol as Departmental Policy so as to ensure all staff comply. However, Senior Management within NTFC have resisted this idea stating that the Protocol is only relevant to central Australia. On the contrary, this Protocol is a guide to best practice that can be shared in all jurisdictions.

**Recommendation:** NTFC recognise the value of the NGO sector in providing care and protection to vulnerable children and young people in the NT and the importance of working in partnership with these agencies. NTFC adopt the Central Australian Child Welfare Protocols as departmental policy and working guidelines across the NT with all relevant NGO and Government agencies.
2. **Information Sharing**

Unfortunately a major obstacle in providing the best possible service to vulnerable children and young people in the NT is the lack of shared information across and between agencies. It is the experience of NPYWC that NTFC expect and often demand information from community based organisations and individuals but are extremely reluctant to provide information to these same people. This issue is systemic throughout the department, starting with Central intake to the very Senior levels within the department. Whilst we acknowledge that the issue of confidentiality is sensitive and complex, there are many instances when the information sought from the community based sector is not confidential and is necessary to provide care and protection to vulnerable children and their families.

In fact, the Protocol (signed off by the Director of NTFC in 2003) referred to above clearly states that **“Confidentiality provisions of the Community Welfare Act do not prohibit FACS disclosure of information to Community Organisations as necessary for the purpose of protecting children and young people, and for the implementation of this protocol”**

And, the Care and Protection Act 2007 states that confidential information may be shared for the following reasons:

(a) anything done by a person in exercising a power or performing a function under this Act; or  
(b) anything done by a person for administering this Act; or  
(c) any disclosure or production to:  
   
1. someone who is the subject of the information, document or thing (the relevant party); or:  
2. someone with the consent of the relevant party (whether or not the consent has been given expressly); or  
3. someone approved by the CEO on the basis the disclosure or production is made in the public interest; or

Furthermore, the Act stipulates that care plans must be shared with the following:

As soon as practicable after the CEO has prepared or modified the plan, the CEO must ensure a copy of it is given to the following persons:

(a) the child;  
(b) each parent of the child;  
(c) the carer of the child;  
(d) any other person considered by the CEO to have a direct and significant interest in the wellbeing of the child.

For these reasons alone it is possible to share information with relevant people who are also working for the care and protection of children in the NT. However, NTFC are extremely unwilling to work in this way and often use the issue of confidentiality as a means of excluding the NGO sector from case planning and decision making. The NPY Women’s Council has been operating for 30 years and holds a wealth of history on many families in the NPY region. For NTFC to work to the best of their ability it is imperative they work closely with the NPY Women’s Council in order to share this information.
Recommendation: NTFC develop clearly articulated pathways for sharing all necessary information with agencies working for the care and protection of children and young people external to NTFC.

3. Working in Remote Aboriginal Communities

The NPY Women’s Council provides health and human services in the cross border region of the NT, SA and WA. The Council has extensive experience in providing these services across vast geographical distances, across borders and to a largely mobile population. In fact the Council has received numerous awards for this service delivery. The essential elements in providing these services are:

- Relationships of trust with the client group
- Cultural knowledge and relativity
- Risk management and safety
- Flexibility
- Cross border response

It is the opinion of NPYWC that these same principles should and could be applied to the practice of NTFC in delivering statutory child protection. However, the current practice within NTFC is inconsistent, reactive, ill informed and often judgemental. Increasingly, NTFC have adopted a fly in-fly out approach, seemingly assuming that people will be where they want them to be at a particular time and place. Furthermore, it is simply not possible to adequately monitor and support children and young people at risk through a 2 hour visit every few weeks. On many occasions the family concerned may not even be aware of the pending visit by NTFC.

There is an obvious lack of understanding of remote communities within NTFC. For this reason there is an over reliance on non-Aboriginal staff working in these communities to provide a range of tasks that would otherwise be the responsibility of NTFC. Child protection assessments and investigations are often based upon the opinion of one or two ‘whitefellas’ in the community that may or may not have a proper knowledge of these particular children and young people, leading to ill informed and subjective decisions.

In order for NTFC to work more effectively in protecting children in these remote communities, NPYWC believe it is imperative that they work very closely with the various programs of NPYWC who provide intensive case management and support for the same children. NPYWC hold an intimate knowledge and history of these children and their families, often including multiple generations.
Recommendations: NTFC develop partnerships with appropriate agencies working in remote Aboriginal communities to ensure that children and young people in these communities receive the best possible care and protection. NTFC recognise and value the roles of these agencies in supporting statutory child protection services in remote Aboriginal communities.

4. NTFC Staff skills and experience

As highlighted in the Anderson-Wild *Little Children are Sacred* report, 2007, children and young people in the NT are extremely vulnerable with many children considered at risk of actual or perceived harm. These children often lead very complex lives, experiencing multiple complex problems.

In order to cope with the large turnover of staff at NTFC and the difficulty in recruiting, many staff are on short term contracts, are newly graduated and often recruited from overseas. These staff do not have the necessary skills and experience to provide the best possible service to these extremely vulnerable children and young people, particularly those living in remote communities. This is most obvious with Youth at risk. These young people are often homeless, engaging in high risk behaviour and are very transient. The common response to these young people by NTFC is “we don’t have any secure accommodation and they will just run away from foster care, so there is nothing we can do”. This is simply not good enough, as highlighted by the recent Coronial enquiries into child deaths in the NT. NTFC must begin to develop innovative ways to adequately protect these young people.

NTFC must also begin to seek more experienced staff, or alternatively seek high level advice from external agencies that do have the experience and professional understanding of working with children and young people with complex emotional and psychological issues.

The NPYWC has observed that there is also a lack of adequate supervision and review of NTFC staff. Staff reportedly have extremely high case loads and are moved around the department frequently to fill gaps in other areas. Consequently, children and young people involved with NTFC are subject to multiple case workers, telling their story repeatedly to new workers who have not yet read the file or are not able to find all the information on the file.

Recommendation: NTFC seek the most experienced practitioners in the Country to provide advice, supervision and leadership in working with some of the country’s most disadvantaged children and young people. In particular, professionals with experience in remote, cross-cultural child protection.

Recommendation: NTFC seek the expertise to develop new and innovative ways of protecting vulnerable young people with complex emotional and social problems.

Recommendation: NTFC consider inter-agency secondments that will contribute to an improvement in service delivery and improve interagency professional understanding and relationships.
5. Use of Interpreters

Many Aboriginal people in the NT speak English as a second or third language, particularly in remote communities. And, whilst children learn English at school, the recent data on educational attainment in the NT would suggest that most people would only have a very basic level of literacy and numeracy. Therefore, effective communication between non-Aboriginal staff and Aboriginal clients requires good interpreters.

Unfortunately, NTFC in central Australia do not have a very good track record with the use of interpreters. There is a widely held assumption within the Department that if people can speak a bit of English they do not require an interpreter. This assumption does not recognise the difference between conversational English and thorough comprehension.

When interpreters are engaged they are often people or staff of other agencies that may be available such as Aboriginal Health Workers or Hospital Aboriginal Liaison Officers. Interpreting is a specialist skill that requires thorough training, especially around the ethics of interpreting. Good interpreters also need a thorough understanding of the language and issues they are interpreting. It cannot be assumed that someone who is bi-lingual necessarily has all these skills.

Kinship relationships also need to be considered when selecting an interpreter. It is important to know how the interpreter is related to the client and what impact this will have. For instance, there are certain relationships (such as in-laws) that may cause the client to feel silenced or ashamed and therefore reluctant to disclose all necessary information or be assertive in decision making.

**Recommendation:** NTFC recruit, train and support a pool of professional interpreters to ensure that all families involved with NTFC are always able to be represented and make decisions in their first language.

6. Domestic and Family Violence

The extent of Domestic and Family Violence has been well documented in the recent years. According to the data from the NPYWC Child Nutrition Program, of the current client data (286 children in the NPY region) 58% of the children receiving case management support in that program for issues related to failure to thrive are also children involved with the NPYWC Domestic and Family Violence Service. 30% of those 286 children are or have been involved with statutory child protection agencies, and 81% of those are children living with domestic and family violence.

However, NTFC have very little understanding of domestic violence or its impact on children. The Manager of the NPYWC Domestic and Family Violence Service recently said the following:

“Occasionally NTFC staff have been referring to DVS in some situations where there has been violence involving a child witnessing or being in the middle of the parents, and requesting follow up with the victim or further history about the situation.

However, it is more common to observe NTFC workers put pressure on the victims of domestic violence to take the major responsibility for keeping kids safe- why are they not loading it onto the perpetrators of the violence to stop their violence?”

NPYWC Submission to the NT Child Protection Inquiry, April 2010
One thing that really worries me is when we hear of a child who may have been sexually assaulted and it cannot necessarily be proved due to lack of disclosure by the child or anyone else, and then nothing is actually seemingly done to ensure the safety of that child due to lack of evidence about whether the sexual abuse actually happened. This is a tremendously difficult situation. I can see why it happens- we can’t lapse into a state where children are taken away for no substantiated reason- but is there some much more extensive/ intensive way of working with families to ensure they understand the fundamental issues? I’d like to see us working more in partnership on these issues – not just a case of “no disclosures were made” – but families being really engaged in how they can support that child at the point (even if no disclosures were made)."

The issue of domestic violence is further complicated when seeking alternative family placements for a child. It is not uncommon for children to be placed with the family of the perpetrator, therefore ensuring that the Mother must continue to place her safety at risk in order to maintain contact with her child or risk losing contact with her child all together. NPYWC is also aware of occasions when children have been placed with families in which there is a long and severe history of domestic violence.

The link between domestic violence and failure to thrive in children is clearly demonstrated by the data above, not to mention the ensuing emotional, behavioural and developmental issues for children living with violence. Therefore, it is imperative that NTFC gain a better understanding and focus of safety for children in the NT particularly related to domestic violence, as well as an understanding of the dynamics of a perpetrator/victim relationship.

**Recommendation:** NTFC seek the expertise to provide knowledge and understanding of working with children and their families who are experiencing domestic and family violence. NTFC consider safety plans of children, young people and their families who may be exposed to domestic and family violence.

7. **Out of Home Care**

NPYW is a tri-state organisation that works closely with the statutory child protection agencies in each jurisdiction. We can therefore state quite honestly that NTFC access the courts and formal foster care system much more frequently than the other jurisdictions. In fact, we go as far as saying that there is an over-reliance on the judicial system in the NT as a means of protecting children and young people.

The data from the NPYWC Child Nutrition Program July 08 – April 10 shows the breakdown of children involved with child protection for failure to thrive in the tri-state region:

- 27 children from our 8 member communities in WA were involved with statutory child protection, and of these 7 were involved with NTFC
- 39 children from our 8 member communities in SA were involved with statutory child protection, and of these 12 were involved with NTFC
- 20 children from our 4 member communities in NT were involved with NTFC.
Of these children involved with child protection agencies the following were in alternative family care or formal foster care:

- **WA** – 6 children with alternative family carers, no child protection order 
  4 children under NTFC Care and Protection order in foster care, Alice Springs
- **SA** – 6 children with alternative family carers, no child protection order 
  10 children with alternative family carers under SA Child Protection court orders 
  9 children under NTFC Care and Protection orders in foster care, Alice Springs
- **NT** – 3 children with alternative family carers under a child protection order 
  12 children under NTFC Care and Protection orders in foster care, Alice Springs

Therefore, if you are under 5 years of age with failure to thrive and become involved with NTFC, you have, on average, a 65% chance of spending time in formal foster care in Alice Springs.

### July 08 – April10 Children involved with child protection for failure to thrive in the NPY region

<table>
<thead>
<tr>
<th>State/Territory and number of communities</th>
<th>Number of children involved with child protection</th>
<th>Child Protection Agency</th>
<th>Alternative family care</th>
<th>Number of children who are or have been in Foster Care</th>
</tr>
</thead>
<tbody>
<tr>
<td>WA - 8</td>
<td>27</td>
<td>20 - DCP 7 - NTFC</td>
<td>6</td>
<td>4 - NTFC</td>
</tr>
<tr>
<td>SA - 8</td>
<td>39</td>
<td>27 - FSA 12 - NTFC</td>
<td>10</td>
<td>9 - NTFC</td>
</tr>
<tr>
<td>NT - 4</td>
<td>20</td>
<td>20 - NTFC</td>
<td>3</td>
<td>12 - NTFC</td>
</tr>
</tbody>
</table>

Increasingly, as children enter this formal foster care they are spending longer and longer away from their families and communities. It seems that a benchmark is set once a child has been in care that cannot be matched by their own family and community, therefore a reason to stay in long term foster care. Unrealistic requests are placed on families in order to have their children returned without any support or assistance to meet these criteria.

Failure to Thrive (FTT) in children under 5 years is also over-represented in the formal Foster Care system. It has been common practice within NTFC in central Australia for many years to remove children from their families who are failing to thrive without attempting other therapeutic interventions or referring to agencies who can offer these services. Again, NTFC lack a real understanding of the causes of FTT and therefore a lack of understanding of the solutions.

When a child is placed in formal foster care, it appears that very little is offered to enhance their health and wellbeing such as developmental interventions, speech pathology, play therapy and other therapeutic interventions. Instead the placement alone is seen as the sole solution to children requiring out of home care.

Foster carers in central Australia seem largely unequipped with the task of being a foster carer. As many placements end up being long term, many foster carers assume the role of adoptive parent rather than temporary foster carer. These carers often become obstructive in the process of family reunification placing their own needs (veiled as the needs of the child) above the importance of
returning to family and community. The role of nurturer and guardian needs to be carefully balanced with the role of therapist and short term intervention, very few Foster carers understand this balance or see themselves as providing short term therapeutic intervention.

Kinship care as an alternative care arrangement for children and young people at risk has been widely used as an alternative to formal foster care for many years. However, kinship carers receive very little support to fulfil this role and are not formally recognised in any capacity such as access to respite care, financial support and training.

Recommendation: NTFC develop repatriation plans as soon as possible when a child enters Foster Care that include regular supported family access and cultural maintenance. NTFC expand staffing and resources to cater for fully supported regular access visits, especially for those residing in remote communities.

Recommendation: NTFC develop mechanisms for adequately supporting and valuing the role of kinship carers and other informal networks of individuals and families in providing care and protection for children and young people in the NT, such as training, respite and practical support to eventually meet the requirements of formal foster care.

8. Cross Border Response

Alice Springs has been considered the service centre for Anangu and Yarnangu residing in the tri-state region of central Australia for many years. In fact the Alice Springs Hospital is the designated hospital for people in this region regardless of the fact they reside in SA or WA. Accordingly, many children from these states also become involved with NTFC whilst they are in Alice Springs. This is extremely problematic for NTFC who do not have statutory authority to work in other jurisdictions.

The consequence for these children and their families is that children and young people can be forced to stay in Alice Springs whilst the various agencies undergo their unnecessary bureaucratic processes in order to return children to where they came from.

In 2009 the NT, SA and WA launched the cross border police initiative, legislation which allows Police from any of these jurisdiction to also work in a partner jurisdiction. The border in some of these communities can be as a close as 15km making it very easy for offenders to simply cross the border and avoid arrest. Similarly, it recognises the mobility of this population, the vast geographical distances and the availability of sufficient police in the remote communities. This new legislation enables the most efficient and effective use of resources in such remote locations.

Recommendation: NTFC develop a cross border approach for statutory child protection in central Australia with their counterparts, Families SA and WA Department of Child Protection. NTFC, FSA and DCP develop new legislation that allows for the statutory child protection agencies to work across borders as needed.
9. Caring Well Protecting Well

In 2005, the NPY Women's Council and Ngaanyatjarra health Service commissioned Dr Pauline Meemaduma to write a framework for child protection in Aboriginal communities in central Australia called Caring Well Protecting Well. The motivation for the framework arose from a growing awareness that child protection services for Aboriginal children in Central Australia fell short of expected quality standards. The short fall in the achievement of quality child protection meant that Aboriginal children were unnecessarily exposed to greater harm when:

- Existing harms were not being identified and effectively stopped
- Risk indicators were not being identified and measures taken to reduce the likelihood of harm to children eventuating
- Rehabilitative efforts were not undertaken to address the consequences for a child of child maltreatment.

It is argued that child protection services for Aboriginal children will continue to fall short of quality standards unless clear frameworks of quality service are set in place which act as a reference guide for future practices.

The Caring Well Framework explains the important ideas and approaches that will assist the child protection system to protect children from harm and work in the best ways they can. Specifically, the document explains some of the best ways to protect Aboriginal children from harm by addressing the following important questions:

- What are the care and protection needs of Aboriginal children?
- What are the best ways to protect Aboriginal children in Central Australia from harm?
- How can the care and protection needs of Aboriginal children be best met by a child protection system?
- What policy is needed for good child protection?
- What resources are needed for good child protection?

The document is only useful if the ideas are talked about further, developed, tested and put into practice. NPY Women's Council has repeatedly requested discussion of this Framework with other Government and non-Government organisations involved in child protection work. The Framework can be developed more and how it can be put into practice is an important next step. However, to do this it is important that people working with children and young people understand, discuss, and consider the ideas carefully. We want to see that the ideas in this document become part of child protection in Central Australia by training workers, developing better practices, doing better practices, and monitoring the outcomes.

Child protection services for Aboriginal children in Central Australia will not be the best they can be unless clear standards for quality service delivery are put in place. This document is an important step in making sure that all people involved in child protection in the cross border region of Central Australia work in the best ways possible.
**Recommendation:** NTFC adopt and implement the principles of the *Caring Well; Protecting Well* framework throughout the NT as a matter of best practice. NTFC provide the necessary resources and training to the Community sector in order to implement this framework across all agencies working with children and young people in the NT. NTFC work with Families SA and WA DCP in order to develop and shared understanding and implementation of the *Caring Well; Protecting Well* framework.

10. **Taskforce**

Considerable energy and effort has already been put into investigating child protection issues in the NT including *The Little Children are Sacred* report and numerous Coronial Inquests. NPY Women’s Council is concerned that even these investigations have resulted in very little change in child protection services throughout the NT. In order to make a lasting change we believe that there must be clear goals and targets with measurable outcomes and performance indicators.

In order to fully implement and monitor these changes it is necessary to have a group of experts external to the department who have no political or financial motivation, and who have the skills and experience to properly monitor the work of the Department.

**Recommendation:** An external taskforce is established to monitor the implementation of the Board of Inquiry’s recommendations against measurable outcomes and performance indicators.

11. **Case Studies**

Please see attached.
NGAANYATJARRA PITJANTJATJARA YANKUNYTJATJARA WOMEN’S COUNCIL
summary of recommendations to the Inquiry into Child Protection in the
Northern Territory 2010

1. Protocols for Working in Collaboration

Recommendation: NTFC recognise the value of the NGO sector in providing care and protection to
vulnerable children and young people in the NT and the importance of working in partnership with
these agencies. NTFC adopt the Central Australian Child Welfare Protocols as departmental policy
and working guidelines across the NT with all relevant NGO and Government agencies.

2. Information Sharing

Recommendation: NTFC develop clearly articulated pathways for sharing all necessary information
with agencies working for the care and protection of children and young people external to NTFC.

3. Working in Remote Aboriginal Communities

Recommendations: NTFC develop partnerships with appropriate agencies working in remote
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best possible care and protection. NTFC recognise and value the roles of these agencies in
supporting statutory child protection services in remote Aboriginal communities.

4. NTFC Staff skills and experience

Recommendation: NTFC seek the most experienced practitioners in the Country to provide advice,
supervision and leadership in working with some of the country’s most disadvantaged children and
young people. In particular, professionals with experience in remote, cross-cultural child protection.

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Recommendation: NTFC recruit, train and support a pool of professional interpreters to ensure that
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**Recommendation:** NTFC seek the expertise to provide a knowledge and understanding of working with children and their families who are experiencing domestic and family violence. NTFC consider safety plans of children, young people and their families who may be exposed to domestic and family violence.

7. Out of Home Care

**Recommendation:** NTFC develop repatriation plans as soon as possible when a child enters Foster Care, including plans for regular supported family access and cultural maintenance. NTFC expand staffing and resources to cater for fully supported regular access visits, especially for those residing in remote communities.

**Recommendation:** NTFC develop mechanisms for adequately supporting and valuing the role of kinship carers and other informal networks of individuals and families in providing care and protection for children and young people in the NT, such as training, respite and practical support to eventually meet the requirements of formal foster care.

8. Cross Border Response

**Recommendation:** NTFC develop a cross border approach for statutory child protection in central Australia with their counterparts, Families SA and WA Department of Child Protection. NTFC, FSA and DCP develop new legislation that allows for the statutory child protection agencies to work across borders as needed.

9. Caring Well Protecting Well

**Recommendation:** NTFC adopt and implement the principles of the *Caring Well; Protecting Well* framework throughout the NT as a matter of best practice. NTFC provide the necessary resources and training to the Community sector in order to implement this framework across all agencies working with children and young people in the NT. NTFC work with Families SA and WA DCP in order to develop and shared understanding and implementation of the *Caring Well; Protecting Well* framework.

10. Taskforce

**Recommendation:** An external taskforce is established to monitor the implementation of the Board of Inquiry’s recommendations against measurable outcomes and performance indicators.