



## **SNAICC Submission**

# **INQUIRY INTO THE CHILD PROTECTION SYSTEM IN THE NORTHERN TERRITORY 2010**

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### **More Information:**

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## **INTRODUCTION**

There have been a number of reports and reviews into the child protection system in the Northern Territory over the last decade and longer. No doubt various alterations and additions to the system have been made, yet the system continues to fail children and their families – in particular, Aboriginal and Torres Strait Islander children and families. It would seem therefore that it is not the lack of knowledge, nor perhaps even the lack of funding per se that inhibits the development of a better system, but an apparent unwillingness to implement the fundamental changes that have underpinned the majority of recommendations from past reports.

This submission, rather than reiterate the lengthy arguments already made in several recent documents, seeks that the recommendations made in the documents listed below are implemented. These documents include SNAICC submissions to various inquiries. All the documents referred to can be sourced electronically via SNAICC ([www.snaicc.asn.au/policy](http://www.snaicc.asn.au/policy)).

In addition, this submission offers a set of principles by which ‘solutions’ can be developed.

Finally, this submission reasserts what we believe are the core issues that need immediate attention.

## **CORE PRINCIPLES FRAMING THIS SUBMISSION**

1. A ‘whole of community’ approach, driven from the bottom up, will be needed to enable, develop and reward good practice and support parents, communities and staff working across the systems caring for children – as opposed to ‘catching’ and punishing them.

This approach will require a deep understanding that ‘consultation’ is NOT consultation unless community is genuinely asked, genuinely listened to and genuinely engaged with in the design, development, delivery and evaluation of the service.

This approach also demands a service system that is balanced between the needs for regulation and the needs of the community for flexible, tailored responses to particular needs and (then) current capacities of children and their families, kinship networks and communities. The balance must reinforce the need for safety, but also allow the flexible use of resources and supports.

These issues perhaps pose the greatest challenges to the way governments and bureaucracies currently operate.

2. Deep engagement with Aboriginal and Torres Strait Islander communities, family networks and individuals - as equals, and as active participants - is essential if better outcomes are to be achieved. This engagement will enable community control and thus, engender community ownership and responsibility.

This approach requires the acceptance that people, their extended families and communities are best able to manage their own affairs, but may need incentives and supports to do so; and conversely, an understanding that top-down dictates

disempower people and communities further and merely defer manifestation of the root problems to a later date – they DO NOT work.

3. Prevention is always better, and strategies need to be put in place to achieve prevention or at very minimum, early intervention.

For prevention to work and for the treatment of causes rather than just symptoms, whole of community approaches must be taken and includes addressing the glaring needs concerning housing, education, employment, health (physical, emotional and mental) and the need for support and counselling connected to dealing with the disabling issues that have dominated Aboriginal and Torres Strait Islander life for over the last 200 years.

4. Adequate support for and flexible resourcing of, intimate and extended family networks in culturally appropriate ways including paid kinship and 'granny' care arrangements, is central to working together to achieve better outcomes.

This requires a genuine respect for cultural norms and means and changing current systems to enable the resourcing of these to work better for Aboriginal and Torres Strait Islander children and families.

5. Proper recruitment and training, attractive wages and conditions and ongoing supervision, support and respite for staff working in this area is critical to build professional standards and depth of understanding and expertise.

This pre-supposes a commitment to better prepare current and future staff, Aboriginal and Torres Strait Islander or otherwise, and equipping all workers with the necessary understandings, knowledge and skills to work in the sector. Further, the recruitment and training of Aboriginal and Torres Strait Islander people is paramount to successful individual and community outcomes for Aboriginal and Torres Strait Islander children and families.

6. Long term (generational) bi-partisan policy development that anticipates slow, gradual change is vital. The current norms of resorting to knee-jerk policy and program development on the run, self-righteous attacks on 'the other side' and that blame the victims for their situation, self-aggrandisement and petty point scoring is extremely destructive as it undermines the efforts being made, however tentative and imperfect.

There is no quick fix and no single answer. It has taken over 200 years of continuous effort to create the situation in which Aboriginal and Torres Strait Islander people now find themselves – it will take a long time and a range of supportive resources to undo the damage and allow Aboriginal and Torres Strait Islander communities to rebuild their lives and their futures on their own terms.

Policy responses must be broad and overarching, with clear aims and outcome measures, adequate, flexible resourcing and a commitment to work with communities. Program responses will need to engage with communities and be tailored to meet the needs of particular communities, with an categorical understanding that change will happen, but can only happen at the pace and in the directions possible at the local level.

7. Healthy Aboriginal and Torres Strait Islander-led partnerships within and across the government and NGO sectors, Aboriginal and Torres Strait Islander and non-Indigenous communities and (currently siloed sectors such as) police, schools and health (among others) is essential.

Such partnerships will enable Aboriginal and Torres Strait Islander people and organisations to get on with the work that needs to be done in their own communities, while ensuring that the necessary infrastructure is in place to support their work, meet (mainstream) legal, financial and other 'governance' obligations and meet the long term aspirations of Aboriginal and Torres Strait Islander people to live in healthy, culturally supportive communities.

Aboriginal and Torres Strait Islander people must lead any such partnerships.

## **CORE ISSUES FOR URGENT ACTION**

Based on the above principles, the following are the current most critical issues that need resolution, include,

1. Establishment of a peak Aboriginal and Torres Strait Islander child and family welfare body, and a network of agencies that ensures that the functions of an AICCA (SNAICC's ideal model is attached) can be offered to all Aboriginal communities in the Northern Territory.

A peak body is needed to develop, represent and build capacity of NT Aboriginal community controlled child and family welfare agencies (AICCAs) in the Northern Territory, once funded. Roles would include policy development at the state and agency level, workforce development, state level representation, locally informed policy advice, advocacy to state and federal government.

The first Aboriginal and Islander Child Care Agencies were set up in the mid to late 1970s and have expanded since then across the country (although not in ACT or Tasmania). Both of the Northern Territory's AICCAs (Karu in Darwin and the Central Australian AICCA (CACCA)) are no longer running. Although they vary in scope and size, AICCAs are a valued and critical part of effective child protection for Aboriginal and Torres Strait Islander children in Queensland, NSW, Victoria, South Australia and Western Australia. Part of their role includes work alongside departmental officers to provide advice about children who are reported as abused or neglected or found to need out of home care. (e.g. the Victoria Aboriginal Child Care Agency (VACCA)'s Lakidjeka model). It is worth noting however that AICCAs were originally established to keep children out of the child protection system. AICCAs have potential to be funded to achieve their original vision to do more to support families and protect children's rights to live safely within their families and communities.

2. Provision of a comprehensive coordinated service system, if necessary, via partnerships between Aboriginal and Torres Strait Islander community organisations and non-Aboriginal and Torres Strait Islander NGOs and government services active in delivery of services to Aboriginal and Torres Strait Islander children and families children and families

3. Community control of all service delivery processes to ensure cultural sensitivities, protocols and most appropriate responses to specified needs. SNAICC argues that there should be funding for existing Aboriginal community organizations to employ community based child protection staff that can work alongside Departmental officers (i.e. as with the Lakidjeka model in Victoria, operated by the VACCA)
4. The development of a strong well equipped workforce. Workforce development (including professional staff and carers, Aboriginal, Torres Strait Islander and otherwise, government or NGO) is essential to the operation of an adequate service system that can meet the needs of Aboriginal and Torres Strait Islander children and families. This will require careful planning, financial and other supports, and time.

Aboriginal and Torres Strait Islander people do not want second rate services. They want to have access to the same standard of services as any other person. They also want to run their own services to ensure cultural relevance, safety and a long-term healthy and proud future for their children. These goals are not incompatible.

All staff, Aboriginal and Torres Strait Islander or otherwise, need to be adequately equipped in a deep understanding of need for cultural sensitivity, department regulation and flexible, tailored responses to particular needs. This will take time, appropriate remuneration, continuous supportive supervision and on-going education and training. It will also take flexible systems, back-fill for staff away for study/training and the retention of skilled staff over longer periods of time than is currently the case

Such systems exist for mining companies – perhaps similar systems can be developed for the child protection and care workforce?

5. The development of appropriate mechanisms that can include extended family, kinship and community carers (e.g. aunties and ‘grannies’), without penalising parents. Such mechanisms would require both adequate and flexible resourcing that could be made available quickly.

There is a risk that such a system may be misused, but the short-term costs would be far outweighed by the long-term benefits to children and therefore to families and communities. Further, checks and balances could be put in place to minimise misuse and maximise benefits. In any case, the focus should be on the long-term significant cost savings through the lifetime of the children, families and communities concerned and the generations that follow them.

6. Focus on Family Support.

SNAICC’s Strategic Plan describes one of SNAICC’s roles as “to facilitate and promote programs and initiatives that assist families and communities to build on their strengths and care for children in ways that keep them safe, healthy and connected to culture”.

Clearly families are vital to the well being of children and support for families must be a critical part of a revitalised and redirected Child Protection effort by the Northern Territory government. In recognition that strong families and strong communities are the bedrock of Aboriginal culture and identity it is essential that support

for families to care for children is taken as given in terms of a preventative child protection measure. A Northern Territory Aboriginal family support strategy must be developed as one response to this Inquiry.

As outlined above Aboriginal child and family welfare agencies developed as per SNAICC's ideal AICCA model should be developed and should be key delivery sites for Aboriginal family support services. SNAICC also sees great potential for Aboriginal early childhood services such as MACS and crèches to deliver family support services. SNAICC's submission to FaHCSIA's Family Support Program Consultation June 2009 discusses the importance of family support and potential service delivery options in greater detail.

It makes sense to provide family support now, as a long term preventative strategy, on the basis of potential financial savings to government alone. However the human cost of NOT doing so is much, much greater. These costs include; to individual children, long term emotional suffering, loss of income over their whole lives and potentially, lives lost to substance abuse, prisons and marginalised living; to their immediate and extended families, considerable personal distress, group dysfunction and very likely, the continuation of the cycle of generational trauma; and to their communities and the wider society, the general destruction of amenity, both social and physical and the loss of their contribution. To governments, the cost of inaction now, will be considerable in terms of additional expenditure on welfare, health services, police, prison systems and political credibility.

## **EXISTING DOCUMENTS THAT SUPPORT THE ABOVE**

It is abundantly clear that there is no shortage of reports or recommendations; the shortage is in the will to change past, failing practices and adopt new, community controlled ideas and resource these adequately and flexibly (with dollars, expertise and time) to meet the needs. A few existing documents that each explore the problems and solutions include the following.

SNAICC pleads that these reports be taken seriously and that the recommendations made as the result of all this work, especially as reflected by the issues raised above, be implemented post-haste, and with proper community consultation at a pace set by each relevant community.

- Pocock, J (2003), State Of Denial: The Neglect and Abuse of Children in the Northern Territory, SNAICC, Melbourne <http://www.snaicc.asn.au/uploads/rsfil/00110.pdf>
- Crime and Misconduct Commission (2004) Report Summary - Protecting children: An Inquiry into Abuse of Children in Foster Care, Government of Queensland
- The Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse (2007), "Little Children are Sacred"
- SNAICC Submission (July 2008) Northern Territory Emergency Response (NTER) Review Board <http://www.snaicc.asn.au/policy/default.cfm?loadref=104>

- SNAICC (July 2008) Response to discussion paper - *Australia's Children: safe and well A national framework for protecting Australia's children.*  
<http://www.snaicc.asn.au/uploads/rsfil/00203.pdf>
- SNAICC Submission (June 2009) Family Support Program Consultation.  
<http://www.snaicc.asn.au/uploads/rsfil/00310.pdf>
- The Benevolent Society (July 2009) A Framework of Practice for Implementing a Kinship Care Program, Final Report, Social Policy Research Centre, University of NSW
- SNAICC Comments on WA Aboriginal Torres Strait Islander Child Placement Principle (ATSICPP) Review 2009. <http://www.snaicc.asn.au/uploads/rsfil/00337.pdf>
- Achieving stable and culturally strong out of home care for Aboriginal and Torres Strait Islander children. SNAICC Policy Paper 2005  
<http://www.snaicc.asn.au/uploads/rsfil/00061.pdf>
- SNAICC (2010) 8 Priorities for Aboriginal & Torres Strait Islander Children & Families.  
<http://www.snaicc.asn.au/uploads/rsfil/00339.pdf>

## **BACKGROUND TO SNAICC**

The Secretariat of National Aboriginal and Islander Child Care Inc (SNAICC) is the national peak body in Australia representing the interests of Aboriginal and Torres Strait Islander children and families.

SNAICC is a non-government, not-for-profit organization that was formally established in 1981, elected its first national executive in 1982 and opened in 1983. It was originally conceived as a national representative body for the state-funded Aboriginal and Torres Strait Islander community based child care agencies (AICCAs), and has grown to include in its membership base foster care agencies, link up and family reunification services, family group homes, services for young people at risk, Multi-functional Aboriginal Children's Services (MACS), family support services, long day care child care services, playgroups, pre schools, early childhood education services, community groups and voluntary associations.

SNAICC also has a network and subscriber list of over 1500 community groups; mostly Aboriginal and Torres Strait Islander organisations, but also significant numbers of non-Aboriginal and Torres Strait Islander community-based services, government agencies and individuals with an interest in Aboriginal and Torres Strait Islander families and children.

SNAICC is governed by a national executive of Aboriginal and Torres Strait Islander people drawn from our members and operates from a Melbourne office, with funding provided by the Department of Families Housing Community Services and Indigenous Affairs and the Department of Education, Employment and Workplace Relations.

In addition to the secretariat function, the SNAICC Resource Service (SRS) seeks to fill resource gaps identified across the Aboriginal and Torres Strait Islander family and children's services sector and provide a central information-sharing clearinghouse. The SRS works across the family and children's services sector with Aboriginal and Torres

Strait Islander community-based services and those other services working directly with Aboriginal and Torres Strait Islander children. The SRS promotes partnership development in all our products. All SRS activities are externally evaluated.

Key milestones and achievements in SNAICC's commitment to serving the interests of Aboriginal and Torres Strait Islander children and families have included:

- Ongoing expansion of the SRS and the provision of high quality resources to the sector and the communities, including the production of *Through Young Black Eyes Workshop Kit* (activities and resources) and subsequent community training workshops
- Convening major national conferences, including the upcoming conference *For Our Children: Local Strengths, National Challenges - Ampe Anwernekenheke: Rlterrke Akwete Aneye* to be held in Alice Springs in July 2010
- Increasing international representation of Aboriginal and Torres Strait Islander children and families through election as Co-Convenor of the Indigenous Sub Group of the NGO Group for the Convention on the Rights of the Child in 2009
- Research and analysis of issues affecting Aboriginal and Torres Strait Islander children and families, including *State of Denial: the Neglect and Abuse of Indigenous Children in the Northern Territory* (2003), a joint report with Swinburne University on Indigenous Parenting, and publication of case studies from Aboriginal and Torres Strait Islander communities across Australia highlighting the positive work of Aboriginal and Torres Strait Islander children and family services
- Bringing to national attention the story of the 'Stolen Generations' when in 1991, SNAICC was the first national Indigenous organization to call for a national inquiry
- Active promotion of the importance of Aboriginal and Torres Strait Islander cultures, including the development of National Aboriginal and Islander Children's Day (NAICD) held on 4 August of every year, as a major annual event celebrated by communities throughout Australia, and
- 1982 SNAICC identified the need for a culturally relevant national approach to Aboriginal and Torres Strait Islander child and family welfare and development.

Further information is available online at [www.snaicc.asn.au](http://www.snaicc.asn.au).

## CONCLUSION

The system is not working and must be fixed if a significant number of the next generation of Aboriginal and Torres Strait Islander children are not to be lost to poverty, dysfunctional families and broken communities.

What needs to be done is not a mystery. Several inquiries and reviews have already recommended many actions. The mystery is why so very few of these recommendations have been implemented.

This submission has offered a few principles to guide the work that is required, a short list of past reports and submissions that each suggest the means of moving forward and a very short list of the most critical areas in which action is needed now.



SNAICC is very willing to engage with the NT Government, service providers and the Aboriginal and Torres Strait Islander community to work towards the development of a comprehensive service system over the coming years.

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## ATTACHMENT 1: SNAICC's Ideal AICCA Service Model

SNAICC's policy is that all Aboriginal and Torres Strait Islander communities need access to a community controlled Aboriginal and Islander Child Care Agency (AICCA) that includes the following six elements as separate but linked and coordinated programs:

### a) **Family Support & Early Intervention**

A holistic range of culturally appropriate services and programs to support Aboriginal and Torres Strait Island families raising children. Services should include:

*General Family Support* – General culturally appropriate support for Aboriginal and Torres Strait Islander families through the provision of parenting resources and advice eg health, nutrition, education, child development, emergency relief, household management and budgeting.

*Support Groups* – Additional support activities and programs such as playgroups, men's and women's groups and camps to promote and encourage child/adult interaction and bonding, and peer support for parents and young people.

### b) **Intensive Family Support**

Culturally sensitive programs and advocacy for Aboriginal and Torres Strait Islander families where there are child protection concerns or intensive support needs. Services should include:

*Therapeutic Services or Referrals* – Counselling, drug and alcohol programs, and intensive parenting programs

*Family Preservation* – Intensive work with Aboriginal and Torres Strait Islander families once there has been a notification to build capacity to care for their children, manage in crisis situations and provide intensive support to prevent children being placed in care.

*Family Re-Unification* – Support for reunification of children in out-of-home care with their birth parent, siblings, extended family and/or significant others, through intensive assistance to families to address the issues that led to the child being removed, or to locate extended family members able to care for the child.

*Family Decision Making* – Facilitate forums to encourage family members and extended family to contribute to decision making processes regarding the best interests of children notified to child protection authorities.

### c) **Child Protection Advocacy & Advice**

Community and cultural input to state and territory child welfare authorities when Aboriginal and Torres Strait Islander children are reported as abused or neglected or found to need out of home care. This advice should be ideally sought by state authority as soon as a notification is made to enable community support to be provided to the family and the child and prevent placement into non-Indigenous out of home care wherever possible.

### d) **Out-of-Home Care**

*Support for Foster Carers & Kinship Carers:*

Carer recruitment & assessment

Training & support for carers (including cultural support)

General management of placements

*Support for Children in Placement:*

Case management

Cultural care planning

### *Residential Care*

The development of and management of all aspects of appropriate alternative residential care for Aboriginal and Torres Strait Islander children.

#### **e) *Community Outreach Services***

*Cultural Support* – Advocate for and address the cultural needs of Aboriginal and Torres Strait Islander children placed in non-Indigenous placements, support awareness of cultural needs and provide advice to carers within and outside the AICCA to maintain the child's connection to family, community and culture. Develop resources and provide support and advice to foster carers managed by the AICCA and placements managed by the AICCA to ensure high quality cultural care planning and the implementation and monitoring of these plans.

*Leaving Care* – Provide support to Aboriginal and Torres Strait Islander young people leaving the care system by providing them with or assisting them to obtain relevant skills, knowledge and support networks to assist their transition to independent-living.

#### **f) *Program & Policy Development***

*Community Awareness & Education* – Implement strategies aimed at addressing issues that affect the wellbeing of Aboriginal and Torres Strait Islander children and families. Provide resources and educational support to raise community awareness of issues and inform families and communities of what they can do, and where and how to access programs and services within their communities.

*Program review & evaluation* – Conduct reviews of the organization and programs to evaluate effectiveness and efficiency, assess outcomes achieved, and determine what is needed to better achieve established goals and objectives.

*Policy and research* – Identify practice and policy issues related to Aboriginal and Torres Strait Islander family wellbeing. Facilitate research on a broad range of issues, in partnership with Aboriginal and Torres Strait Islander communities, and develop an evidence base and inform and influence government policy development.

Conduct research that respects Aboriginal and Torres Strait Islander values and complies with community cultural and ethical protocols to undertake consultation and information sharing.

Identify strategies and policies to ensure and promote the organization's cultural capability in servicing Aboriginal and Torres Strait Islander children, families and communities.

*Workforce Development & Retention* – Provide appropriate support to staff to fulfil their role and responsibilities through regular staff meetings and supervision. Encourage staff to undertake training and professional development opportunities. Promote Aboriginal and Torres Strait Islander workforce development, retention, worker self-care and wellbeing, and encourage progression into senior and management roles.

*Strategic Planning* – Analyse organizational operations and plan future activities and direction. Implement a strategic plan that clearly outlines the organizations purpose, values and mission statement, goals and objectives, and action to be taken. In consultation with key stakeholders determine a strategy to review the plan and measure progress.

*Quality Assurance* – Develop quality assurance processes to ensure the organisational inputs and outputs are in compliance with organisational policy and legislation. Analyse existing management and practice approaches to justify and determine whether programs, services or resources meet client needs and expectations, and organisational and individual (staff) obligations.

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