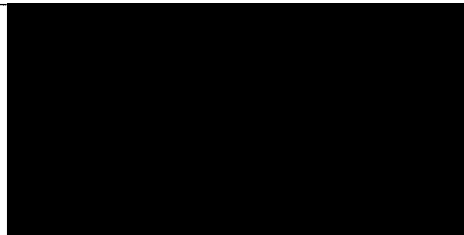


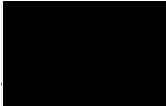
**IN THE MATTER OF THE ROYAL COMMISSION
INTO FAMILY VIOLENCE**

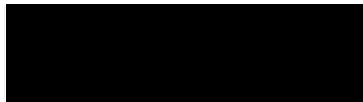
ATTACHMENT BA-22 TO STATEMENT OF BETH ALLEN

Date of document: 13 July 2015
Filed on behalf of: State of Victoria
Prepared by:
Victorian Government Solicitor's Office
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This is the attachment marked '**BA-22**' produced and shown to **BETH ALLEN** at the time of signing her Statement on 13 July 2015.

Before me: 



**An Australian Legal Practitioner within
the meaning of the Legal Profession Uniform Law (Victoria)**

Attachment BA-22

The Aboriginal child and family service system

Date of Advice: **5 November 2012**

Advice no: **1061**

This advice is endorsed by the: Assistant Director, Child Protection Policy, Practice and Planning.

This Advice is current **only** if the date of Advice in this document matches the date of Advice in the online version. Check the date of Advice on line before relying on this printed copy.

Introduction and purpose

This Advice outlines principles for Child Protection practitioners working with Aboriginal organisations and advice on how to maximise the effectiveness of partnerships with Aboriginal organisations and the Aboriginal child and family service system.

The most important principle underlying all Aboriginal organisations is Aboriginal self-determination. This means that Aboriginal organisations are managed by Aboriginal people for the benefit of Aboriginal people. Cooperatives reflect the values and traditions of the Aboriginal community they serve, whether local (for example, Rumbalara Aboriginal Cooperative), statewide (for example, the Victorian Aboriginal Child Care Agency (VACCA)) or national (for example, Secretariat of National Aboriginal and Islander Child Care (SNAICC)).

Legislation

Note: Use the Legislation link on toolbar to access full text versions of the legislation.

Any sections of an Act noted in this Advice are partial references only and should not be relied on. Practitioners should refer to the Act for full details.

Children, Youth and Families Act

Children, Youth and Families Act 2005 (CYFA)

- Part 1.2 Principles
 - Division 2 Best Interest Principles
 - Division 3 Decision-Making Principles
 - Division 4 Additional Decision-making Principles for Aboriginal Children
- Part 4.3 Responsibility of Secretary
 - Division 2 Responsibility of Secretary as Guardian or Custodian
- s. 176 Cultural plan for Aboriginal child

Standards and procedures

Aboriginal Cooperatives

There are many Aboriginal cooperatives (co-ops) throughout Victoria. Each has a board of directors or a similar body, which determines the Co-op's activities and priorities. Some co-ops are set up to provide a single service type, such as legal advice or housing services, for example. Others, which may have started in this way, now provide a broad range of services, for example, Rumbalara. Some Co-ops now provide funded child and family services to their local Aboriginal community. It is important to know that not all Aboriginal co-ops are funded to provide child and family services yet may still offer assistance to Child Protection on top of their core business (that is, supervised access visits). This cannot be expected at all times as the agency may have other priorities that may need attention within the community and may not be able to assist with offering the level of support desired.

Most Aboriginal co-ops that are not funded are still happy to assist and be involved in supporting Aboriginal families and children where they can, however without a funded service the capacity to do so is limited. The Aboriginal Child Specialist Advice and Support Service (ACSASS) is available statewide to give advice and information to Child Protection practitioners. It is also important to remember that your local Aboriginal co-ops are a great resource and have a role to play when working with families (for example, a meeting with the family could be held there instead of the departmental office). It is important to familiarise yourself with the full range of services that exist in the local Aboriginal Cooperatives. There are many Aboriginal co-ops and organisations that are providing services in a range of areas. The regional DHS Aboriginal planning officer can assist with information about local organisations.

Program descriptions

Aboriginal Child Specialist Advice and Support Service (ACSASS)

The Children, Youth and Families Act 2005 (CYFA), s. 13(1)(a) 'For the purposes of this Act the Aboriginal Child Placement Principle is that if it is in the best interest of an Aboriginal child to be placed in out of home care, in making that placement, regard must be had to the advice of a relevant Aboriginal agency'.

The relevant Aboriginal agency in Victoria is the Aboriginal Child Specialist Advice and Support Service (ACSASS). The service is operated by the Victorian Aboriginal Child Care Agency (VACCA) in all locations with the exception of the local government area of Mildura where the ACSASS service is operated by the Mildura Aboriginal Corporation (MAC). The ACSASS service operated by VACCA is also referred to as 'Lakidjeka' and in Mildura it is sometimes referred to as 'MAC/ACSASS'.

Upon the report of an Aboriginal child to Child Protection the relevant ACSASS service needs to be contacted. A key role of the ACSASS worker is to assist in identifying members of the child's kinship or community network who may be suitable to provide a placement. The decision to place an Aboriginal child in out of home care must be in accordance with the Aboriginal Child Placement Principle. Note the Child Protection practitioner should only proceed with discussions and referrals to Aboriginal Family Decision Making, Aboriginal Family Preservation Programs and Aboriginal Family Restoration Services following contact with ACSASS.

Practitioners should also refer to Advice number 1059, 'Responding to Aboriginal children' - see Related links.

Aboriginal and Torres Strait Islander Family Decision Making (AFDM)

The goal of the Aboriginal Family Decision Making program (AFDM) is to deliver culturally based decision making within Child Protection. This includes the capacity to divert matters concerning the safety and wellbeing of Aboriginal children from court proceedings, reduce re-reporting and statutory intervention and to improve kinship options in placement, support and care arrangements.

The model utilises traditional Aboriginal approaches to solving family problems and involves Aboriginal elders and the extended family. The AFDM model allows Aboriginal families the opportunity to meet and explore options to improve their family situation in a supported cultural environment. It also allows families to gain understanding around the risks of harm towards the children and how the family can be supported to overcome any difficulties they may be facing.

AFDM is also a good way to engage an Aboriginal family and community in completing cultural support plans. Cultural support plans are developed to ensure that an Aboriginal child in out of home care remains connected to their family, community and culture. A cultural support plan as part of a Child Protection case plan and LAC care and placement plan is an important tool in establishing these connections and must be completed for all Aboriginal children in out of home care (see Related links to cultural support plan standards on right of screen). Practitioners preparing to develop a cultural support plan must engage and involve family and other relevant Aboriginal community members, services and organisations where appropriate.

Aboriginal family restoration services

Aboriginal family restoration services aim to prevent future harm and disadvantage for the most at-risk Aboriginal children by strengthening their parents' capacity to safely care for them and by reducing their over-representation in Child Protection and out of home care. The programs will be based upon a holistic approach to Aboriginal family breakdown to ensure the safety of Aboriginal children where there is a risk of the child being placed in out of home care.

The initial program is to provide 24 hour 7 day a week in-home support to entire families where there is an imminent risk of the children being placed in out of home care. Attached to these services will be a rapid support service to families to attempt reunification if a placement is made and once it is safe for the child to return home, to divert children from out of home care.

Aboriginal Family Preservation Program (AFPP)

The Aboriginal Family Preservation Program (AFPP) works intensively with families referred by Child Protection, with the aim of family preservation or reunification. The program is based on the Families First model and continues to develop a practice approach grounded in Aboriginal culture. AFPP uses intensive family support, practical assistance and parenting education to assist families to improve their parenting skills and address protective concerns, thereby reducing the need for the child to be placed in out of home care. Where it has been necessary for a child to be placed away from the family home, the program works to facilitate re-unification.

There are five AFPPs based in Mildura, Swan Hill, Shepparton, Dandenong and Morwell.

Integrated Family Services - Indigenous

The aim of Integrated Family Services - Indigenous is to promote the safety, stability and development of vulnerable Aboriginal children, young people and their families, and to build capacity and resilience for these children, their families and their communities. Programs apply the Best Interest and Family Services principles to achieve improved parenting, strengthened relationships, positive development for children and young people and improved social connectedness and life skills. Integrated family services - Indigenous work collaboratively with Child Protection to develop effective diversionary responses aiming to prevent families from progressing into the statutory child protection system.

Considerations for good practice

Note: Use the Practice Research link on the toolbar to access further Practice Guidance and Research.

- Aboriginal people do not belong to an homogenous group. Just as in the wider community, the values, communication style and child rearing practices vary between different families and in different communities.
- No matter how much you may know about culture or how sensitive you are towards the community and family, Child Protection practitioners will often still be seen as associated with 'the welfare'. Historically welfare legislation, policy and practice have created great distrust between Aboriginal people and the government. Acknowledgement of these fears and distrust and good listening skills will enable better outcomes with Aboriginal children and families.
- For Aboriginal workers in the child and family services field, the decisions they make in their professional life extend into their personal life as they live within the same communities and families that are the subject of Child Protection's involvement. The notion of professional services delivered in a dispassionate way is not meaningful for Aboriginal people. For workers in Aboriginal agencies it is precisely because they are connected to the families and communities with whom they work that they are able to be effective.
- If there is a funeral in the community Aboriginal organisations may shut down for the day. It is important in the Aboriginal community to give your respect and attend funerals. If you are aware of a funeral in the Aboriginal community, do not attempt to contact Aboriginal organisations or workers except in urgent situations.
- If there has been a death of an Aboriginal child or other traumatic event for a family, your working relationship with the community may become strained even if you were not directly involved in the case. A traumatic event does not just impact on the family and close relatives the wider community can be affected.
- Community events and celebrations are where Aboriginal people network and do a lot of business. To build relationships it is important to be visible at events and celebrations that have significant meaning for Aboriginal people. When a new practitioner starts in an office, they should introduce themselves to the local Aboriginal co-ops and other Aboriginal organisations in the area.
- In Aboriginal communities, there is men's business and women's business. Just because there is an Aboriginal worker does not necessarily mean they can deal with any issue. Male Aboriginal workers in the welfare field are scarce and in some communities it is difficult for Aboriginal women to involve themselves in issues traditionally reserved for men (and vice versa.)

Contact for further procedural advice

- Supervisor
- Team Manager
- Aboriginal Family Decision Making Convenor
- Aboriginal Children and Families – Child Protection and Family Services Branch

Related content and external links

Note: Advice, Protocols and Policy Documents directly related to this Advice are listed below. To access the full range of Protocols and Policy documents use the Protocol and Policy links on the Home Page.

Related Content:

1059 - Responding to Aboriginal children

1060 - Cultural support plans

1434 - Permanent care for Aboriginal children

Protocol between DHS Child Protection and the Victorian Aboriginal Child Care Agency 2002 [PDF, 163.8 KB]

External Links:

Aboriginal Child Placement Principle Guide for Child Protection and Care Workers, August 2002

Cultural Support Plan Guide

Aboriginal Family Preservation Program

Checklist of required standards

For this Advice, there are no required standards.