



UNSW
SYDNEY

*Building the evidence:
Restoration from Out-of-Home-Care for
Aboriginal Children and Families*

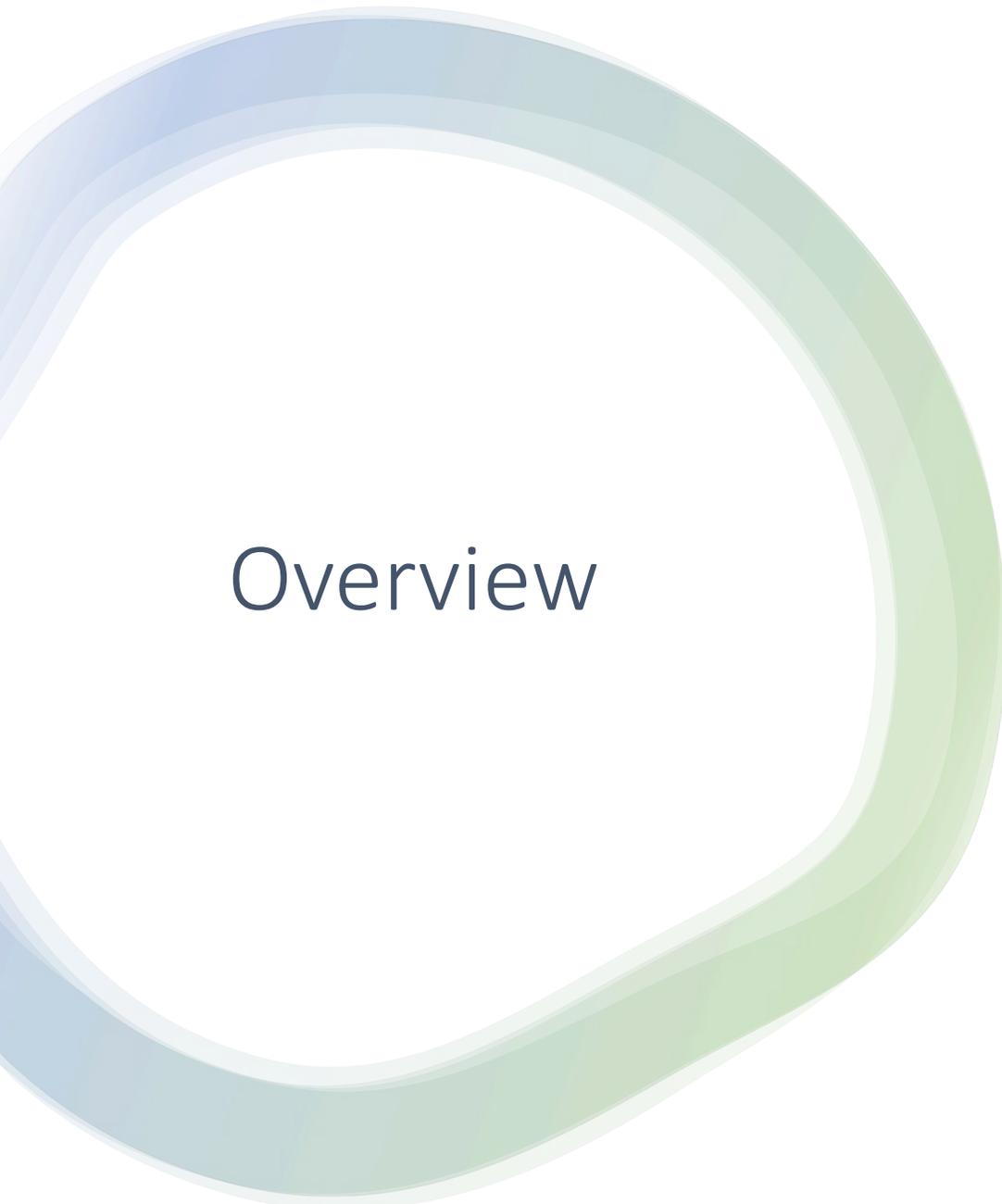
*Healing our Sector
NSW Aboriginal Child and Family conference
June 13-14, 2023*

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Acknowledgment of Country

I acknowledge the Gadigal people of the Eora Nation, the custodians of the land where this conference is held, and acknowledge and pay respects to elders past and present...



Overview

- Presenting 'the problem'
- OOHC and restoration statistics in NSW
- Restoration research using the Pathways of Care Longitudinal Study data
- Bring them home, keep them home-update and insights to addressing 'the problem'

Problem: Aboriginal children are NOT coming home from OOHC

Combating this problem from three (interrelated) fronts

Through research and education

Build/ Use evidence to influence system change

Prepare the next generation of child and family professionals in anti-oppressive and culturally responsive practice

Support the advocacy work and needs of Aboriginal stakeholders

At the grass roots/ from community

Aboriginal Community-Controlled Organisations (ACCOs) and Aboriginal Peak Bodies

Advocacy, activism and action

Local initiatives and community driven models

From within systems

Challenge and transform current systems through policy, practice, and legislation change

Resource, fund and support the work of ACCOs and Peaks

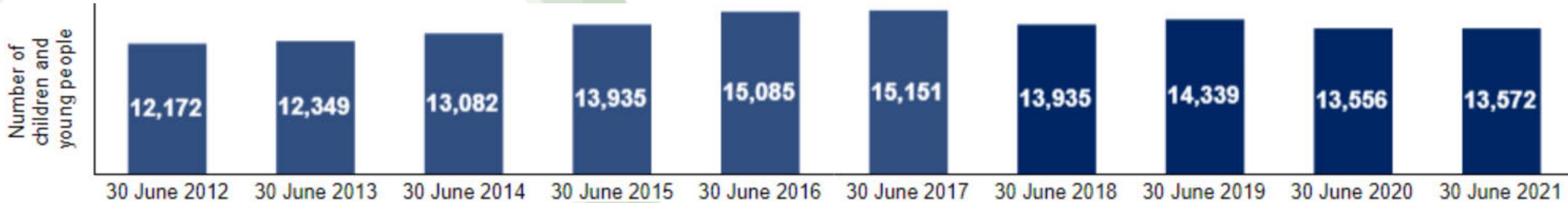
Accountability, transparency and reflexive responses

Cultivate innovation... Think creatively... Be bold... Act with urgency

Children and young people in statutory OOHC in NSW on 30 June, 2012 to 2021

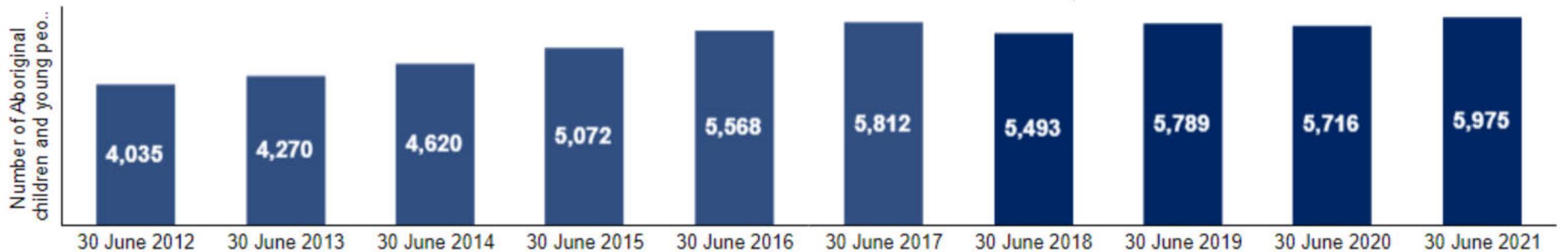
All children

The number of children in statutory OOHC increased from 2012 to 2016-17, followed by a decrease in 2018-21. The numbers have been relatively stable the last two years.



Aboriginal children

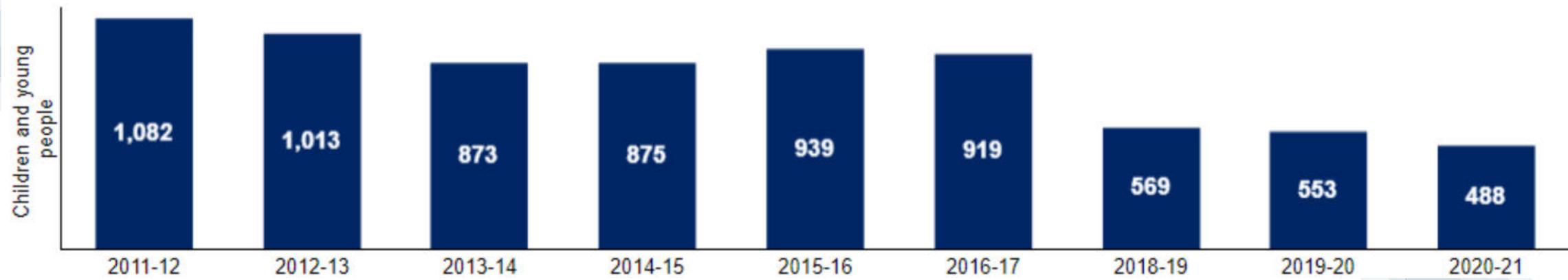
The number of Aboriginal children in statutory OOHC has increased by 48% in the last 9 years.



Children and young people restored to parents among those with an OOHC exit recorded in NSW each year, 2011-12 to 2020-21.

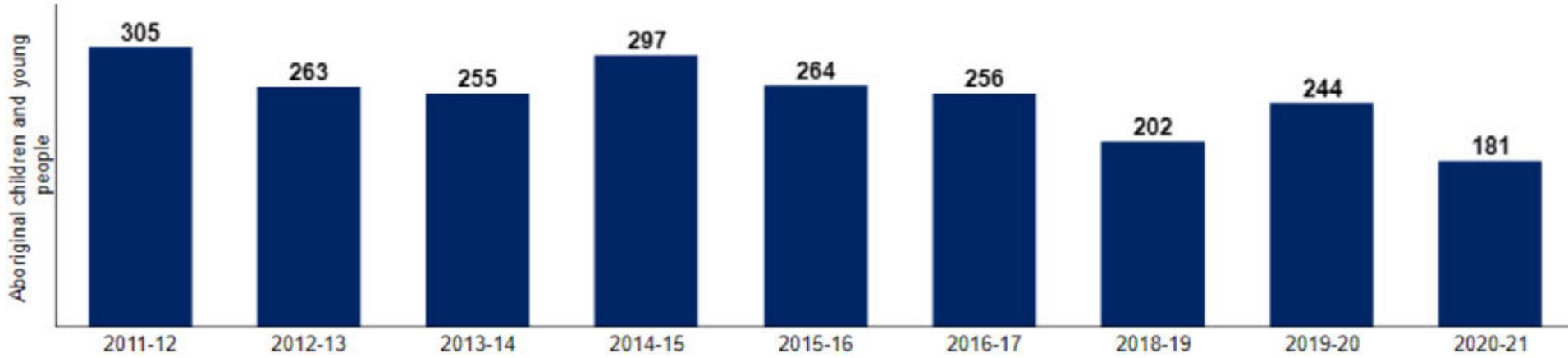
All children

There has been a downward trend in the number of children and young people who were restored to their parents since 2011-12. Restorations decreased by 55% from 2011-12 to 2020-21.



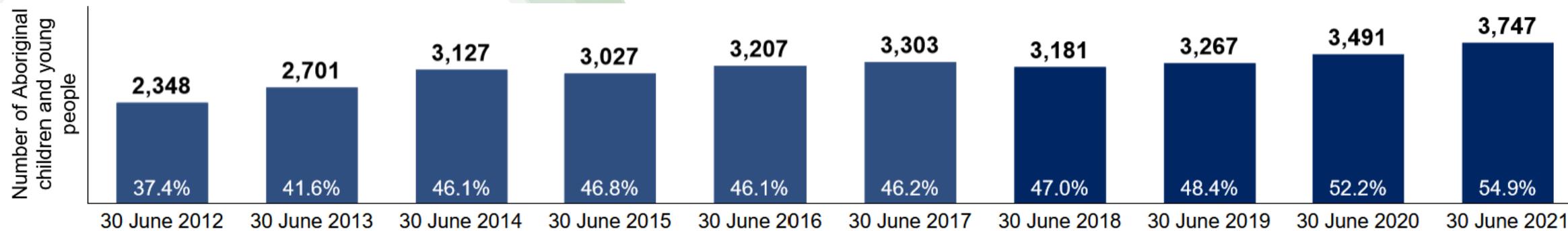
Aboriginal children

There has been a downward trend in the number of Aboriginal children restored to their parents since 2011-12. Restoration numbers decreased by 41% from 2011-12 to 2020-21.



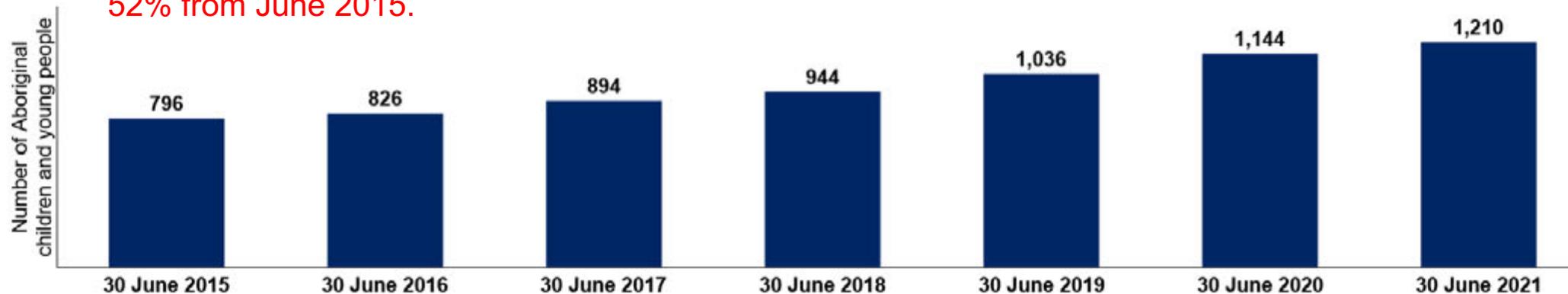
If Aboriginal children are not going home from OOHC, where are they going?

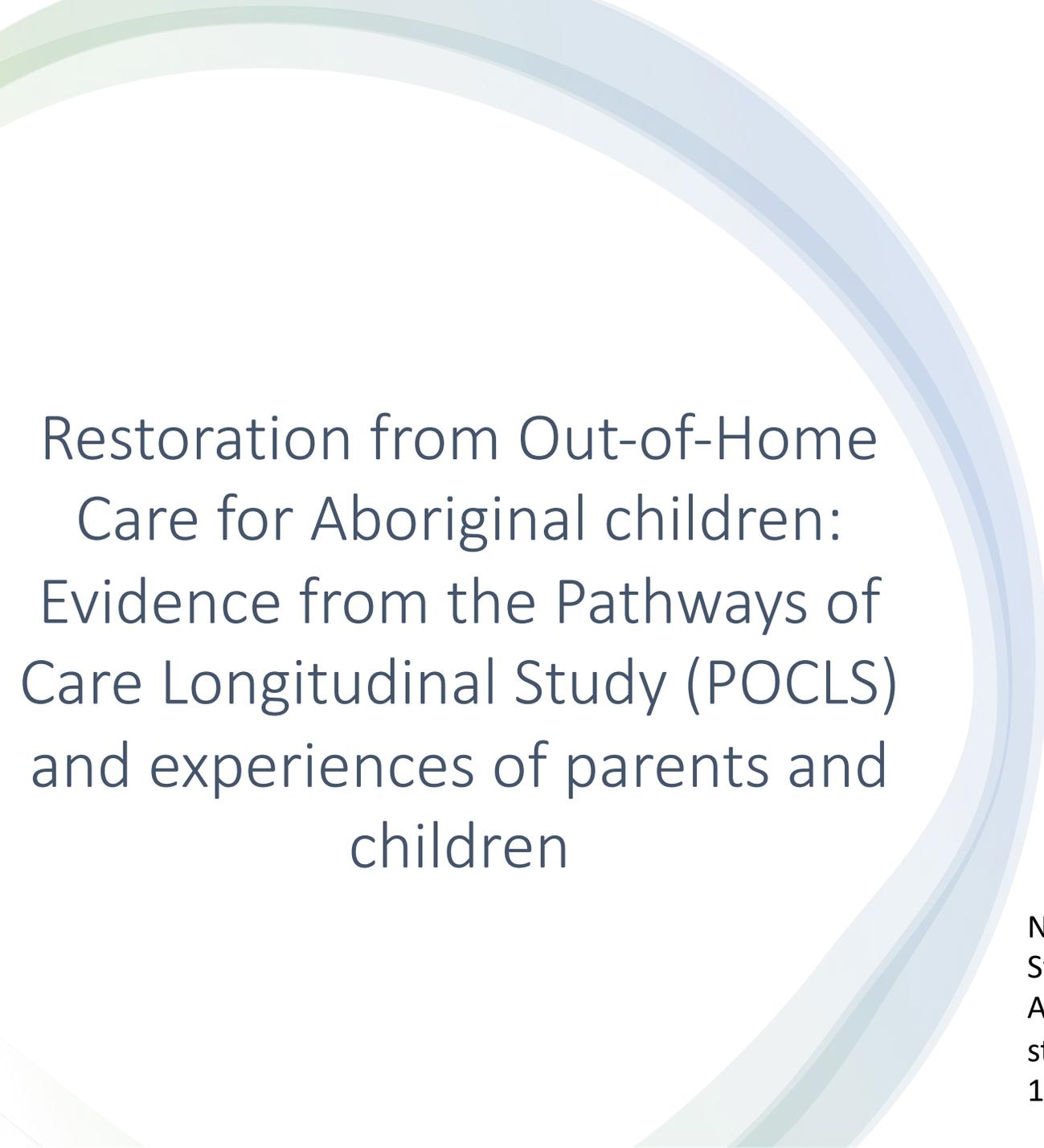
Long-term care: Aboriginal children who have been in care for 5 or more years make up 54.9% of all Aboriginal children in OOHC (including voluntary and supported OOHC). This is a 37.3% increase since June 2012.



n.b. There were 6,829 Aboriginal children in OOHC, at 30 June 2021.

Guardianship: At 30 June 2021, there were 1,210 Aboriginal children on Guardianship Orders. This is an increase of 52% from June 2015.





Restoration from Out-of-Home Care for Aboriginal children: Evidence from the Pathways of Care Longitudinal Study (POCLS) and experiences of parents and children

Aims of this study is to investigate

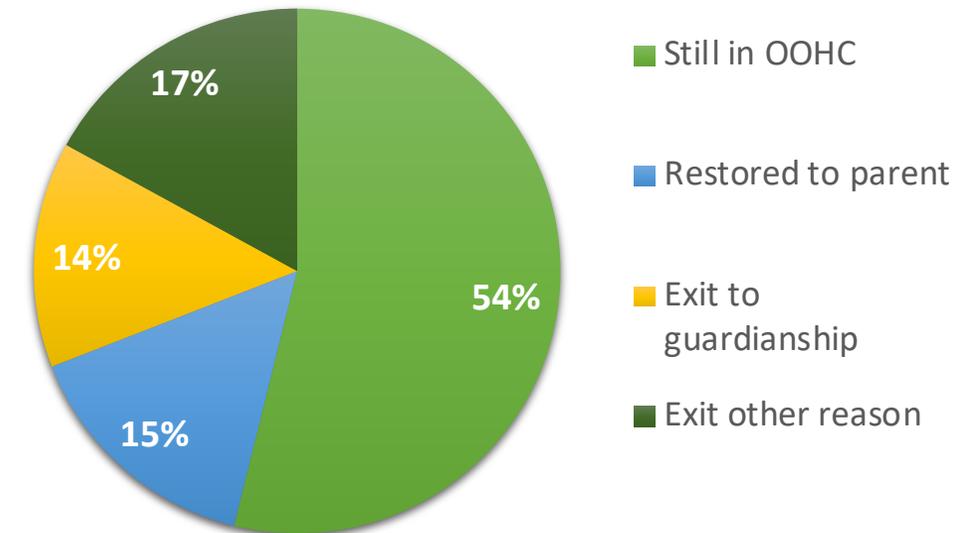
- The rate of restoration for Aboriginal children in POCLS
- The factors that influence restoration for Aboriginal children
- The experiences of parents whose Aboriginal children have been restored
- The experiences of Aboriginal children and young people.

Newton, B. J., Katz, I., Gray, P., Frost, S., Gelaw, Y., Hu, N., ... & Stephensen, J. (2023). Restoration from out-of-home care for Aboriginal children: Evidence from the pathways of care longitudinal study and experiences of parents and children. *Child Abuse & Neglect*, 106058.

Findings- Pathways of Care Longitudinal Study restoration research

Once on final orders, restoring Aboriginal children to their parents is highly unlikely

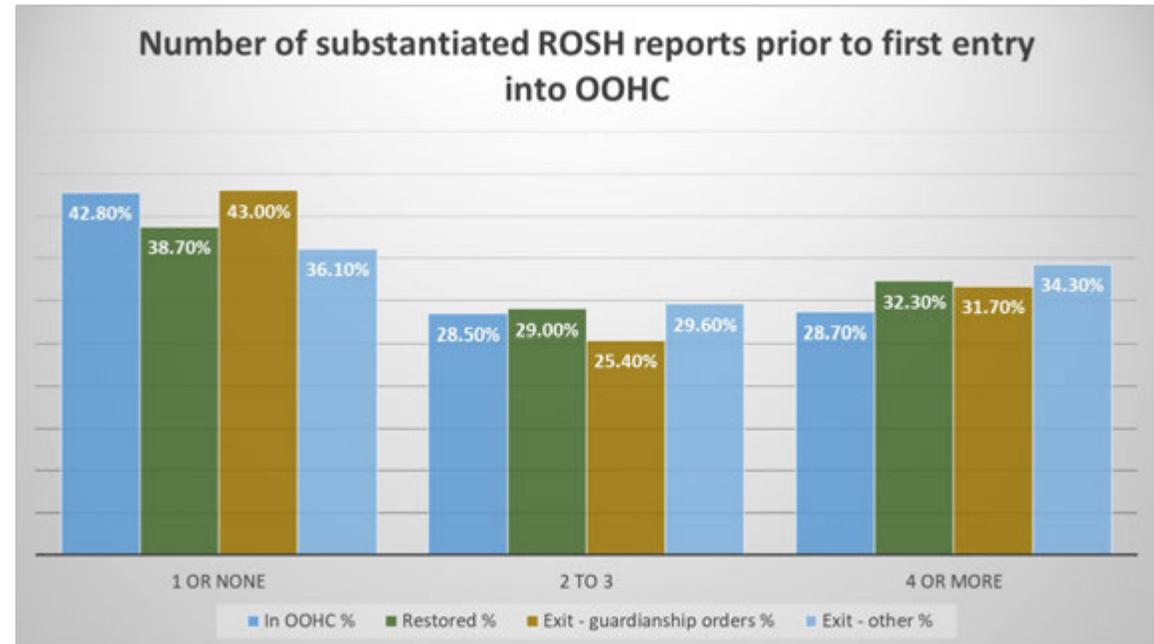
- The rate of restoration for Aboriginal children in the POCLS final orders cohort is 15.2%, or 155 children of the 1018 that were removed.
- The average time in care for children who had been restored was nearly 2.5 years.



- Both parents and their children discussed the importance of frequent, quality contact to maintain their relationships
- Caseworkers and decisions made by agencies play a significant role in this, specifically related to the influence of carers. This is the focus of one of our next POCLS projects

Select key findings from the POCLS restoration research

- Parents generally lacked information and support at the point of removal and needed to have better access to services and support for a successful transition to restoration.
 - This is particularly significant as both the quantitative data and reports from parents demonstrated that many children had limited contact with child protection systems prior to removal.
 - More contextual evidence is needed to make better sense of this finding



An average of 40% of Aboriginal children entering OOHC (in final orders cohort) regardless of their care outcome, were the subject of just one, or no, substantiated ROSH reports

Bring Them Home, Keep Them Home

Charting the experiences, successful pathways and outcomes of Aboriginal families whose children have been restored from Out-of-Home Care

What do we want to learn from the research?

- Experiences of parents and other key stakeholders
- Institutional barriers to restoration
- Restoration practices happening across NSW
- Understanding the problem from the child's view

Outcomes from the research

- Map successful pathways to restoration, so parents (and their supports) whose children have been removed are armed with knowledge and information
- Build sector knowledge about the experiences of restoration processes, blockages, and best practice
- Resources identified as needed by local communities

Research team

Dr BJ Newton- UNSW, Wiradjuri woman
Prof Kyllie Cripps- Monash University, Palawa woman
Associate Professor Paul Gray- UTS, Wiradjuri man
Dr Kathleen Falster- UNSW
Prof Ilan Katz- UNSW
Neika Tong- UNSW, Woddi Woddi & Bundjalung woman

The research is funded for 4 years from Sept 2021 through an Australian Research Council Indigenous Discovery grant

Bring Them Home, Keep Them Home

Our approach to conducting the research

Aboriginal led and controlled

- Aboriginal researchers
- Partners with Aboriginal organisations



South Coast
Medical Service
Aboriginal Corporation



Place based- working alongside Aboriginal communities/organisations

- ACCOs leading the research at the community level
- Supported by NGOs and DCJ
- Community forums- March 2022, July 2023, mid-2024
- Interviews with Aboriginal parents, stakeholders and practitioners

Widest reach possible- Experiences of practitioners and stakeholders across NSW

- Understanding how restoration work looks in different contexts and geographic areas
- Building the evidence of practitioner perspectives of restoration experiences and system engagement across the state
- Practitioner forums beginning early 2023

Bring Them Home, Keep Them Home

Research participants at end May 2023

Community Forum 1- Illawarra Shoalhaven March 2022

More than 50 professionals, community members and elders from the following organisations

AbSec
Waminda
South Coast Medical Service Aboriginal Corporation
Illawarra Aboriginal Corporation
NSW Office of the Children's Guardian
Curijo
Barnardos Australia
William Campbell Foundation
Care South
NSW Health
Uniting
Life Without Barriers
Aboriginal Legal Service
Mackillop
NSW Department of Communities and Justice

Interviews- March 2022- May 2023

INTERVIEW PARTICIPANT	NUMBER INTERVIEWED
Parent	19
Family member	3
ACCO	14
NGO	6
DCJ	11
Aboriginal Legal Service	3
Court representative	2
Total	58

Practitioner forums- round 1 early 2023

NSW REGIONS	NUMBER OF ATTENDEES
Mid-North Coast	6
Southern NSW & Murrumbidgee	6
Hunter & Central Coast	9
Northern & New England	15
Western & Far West	10
Greater Sydney Nepean Blue Mountains	21
DCJ Aboriginal Reference Group members	17
TOTAL	84

Insights that follow come from discussions in the practitioner forums and community forum...

Problem: Aboriginal children are NOT coming home from OOHC

Insights from *Bring them home, keep them home* practitioner forums and community forum

I think it's awful for families. If I was to have my children come into care now knowing the system, I would be petrified because it is a system that doesn't support kids going home.

There is a lot of children that are in care that shouldn't be in care. There are a lot of children who's got big, huge families that if there are only notified, they could go to.

I would be horrified if my kids were still kids and came into care like, they're not coming home. I've watched parents work their arses off and then go, "It's not enough".

(Referring to restoration): At the moment I do think that it's not a focus. It's not coming through any of our work. We're not seeing it.

WHY not? WHAT can we do about this? HOW can we do it?

Problem: Aboriginal children are NOT coming home from OOHC

WHY not? Insights from *Bring them home, keep them home*

The official policy position supports restoration, however the funding and resources allocated to it does not reflect this.

It's so sad because you look at these kids that could be going home, but the funding and the money that we're spending is going to just maintaining their placements rather than putting it in getting these packages that could actually do the work to get these kids home.

And it's not just the issues that are in terms of supporting the parents, but it's as a sector as a whole. The resources that are not available to the agencies to successfully support restorations.

Not working with families

Safety planning and just conversations in general isn't being had with the extended families or the community. That's a massive point missed.

Family should be involved right there and usually they're not. You know, they're not usually involved at the beginning and it shouldn't just be mum and dad that we talked to. It should be everyone, because as Aboriginal people, that's how we support each other and it takes a community to raise a child.

Parents are expected to understand the workings of the restoration process and legal system, they do not know their rights and often are not supported to build this knowledge

Parents don't have the support to put in a section on it. They don't know how to do that. Legal aid applications, they're not educated to fill those out. And then they just feel like it's a lost cause. They settle for that once a month visit. Because that's all that they feel that they're entitled to.

I don't think the rights of the family is actually ever explained to them. They do have rights and if they're looking at restoration, the family group conferencing should be a stepping stone towards the rest. The restoration of back to the family.

Problem: Aboriginal children are NOT coming home from OOHC

WHY not? Insights from *Bring them home, keep them home*

Services are either culturally inappropriate, have long waiting lists, strict time frames, or do not exist. The time limitation of 2 years for restoration does not account for this.

We keep blaming the parents, blaming the community. When you actually gotta look at what services are in that town, you know, for these families.

[If a mother] hasn't been able to demonstrate at this point in time, consistent change, I truly think that's because the supports that aren't available consistently.

Aboriginal families are set up to fail through unrealistic expectations and a low-risk threshold.

there is this idea that mum and dad should be the best versions of themselves at the worst possible time of their lives. ...instead of expecting everything to be perfect for the kids to go home, I think we need to start carrying more risk in the restoration space.

A child's attachment to their carer is valued above their connection with family, community and identity.

It's the connection to carers, regardless of the time that they've been in care with the carers...And I think that is prioritised by a lot of casework teams over the connection to identity and families.

A child advocating for themselves to have their name changed because they want to identify with the carer, and we're more likely to listen to that than we are to listen to a child who says I wanna go home.

Problem: Aboriginal children are NOT coming home from OOHC

WHAT can we do about this? WHAT should be happening?

Insights from *Bring them home, keep them home*

Focus area one- Preventing children from transitioning to long-term orders

Policy

- Embed ACPP in all decision-making and practice
- Aboriginal Family-led Decision Making e.g. FGC and family finding early and not during crisis
- Time flexibility re court decisions i.e. more than two years
- Realistic, transparent and relevant 'goals' i.e. SOPPs and FAPS reflect personal and cultural family contexts
- Placement flexibility e.g. police checks with family members
- Consistent approach to restoration sector wide
- SDM restoration tool needs to go/ overhauled
- Creative solutions e.g. ACA vs paying mum's rent
- Restoration packages same \$\$ as OOHC packages
- Restoration training is desperately needed
- Placement back home as needed, not after 12 months

Practice

- Keep children frequently and meaningfully connected to family
- Intensive family support following removal
- Immediate referrals to/ provision of specialist services
- Rethinking risk e.g. SARA for restoration under supervision orders
- Informing parents of their rights as standard practice
- Flexible casework tailored to families e.g. afterhours support
- Accountability of mistakes, delays, poor casework etc.
- Allow parents time to process the grief, loss and shame associated with having a child removed
- Advocate for the family e.g. asking for more time at court
- Build the legal capability/resourcing of caseworkers
- Support parents to understand the process
- Clarity with carers re their role to support restoration process-willingness/capability to have difficult conversations
- Winangay tool utilised
- Trauma informed practices-recognition that lapses in behaviour and judgment are accepted as part of a parent's restoration journey

Problem: Aboriginal children are NOT coming home from OOHC

WHAT can we do about this? WHAT should be happening?

Insights from *Bring them home, keep them home*

Focus area two- Restoring children on long-term orders

Practice considerations

- Informing parents about their options and the section 90 process
- Proactively identifying and advocating for section 90
- Recognising family context may be very different, e.g. initial grief has passed, specialist/service needs have been met
- Supporting family connections/ healing/ rebuilding relationships- this is a period of considerable adjustment
- Accessible ongoing support- emotional, financial, practical etc. following restoration

Problem: Aboriginal children are NOT coming home from OOHC

Focus area two- Restoring children on long-term orders

HOW can we solve this problem? HOW can we make radical progress to get our kids home?

Insights from *Bring them home, keep them home*

Some sort of proactive leadership needs to happen where we're actually starting to look at our kids that are in permanent care and that have been in permanent care for a long time and going hey, how we reunifying this whole family?

Potential initiatives

- Independent/ contract restoration workers
- Section 90 restoration packages
- Restoration Taskforce

Why can't the department look at having independent restoration workers? They work for themselves. They got their own ABN to go out and do the work. That way they can do the work at all hours, weekends, they're independent...It's a lower cost, so it's more cost effective, but they're able to spend that detailed time with families and that they're completely independent and they're providing the evidence for that family.

[Parents] don't have the money either. Like, if they can't get the free legal services and the ALS are really stretched to be able to provide those services... there needs to be an easier way to get a section 90. You know, it needs to be streamlined in some way. Wouldn't it be good if there was a package there for Section 90s, for birth parents to be able to do that.

HOW ELSE???



*Bring them home,
keep them home*

Next steps

- Plans for the next two years
- Sub studies
 - New POCLS projects
 - Understanding the potential impact of carers on the experiences and care outcomes of Aboriginal children in OOHC using the POCLS
 - Exploring how parental and family characteristics influences child protection reporting and removal, and OOHC experiences for Aboriginal children under two years of age
 - Keeping them home



UNSW
SYDNEY

Thank you.

Thoughts, comments, questions...

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