



Government of South Australia

Office of the Guardian
for Children and Young People

Monitoring Report –Aboriginal and Torres Strait Islander Children and Young People in Residential Care 2015

October 2016

While sketching broader findings, this report focuses on matters relevant to children and young people who identified as Aboriginal¹ within the Guardian's 2014-15 residential care monitoring process. The full range of generic issues that impact upon young people in residential care also apply, factors such as safety and risk, special needs such as disability, and the interface with education and health systems.

Introduction

Under the *Children's Protection Act 1993*, the Guardian for Children and Young People (GCYP) must monitor the circumstances of children and young people in out of home care. The GCYP office therefore undertakes an annual monitoring process for residential care services².

The monitoring process influences broader GCYP work in several ways. At one level, it informs the Guardian's contributions to strategic and reform processes for the out of home care system. In a more direct sense, the 2014-15 activity described in the current report helped drive the development of a new set of Culture and Community Indicators for Aboriginal and Torres Strait Islander children and young people in residential care that will be piloted in the next monitoring round³.

Access to culture and community is one of 12 quality areas within which resident experiences and service provision are considered. The substantial overrepresentation of Aboriginal children and young people in the residential care system and the need to support the realisation of their cultural identity and right of connection are critical considerations within the monitoring process. All residential care properties are part of the annual monitoring cycle with a proportion then subject to a review and visit by GCYP Advocates. Twenty-one of 65 residential care properties operating as at 1 July 2015 provide the basis for this report (seven managed by non-government agencies and fourteen by Families SA). Two of these solely housed Aboriginal residents and at least 12 others also accommodated Aboriginal children and young people. Few employed Aboriginal staff in the reporting period. As well as site visits by GCYP Advocates to speak with the children and young people, scrutiny of the circumstances of residents in these 21 facilities also drew on an annual self-evaluation survey, a formal review of records, interviews

¹ The term Aboriginal in this report is inclusive of Aboriginal and Torres Strait Islander people.

² 334 children and young people were living in residential care as at 30 June 2015 (from 2,690 then under the Guardianship of the Minister, 792 of whom identified as Aboriginal or Torres Strait Islander).

³ A newsletter article introducing the GCYP's Culture and Community Indicators for Aboriginal and Torres Strait Islander children and young people in residential care is available at <http://www.gcyp.sa.gov.au/publication/quarterly-newsletters/>

with managers and discussions with workers.

2014-15 monitoring provides the material for this report. Although not yet subjected to formal analysis, monitoring undertaken in 2015-16 affirms the messages from that earlier round, particularly in relation to the experiences of Aboriginal children and young people.

Consideration of cultural and community connection in the 2014-15 monitoring process, particularly through the direct engagement of GCYP Advocates with the young people themselves, suggests that four factors could help guide systemic improvement in the provision of services to Aboriginal children and young people in residential care –

- *Build the capacity and confidence of organisations that provide residential care to engage with and prioritise cultural connection.*
- *Require Families SA to elicit and record information about Aboriginal and Torres Strait Islander young people’s family and cultural connections and to inform residential care staff prior to their placement.*
- *Build the understanding of residential care workers and residents of the importance of cultural connection and their capacity to facilitate it.*
- *Improve the availability of in-house resources and external support in order to give effect to cultural connection.*

Observations concerning all young people in residential care

The observations below are true for the whole population of young people in residential care, including Aboriginal and Torres Strait Islander young people. While much of this may appear negative, visiting Advocates also observed kind and understanding interaction between staff and residents –

- Residents more often were negative than positive about their experiences in residential care. A common theme was that residential care does not provide the attributes of a ‘home’. The importance of home and the maintenance of familial and other community connections was important to children and young people in residential care.
- Having a ‘private’ place in the residence was valued. One young woman referred to her room as her “safe space”. There was a defensive aspect to this at times. One young man said that he kept his electronic equipment in his room to protect it from damage or theft: “I prefer to keep my things in my room so I know they are safe”.

Some children and young people live in residential care for a substantial

part of their childhood or adolescence. One young man said that his residence “feels like an institution”. Another spoke critically about his four different residential care placements though he recognised that having the same carers for several years was a positive experience. He said his desire to “belong” relied on a combination of people and place. With what the Advocate perceived to be a sense of sadness, he said that he wanted to stay in his current placement for his four remaining years in care.

One resident observed that their current situation, does not “give you a sense of belonging”, like “being in a normal home” and that. this “is why residents run away”.

- The need to remain ‘connected’ with community arose in several ways. For some residents it was with communities of origin, a high priority for those from Aboriginal or other culturally diverse backgrounds. It also applied to residents who identified with particular locations (and thereby to schools, peer groups and family networks) and who experienced residential care as being separated from communities of affinity. Being moved between regional and metropolitan locations also may impact negatively on some young people.
- Separation from family, especially siblings, is an issue for some residents.
- Inappropriate co-placement can be an issue. In one situation, existing residents talked about feeling scared when a third resident was home (“him being a big kid” who “shouldn’t live with little kids”); they said they were afraid, unsafe and unhappy. Another young person simply said: “I think we should get to choose where we live, and who we live with”. Living in larger congregate facilities appears to exacerbate this problem.
- Some residents commented positively about the staff, residence based as well as external, who work with them. Others were critical of the support they received, with dissatisfaction tending to be expressed in relation to actions taken (or not) about a specific matter or process. With respect to Families SA social workers, there was a lack of contact or sense of not having a stable or consistent relationship with them.
- Residents often did not appear to understand the nature and implications of their rights, although the *Charter of Rights for Children and Young People in Care*⁴ sometimes was mentioned and does feature

⁴ <http://www.gcyp.sa.gov.au/charter-of-rights-2/>

in some properties by way of Charter merchandise). Advocates observed that some residents either did not have access to, or do not understand how to realise their rights or have a say about their situation. This related to simple things such as not being informed about what is going on with regard to their case plan and not being able to contribute to decision-making in matters that relate to them. One resident said about his recent change of housing: “I didn’t have a say, I was told I was moving ... I didn’t want to move, I didn’t want to go ... but I had to go”. Asked, he acknowledged that the new placement was “OK”, but he responded “yes” when asked if he still wanted to move from that current residence.

- Other concerns were typical of their age peers who were not in care. This included a capacity to move successfully towards independence. Examples related to access to social, recreational or sporting opportunities, access to appropriate technologies (e.g. Wi-Fi and laptops) and age-relevant personal belongings, including clothes.
- Operational practices and the nature of the physical facilities drew negative comments from the residents.

Aboriginal children and young people in residential care

Pressures faced by Aboriginal children and young people in out of home care were highlighted in a GCYP paper released in July 2015⁵. Acknowledging the serious over-representation of Aboriginal children in the child protection system, and so in residential care, that paper asserted the need to develop approaches that better address their needs, reduce over-representation and help provide pathways out of the intergenerational cycle of trauma, grief and socio-economic disadvantage.

Reflecting the requirements of the *Standards of Alternative Care in South Australia*⁶, GCYP monitoring therefore assumes that the provider organisation as well as the statutory child protection agency (through a Families SA caseworker in the first instance) share the responsibility for ensuring that appropriate ‘culture and community’ standards and practices support the residents. Additionally, whether or not an Aboriginal young person is in residence at that time, *all* properties should be prepared at short notice to accommodate an Aboriginal child or young person, with a set of policies and procedures already in place and able to be implemented by staff⁷.

In visits to residents, GCYP Advocates discuss access to cultural support where appropriate. This is done sensitively in a way in which young people may or may not identify, or be identified, as Aboriginal. In 2014-15 this range of attitudes was seen in the various responses received by Advocates. For example, one resident was delighted when she realised that she belonged to the same clan as the visiting Advocate while a fellow resident similarly wanted to explore and strengthen their Aboriginal culture and identity; in another, a young resident was reluctant to speak about his cultural background.

⁵ GCYP 2015, *Literature Review: Residential care for Aboriginal children and young people*
<http://www.gcyp.sa.gov.au/2015/08/what-is-good-residential-care-for-aboriginal-young-people/>

⁶ See footnote 7 below.

⁷ This would include provider specific requirements as well as compliance with systemic standards as outlined, for example, in the Families SA *Standards of Alternative Care in South Australia*
https://www.sa.gov.au/_data/assets/pdf_file/0007/12985/Standards-of-alternative-care-booklet.pdf

Key messages relating to Aboriginal and Torres Strait Islander children and young people

Four main issues relating to access to ‘culture and community’ by Aboriginal children and young people in residential care are:

- residential care providers do not necessarily feel confident about or actively prioritise cultural connection and support
- staff and residents often express interest, commitment and good will
- in-house resources and external support for cultural connection may be insufficient
- externally provided support can be critical.

Residential care providers may not be confident about or actively prioritise cultural connection and support

- In practice, the nurturing of cultural identity can rely on the commitment and skills of individual workers. This may be a happy coincidence of worker skills and experience not a systemic practice implemented by that provider (which may not even recognise these skills and experience).
- One provider relied on information/planning from Families SA allocated social workers to support identity and connection and informed the GCYP Advocate that, other than once-off cultural sensitivity and awareness training, no staff training or other opportunities were provided to develop cultural knowledge, skills and education although staff expressed an interest in developing relevant skills and resources.
- Staff in another facility could not identify the clan or skin groups of residents. The Advocate was told that they did not have time to gather this information and that the service “needed help” to develop an appropriate model to help staff nurture the cultural identity of the children and young people.
- Life Story Books reportedly were not used in one property because staff had insufficient time to work on them with individual residents.
- It was reported in one unit that a private consultant had done some developmental work about how to nurture the identity and cultural needs of residents but this was not sustained due to competing suggesting that it is reliant on external resources and input and is not prioritised.

Staff and residents often express interest, commitment and good will

- Residents in one facility reported knowing “something” about their culture: one boy said he learns from his parents, another from his Aboriginal school and his mentor. Strong resident and staff support for building cultural identity was noted for another property.
- Workers in one residence who were required to attend cultural training indicated that they were open to learning more and knowing how to seek assistance to help meet the residents’ cultural needs. Cultural identity was identified as an area for increased learning in another.
- Staff in another property said it was difficult to engage a particular resident about their heritage, leading to the conclusion that greater applied effort and resources would be required to do this.
- One young person’s unfortunate experience highlighted the importance and potential impact of loss of family connection. Efforts were made in this case to enable direct contact with family interstate. Sadly, the trip was cancelled the day before departure due to problems at the other end, with no explanation given, and this upset and angered the resident.

In-house resources and external support for cultural connection may be insufficient

- Some of the properties visited did not have strategies or resources in place to nurture and develop cultural identity.
- Lack of Aboriginal staff was noted, associated with a general shortage of resources, knowledge and experience to support cultural needs.
- A non-government provider reported that residents did not have a Life Story Book when they arrived at the home and that information about cultural identity and needs provided in the Families SA referral was very limited. Another reported that Families SA had not informed them on referral about a resident’s cultural identity.
- For some providers, access to mainstream community events (e.g. within NAIDOC and Reconciliation weeks) are default participation opportunities, with few or no other participation options identified or provided.

- An Advocate on a visit to one unit observed a poster that named a resident's clan group, allowing a young woman to identify with some of the people named on the poster as her relations and to initiate a discussion.

Externally provided support can be critical

- External services or sources often are relied upon for cultural support.
- One provider reported that in at least one case an appropriate and necessary service could not be accessed for an Aboriginal resident.
- A worker in the same organisation noted how much they valued occasional input from a Families SA Principal Aboriginal Consultant.
- Another provider said their unit relied on school (DECD) Aboriginal Community Education Workers to support cultural needs in a regional town where there were few Aboriginal services.
- A manager referred to a successful collaboration with a resident's social worker and therapist to help clarify their cultural needs and ensure that these were reflected in case planning.
- A provider described collaborating with the local Families SA office to develop social, emotional and wellbeing training for staff and foster carers specific to Aboriginal children. It noted that being a member of the local Aboriginal services network helped to link residents with programs and other opportunities.

Conclusion

The 2014-15 GCYP monitoring processes confirmed the Office's previous observations that connection with culture and community often is seen to be an 'add on', rather than central to identity development for Aboriginal children and young people in care. Reflection also suggests that insufficient attention is given to the potential dislocation young people may experience if placed in non-Aboriginal residential care placements.

This report identifies a number of issues that may impact upon all children and young people in residential care. It builds on these to highlight some that relate specifically to the opportunity for Aboriginal children and young people to engage with their communities of origin and benefit from connection with culture. Importantly, it accommodates the views expressed to visiting Advocates by the children and young people themselves.

It is suggested that four factors could help guide systemic improvement in the provision of services to Aboriginal and Torres Strait Islander children and young people in residential care –

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