



OUTLINE OF EXPECTED EVIDENCE OF FELICIA DEAN (RUMBALARA ABORIGINAL COOPERATIVE)

DECEMBER HEARINGS 2022 (CHILD PROTECTION)

6 DECEMBER 2022

I BACKGROUND

1. I am a Yorta Yorta woman and the CEO of Rumbalara Aboriginal Cooperative (**Rumbalara**).

II ABOUT RUMBALARA

2. Rumbalara is a community-controlled organisation that provides whole of life services that support, honour and respect Aboriginal people. It was started by the Elders who led the walk-off from Cummeragunja in February 1939.
3. Rumbalara provides a variety of health services including family preservation and integrated family services, Aboriginal family-led decision making, “cradle to kinda”, mental health support, youth justice support, night patrol programs, drug and alcohol support, and chronic health services. We recently opened the Winyaboga Nangha Women’s and Children’s Accommodation Centre, which provides safe, emergency accommodation for women and children. Our services track right through from birth to death.
4. Rumbalara also participates in the Aboriginal Children’s Forums (**ACF**) and the Koori hearing days at Shepparton court, both of which are aimed at supporting young people and reducing Aboriginal representation in child protection.

III ISSUES RELATING TO IDENTITY AND CONFIRMING ABORIGINALITY

5. In our work in child protection, we see confirmation of Aboriginal identification as a big problem. When the Department go out and remove a child or there is a notification, they treat identity as a ‘tick the box’ exercise. Anyone can say they are Aboriginal without any evidence – and the Department does not have the skills or capacity to undertake suitable investigations and confirm Aboriginality.
6. As a result, there are a lot of kids in the system that have not had their identity confirmed. There are real dangers there, everyone is scared of the trauma that a child will experience when they are told they are not Aboriginal. It is the elephant in the room at the ACF.
7. Aboriginal Controlled Community Organisations (**ACCO**) have different standards for confirming Aboriginality. Rumbalara will not accept referrals for children unless Aboriginality can be confirmed. I respect the views of others on this that are more lenient in taking kids on – even where they haven’t been able to confirm a connection or a bloodline.

8. There is further trauma for those kids when they reach 18 and need identification papers and cannot get them. They are left in limbo – and further traumatised.
9. I don't think that the Department is providing enough funding for the ACCO's doing this work to appoint staff dedicated to confirming Aboriginality and family tracing. Instead, they try to 'tack' it on to other existing positions. However, it's a lot of work (especially if the child comes from interstate). It can't be part of a kinship role – that's already a hard enough job.

IV NEED FOR HOLISTIC SUPPORT FOR CHILDREN

10. The children that we see entering the system are complex and have often experienced severe trauma. There are special packages that support some placements, but I think all Aboriginal kids should have targeted care packages that support the placement and the family – more long term. They don't get that. Some children will require weekly counselling and support. Other children are quickly and falsely diagnosed with ADHD or autism, without proper assessment of whether the child's behavioural difficulties are actually a result of past trauma or abuse.
11. Children are too often placed in the 'too hard basket' and prescribed medications like Ritalin to make them manageable. However, the complexity and severity of the trauma experienced by Aboriginal children requires holistic support.

V FUNDING AND RESOURCES

12. There is not enough funding or support for carers. Rumbalara has to beg for resources from the Department to support kinship placements. We shouldn't have to beg – if we identify what is required as an Aboriginal organisation (e.g. contributing to rental costs for a two-bedroom apartment, where the family member is in a one-bedroom unit) – then that is what is required, and in the best interests of the child. This also makes it hard to get placements and Aboriginal foster care – people don't want to do it if they know they won't be supported. The result is too many kids end up in non-Aboriginal placements.
13. The Department should not use the possibility that the kinship placement might break down as a reason to refuse resources. It might break down, but it might not – and if it doesn't that is a great thing for that child.
14. Where the right sort of support is provided it can make a big difference. For example, one family (who was knocked back twice when we requested a van) was given an 'undercover' for a male sibling (who had sisters) to give him more space as he grew up. This is an example of a beneficial support, which should be more widely available. But we've also had negative experiences trying to get these types of supports. We had a mum recently who was determined by the Department to be an appropriate foster placement, but when a new child protection officer arrived a year and a half later, she was told that her house was not tidy enough. She asked for a cot, and the Department told her no. Now, Rumbalara is helping her, but we have to take funding out of another program to do this. We shouldn't have to do that – the Department should be funding it.
15. We have to apply for different portions of funding from the Commonwealth Government and State Government that go to particular services. We have to apply, reapply and repeat ourselves – and then

when you get the funding it is tied to set targets. But it is tied to the Government's targets, not our targets. That is not self-determination.

16. What would be great would be if you could apply for and receive holistic, wrap-around funding that covered multiple services. While there needs to be some form of accountability attached to that – it could be tied to different baseline measures – giving us more scope to provide the services as best suits our community.

VI ASSESSMENT FOR CAREGIVERS

17. The way potential carers are assessed is heavily biased towards white people (and the idea of a perfect white family). This makes it difficult for Aboriginal people to become carers. Blackfellas have not had perfect lives – some adults who might have spent a short period of their younger life in the juvenile system are rejected and prevented from caring for Aboriginal kids from their community. Or other times an assessment is made – even for short-term placements – where if there is no separate bedroom it is a barrier to providing care. It shouldn't be. We grew up sleeping on floors, or in living rooms. Even white fellas do that. It doesn't mean that someone does not have the capacity to care for a child. It's about self-determination.
18. We had an example of this crop up recently, where we've had to support a caregiver. A year and a half ago, the Department formally assessed this caregiver to be a suitable foster placement. An Aboriginal child was placed with this caregiver, and it was all good. Then the Department pushed for another two children to be placed with her as an emergency placement. They were doing well.
19. No one was doing regular checks on the children for 12 months, even though they were supposed to be doing this fortnightly. Then recently they got this gung-ho child protection worker who started demanding all these visits, and sending texts saying her house wasn't tidy enough, saying her lawns needed mowing. Her house is cluttered, but it is not dirty. How tidy the house is does not determine how much those children are loved in that home. The worker put the mum on notice that she wasn't fit to look after these children. This happened even though the Department had already approved her household as a permanent foster placement. The household looked the same a year and a half later. If that worker had had her way, and if the caregiver had not known how wrong it was, those children would have been removed.
20. This goes back to those days when these fellas were assessing Aboriginal people based on their own opinions. These child protection workers assess people based on their own personal values – based on what they think is appropriate. I believe there is racism in it – what is the perfect family? These workers think it is a neat three-bedroom home that is very clean.
21. The assessment of Aboriginal people makes it difficult for us to find appropriate carers. People are scared to apply because the assessment is so invasive. The Department asks about everything, even the visitors who come to your home. In some cases, visitors and family can't come to your home when you have children placed with you.
22. Some people are also scared to put their hands up because they might be asked to host an emergency placement for two or three nights, but this might become two to three years. Some people aren't prepared to do this.

23. Our community is not perfect – but we know where there are risks. The key point here is that we would never, ever put our own children at risk. We would never put kids in a placement where something could happen. They take away our ability to make those decisions.

VII CHALLENGES AND BENEFITS OF S 18 ARRANGEMENTS

24. Rumbalara is in the 'As if' stage of the s 18 process. This means that we have received pre-authorisation to deliver the Aboriginal Children in Aboriginal Care program, which means Rumbalara can work as if it has responsibility under s18 and can work toward full authorisation. We are currently looking to set up policies and recruit. While we now do contract case management of children, but we don't currently have the full responsibility of s 18 organisations.
25. I believe that s 18 organisations have good examples of higher rates of reunification. It does work, but there are lots of challenges. I went on a study tour to Canada in around 2012, as they have a similar system over there. I was sceptical at first.
26. One issue that I want to raise is that I am aware that the current wording of s 18(3) is that the principal officer (defined to be the CEO) may only be authorised under s18 if he or she "is an Aboriginal person". I understand that there is a proposed change so that s 18 organisations can have a non-Aboriginal CEO. This is a particular concern to me. I strongly disagree with this proposal.
27. This is because the s 18 system is true self-determination. An Aboriginal person is supporting your journey until you are the age of 18. It is a massive responsibility, and is about the connection – making decisions that are grounded in cultural content. A non-Aboriginal person cannot do that.