

# WITNESS STATEMENT OF ARGIRI ALISANDRATOS

**Attachments and Glossary** 

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### GLOSSARY

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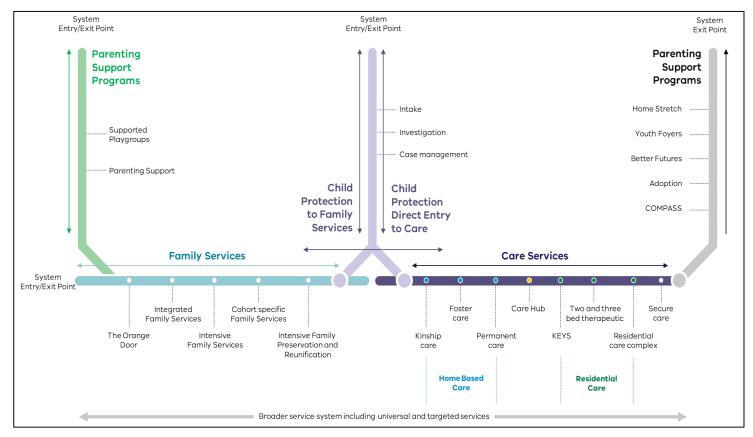
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### ATTACHMENTS

### AA-1: The Children and Families System

This attachment marked **AA-1** referred to in the witness statement of Argiri Alisandratos dated 21 March 2023 provides an illustration of the Children and Families Service System.



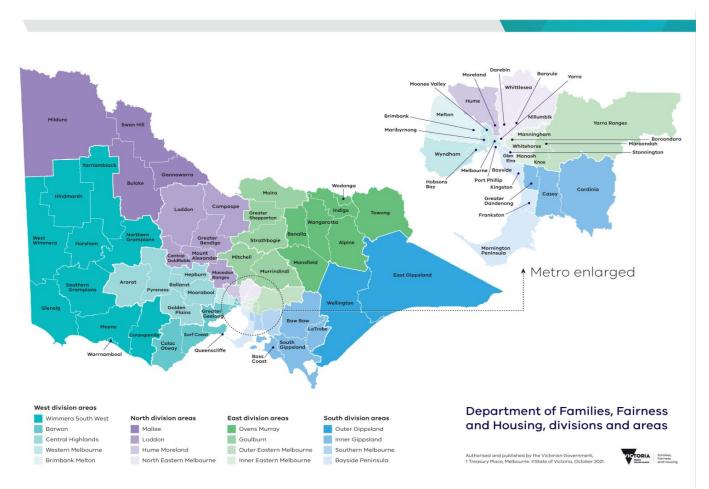
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### AA-2(a): Map of the department's service areas across West, North, East and South Division

This attachment marked **AA-2(a)**, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides a map of the department's 17 service areas.

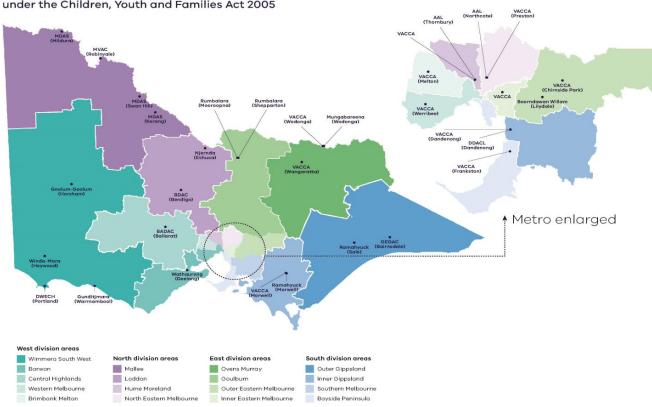


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### AA-2(b): Map of ACCOs funded to deliver services under CYFA

This attachment marked **AA-2(b)**, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides a map of the department's service areas overlayed with ACCOs funded to deliver services under CYFA.



Aboriginal Community Controlled Organisations funded to deliver services under the Children, Youth and Families Act 2005

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### AA-3: Q2. Number and rate of increase for children involved in Child Protection

This attachment marked AA-3, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 2.

2. Over the same timeframe has a corresponding rate of increase been observed in the case of non-First Peoples children and families



### 2. Number and rate of increase for children involved in Child Protection

Snapshot as at 31 December each year from 2016 to 2022

	31-Dec-16	31-Dec-17	31-Dec-18	31-Dec-19	31-Dec-20	31-Dec-21	31-Dec-22	Key	y points
Rates of children in the Child Protection System (per 1,000 eligible population) <sup>3</sup>							•	<ul> <li>In the last 6 years the rate of inv Children in the Child Protection</li> </ul>	
First Peoples Children	146.1	170.6	180.3	194.3	205.7	209.0	209.3		(up from 146.1 in 2016 to 209.3
Non First Peoples Children	10.2	12.2	12.8	12.9	13.8	13.6	13.5		32% increase (up from 10.2 to 1 Children.
% change in rates of First Peoples Children in the Child Protection System	-	16.7%	5.7%	7.8%	5.9%	1.6%	0.2%	•	<ul> <li>During the same period, the rat in out of home care has increas 2016 to 103.8 in 2022) compar from 3.9 to 4.7) for Non First Period</li> </ul>
% change in rates of Non First Peoples Children in the Child Protection System	-	20.0%	4.5%	1.3%	6.8%	-1.5%	-0.5%		
Rates of children in out of home care (per 1,000 eligible po	pulation) <sup>4</sup>								
First Peoples Children	74.2	79.7	90.4	98.8	104.0	107.0	103.8		
Non First Peoples Children	3.9	4.0	4.3	4.6	4.8	4.7	4.7		
% change in rates of First Peoples Children in out of home care		7.3%	13.4%	9.3%	5.3%	3.0%	-3.0%		
% change in rates of Non First Peoples Children in out of home care	-	1.8%	7.0%	7.5%	4.3%	-1.2%	-1.2%		

### involvement of First Peoples on system has increased 43% 9.3 in 2022) compared with a o 13.5) for Non First Peoples

rate of First Peoples Children ased 40% (up from 74.2 in ared with a 21% increase (up Peoples Children.

Notes:

1. Data reflects distinct count of open cases (and closed cases with an open placement) at each reference date and the associated number of reports to CP, investigations, substantiations and entries to care associated with these open cases.

2. Data excludes permanent care placements.

- 3. Includes children with an open case or with a closed case and open placement at each reference date.
- 4. Data reflects a unique count of children in care at each date (excluding children in permanent care). Children may appear more than once across dates, reflecting each year they were in care

5. Population data is from ABS 3238.0 Estimates and Projections, Aboriainal and Torres Strait Islander Australians, 2006 to 2031.

6. Non First Peoples includes all children that have not been confirmed to be First Peoples Children for all datasets.

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### AA-4: Q3. Status of AWAWBKC and ITCBI recommendations

This attachment marked AA-4, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides the status of the 128 recommendations of the AWAWBKC and ITCBI reports to support the response to Question 3.

Always Was, Always Will Be Koori Children was informed by Taskforce 1000 and identified the drivers for children entering care and made recommendations for how their circumstances can be improved.

The report made 79 recommendations. 64 recommendations are now complete and agreed as acquitted by CCYP with the following themes:

- Keep Aboriginal children safe with their families 3 recommendations
- Strengthen healing-informed interventions to address family violence and intergenerational trauma – 2 recommendations
- Ensure Aboriginal children in out-of-home care have meaningful access to their culture – 7 recommendations
- Build the cultural competency of organisations providing services to Aboriginal children in out-of-home care 6 recommendations
- Improve child protection responses and service provision for Aboriginal children in out-of-home care – 19 recommendations
- Aboriginal children in out-of-home care need resilient, supported and capable carers – 8 recommendations
- Aboriginal children in out-of-home care deserve optimal health, education and wellbeing outcomes 12 recommendations
- A stronger, more collaborative service system will benefit Aboriginal children in out-of-home care 6 recommendations
- The Aboriginal Children's Forum to monitor and provide oversight for the implementation and continuous development of the recommendations – 1 recommendation

In The Child's Best Interests focused on Victoria's compliance with the intent of the Aboriginal Child Placement Principle, which aims to ensure wherever possible, an Aboriginal child is placed with Aboriginal extended family or relatives.

The report made 54 recommendations. 40 recommendations are now complete and agreed as acquitted by CCYP with the following themes:

- Overview of compliance of the ACPP 1 recommendation
- Assessment of policy and program compliance 1 recommendation
- Assessment of practice compliance 38 recommendations

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Rec No.	Recommendation	Response status	Proposed action
Alway	s Was Always Will Be Koori Children Inquiry		
2.4	DHHS to lead cross government efforts to support the Latrobe Valley Aboriginal community in the establishment of a local ACCO to promote, advocate and provide community-based health and human services.	The department proposes the recommendation is retired. Since this inquiry and the ACCO referred to in the inquiry who had entered into administration and subsequently wound up, there are currently two ACCOs in the Latrobe Valley that are offering health and human services, which have been established through community-led arrangements.	Retire
2.5	DHHS to develop and implement an approach to address intergenerational trauma, grief and loss that is both child specific and Koori informed, and by working with the extended family groups and clans of children involved with child protection to promote healing and facilitate placement and reunion options within Aboriginal families and communities.	The department is finalising a Trauma Informed Framework that was developed with engagement from ACCOs.	In progress
3.1	DHHS to support ACCOs to provide culturally appropriate and timely counselling and wrap-around services for the growing number of children, their families and carers who have been victims of family violence and sexual abuse.	This recommendation is being progressed through the Dhelk Dja Agreement.	Retire
3.2	DHHS to facilitate the development and implementation of a comprehensive strategy to respond to the prevalence of family violence in Aboriginal families. DHHS, in partnership with Aboriginal organisations, to develop and deliver education programs for Aboriginal children and young people in out-of-home care, focusing on respectful relationships to break the cycle of intergenerational family violence.	This recommendation is being progressed through the Dhelk Dja Agreement.	Retire

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	Furthermore, funding should be provided for evidence-based campaigns to promote respectful relationships across the Aboriginal community, with a specific focus on children and young people.		
3.3	Government to ensure all Aboriginal children impacted by abuse or family violence have access to information about victim support, legal services and redress, including but not limited to VOCAT.	This recommendation is being progressed through the Dhelk Dja Agreement.	Retire
5.6	DHHS, in collaboration with the Department of Education and Training (DET), to expand the provision of master classes to all staff working with Aboriginal children in out-of-home care to build the cultural competence of the organisations. Master classes have been piloted in the North Division. This is a joint initiative by DHHS and Aboriginal partner agencies. The aim is to improve working relationships within the sector and build the expertise and knowledge of practitioners and their understanding of the roles and functions of Aboriginal services, in order to work in a culturally sensitive manner and achieve improved outcomes for Aboriginal children.	This partnership with DET is being revisited.	In progress
6.2	DHHS to review the adequacy of the training and training materials provided to DHHS staff and agency staff relating to the background and application of the Aboriginal Child Placement Principle. The terms of reference for the review must be formulated through collaboration with the ACF. The outcome of the review must be reported to the ACF and the Commission.	Policy guidelines to support the ACPP and Statement of Recognition and binding Recognition Principles will be developed in consultation with stakeholders following passage of those amendments through Parliament. A comprehensive training strategy will form part of the implementation plan for the policy guidelines.	In progress



6.11	DHHS to develop reunification guidelines specific for Aboriginal children in out-of-home care.			This recommendation is met through the development of the Aboriginal Reunification and preservation response that was		Acquit	
				were devel	oped by Mallee Dis	is considered complete. Guidelines strict Aboriginal Services (MDAS) and berative (MVAC) and shared with	
6.18	The Aboriginal Child Place promoted. DHHS to collect and compliance with the Al DHHS to develop guideline ACPP. This data is to be re Commission on a quarterly report.	data and report boriginal Child Pla s and KPIs for the ported by DHHS	on the application of acement Principle. The application of the to the ACF and the total total the total t	of Client Rela recording c e with family e placement	The department has built the ACPP placement hierarchy into the Client Relationship Information System (CRIS) and mandated recording of the rationale if an Aboriginal child is unable to be place with family. The department reports on ACPP compliance with the placement hierarchy to the ACF.		
5.21	To promote self-determination and local community input, prior to a permanent care application being made to the Children's Court, endorsement for the permanent care application must be sought from a panel/s comprising: relevant and local Aboriginal community members, and Victorian Aboriginal Child Care Agency (VACCA) and local ACCOs from across the state.		urt, system imp ht where their due to CO	rovements for Abo case plan is perma /ID but is now prog	a project focusing on service and riginal children on protection orders anent care. That project was delayed ressing and will address this	In progress	
	This must be done before a Court.	an application is r	nade to the Childre	en's			
	Legislative change to the C establishment and authoris						
6.23	Progressing in the youth justice system. This strategy should include building the capacity of ACCOs to develop and implement intensive diversionary strategies along the justice continuum as well as ensuring there are adequate resources and workers in the Koori Youth Justice program and the Koori Youth Justice Intensive Bail Support program. Witness Statement – Argiri Alisandratos – Yoorrook Justice Commission 21 March 2023 Our Youth Our Way recommendation supersedes current recommendation and the department proposes retirement recommendation and the department proposes retirement recommendation and the department proposes retirement with the department proposes retirement.		•	Retire			
		gram. Witness Statement	– Argiri Alisandratos – Y	oorrook Justice Commis	sion 21 March 2023		



6.3	That government advocate, through COAG, for Close the Gap targets to include equity in the number of Aboriginal children in out-of-home care and a reduction in the incarceration of Aboriginal children in youth justice.	Current Closing the Gap plan includes targets to reduce over representation of children in out of home care by 45% by 2031 (target 12) and includes targets to reduce incarceration by 15%.	Acquit
7.5	Department of Justice and Community Safety (DJCS) to resource and expand culturally appropriate parenting skills programs for incarcerated parents to assist sustainable family reunion (for instance, holistic responses such as housing, parenting skills, income and work, drug and alcohol and mental health issues).	Update being sought from DJCS	In progress
8.5	DHHS and DET to work collaboratively with the Aboriginal community, Victorian Aboriginal Community Controlled Health Organisation (VACCHO) and Victorian Aboriginal Health Service (VAHS) to ensure adequate support and programs are available for Aboriginal children in out-of-home care who identify as LGBTI.	The recommendation is completed through the Safe Schools program (DET).	Acquit
9.5	DHHS, ACCOs and CSOs involved in out-of-home care services for Aboriginal children to develop an exchange program for Aboriginal staff to promote cultural competency and skills development and build management capacity.	The department, in consultation with ACCO stakeholders, has investigated the potential to implement an exchange program. The Alliance advised an unmanageable amount of work would be required to develop, implement and support an exchange program; and there has been a lack of ACCO request or interest in the model. The recommendation is not in line with Aboriginal self-determination and the department proposes retiring the recommendation. In addition, local offices offer local services and, in some cases, DFFH staff are hosted by the local ACCO.	Retire

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### In The Child's Best Interest Inquiry

1	The Department, in partnership with the ACCOs, defines the intent of the Aboriginal Child Placement Principle (ACPP). The Department promotes this intent with the CP workforce and community sector stakeholders, to guide resource allocation and actions that align with the intent of the ACPP. a) In developing the definition of intent, the underlying intent (unstated in current legislation) is that Aboriginal children should remain in the care of their families of origin wherever possible and safe, and that - it is incumbent on the child protection system to provide assistance to Aboriginal families (where required) to allow them to live together in a safe environment. This includes a responsibility to provide assistance aimed at both preventing removal and reunifying families where removal has occurred - an ultimate aim of the ACPP is to reduce the number and over-representation of Aboriginal children in out-of-home care. b) Any future amendments to the legislation should articulate this underlying intent of the ACPP.	<ul> <li>The National Aboriginal and Islander Child Care (SNAICC)</li> <li>Aboriginal Child Placement Principle - 5 elements, is now the nationally agreed intent and structure of the ACPP. This is Aboriginal developed and led.</li> <li>At the time of the In the Child's Best Interest Inquiry, Victoria had only legislated one of the five elements (Placement principle), therefore the recommendation was to seek Victoria to broaden their view of the ACPP.</li> <li>The Child Protection Bill 2020 has been developed for introduction to Parliament that includes all five elements of the ACPP. Policy will be developed to support implementation.</li> <li>The department has demonstrated implementation of the intent of the ACPP with resources and service models, such as the Family Preservation and Reunification Response.</li> </ul>	Acquit
3	Review and refresh the suite of Child Protection policy and practice guidance relevant to the ACPP, with a focus on ensuring ease of use by staff through greater clarity and consistency regarding mandatory responsibilities. This should be undertaken in partnership with users of the documentation. The Department to develop guidelines and key performance indicators for implementation of the ACPP.	The Child Protection Bill 2020 has been developed for introduction to Parliament that includes all five elements of the ACPP. Current programs related to embedding all five elements of the ACPP will be reviewed in conjunction with the Statement of Recognition binding principles (SoR Bill 2022) and the ACCOs: Rights and Aspiration program to guide further child protection policy and advice to implement all five elements of the ACPP.	In progress

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4	Develop a single document that provides a consolidated and succinct overview of mandatory ACPP responsibilities.	The Child Protection Bill 2020 has been developed for introduction to Parliament that includes all five elements of the ACPP. Current programs that relate to embedding all five elements of the ACPP will be reviewed in conjunction with the Statement of Recognition binding principles (SoR Bill 2022) and the ACCOs: Rights and Aspiration program to guide further child protection policy and advice to implement all five elements of the ACPP.	In progress
		Policy guidelines will address the ACPP, the binding Recognition Principles and alignment with existing legislated principles.	
5	Future reviews of the CYFA 2005 should articulate the links between s 13 (the ACPP), s 10 (Best Interest Principles) and s 176 (Cultural Plan for Aboriginal child).	The SNAICC Aboriginal Child Placement Principle - 5 elements, is now the nationally agreed intent and structure of the ACPP. This is Aboriginal developed and led. At the time of the In the Child's Best Interest Inquiry, Victoria had only legislated one of the five elements (Placement principle), therefore the recommendation was to seek Victoria to broaden their view of the ACPP.	s is est ents
		The Child Protection Bill 2020 has been developed for introduction to Parliament that includes all five elements of the ACPP. Policy will be developed to support implementation.	
		As this recommendation relates to legislative reform, the department considers this recommendation acquitted. The new Statement of Recognition and binding Recognition Principles align with the existing s.13 and s.176 requirements, as well as all five elements of the ACPP, also to be embedded in legislation.	

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6	Define what constitutes compliance with the intent of the ACPP in the Victorian context. This definition should be reached in partnership with CSOS (sic), particularly from the Aboriginal family and child sector.	See response to R1 above. As this recommendation focuses on "intent" the department proposes this recommendation be acquitted as the department will be embedding the 5 pillars of Secretariat of National Aboriginal and Islander Child Care (SNAICC) ACPP in the CYFA and supporting that intent through policy guidelines.	Acquit
		The department has built the ACPP placement hierarchy into the Client Relationship Information System (CRIS) and mandated recording of the rationale if an Aboriginal child is unable to be placed with family. The department reports on ACPP compliance with the placement hierarchy to the ACF.	
20	Undertake an economic analysis to determine whether the funding provided to ACSASS is sufficient to provide for the	Following this recommendation, the 2016-17 State Budget allocated an additional \$1.8 million to ACSASS.	Acquit
	required activities to be undertaken. If current funding is not sufficient there should be:	Part of the economic analysis regarding service demand and future grown is the department's policy to continue to expand and fund	
	<ul> <li>a) an increase in funding to ensure the funding provided to ACSASS is commensurate with its responsibilities. or</li> </ul>	Aboriginal Children in Aboriginal Care (ACAC). As ACAC grows, the demand for ACSASS diminishes, as consultation with Aboriginal	
	<ul> <li>b) an agreed system-wide approach to prioritising activities of ACSASS.</li> </ul>	child specialist advice and support service (ACSASS) is not necessary, as all decisions are made by ACCOs.	
		While there will continue to be a need for ACSASS in future years, warranting continued service improvements and prioritising local service provision, the department prioritises ACAC as the preferred service response for Aboriginal children and young people involved with child protection, as ACAC provides a genuine model of service grounded in self-determination and self-management, rather than a model in which Aboriginal people are consulted on signification decisions made by the department.	
		The department considers this recommendation acquitted, through analysis and investments made, but also through a reshaping of the service system more closely aligned with self-determination.	



25	Explore opportunities to improve sharing of information between CP and ACSASS, including considering opportunities for a shared electronic data system.	The recommendation relates to information sharing processes and ongoing work with ACCOs as new programs and projects arise. The Statement of Recognition Bill 2022 has been developed for introduction into Parliament to allow ACCOs providing section 18 (ACAC), full access to CRIS.	Acquit						
		Since the recommendations inception the department has enabled CRIS to CRISP information sharing for programs like ACSASS. The department proposes the recommendation be acquitted.							
34	Through consultation between the sector and the Department, clarify guidance in CP policy and practice about whether placement with 'Aboriginal friends or existing social networks' should be classified as:	The Child Protection Bill 2020 has been developed for introduction to I Parliament that includes all five elements of the ACPP. Current programs that related to embedding all five elements of the ACPP will be reviewed in conjunction with the Statement of Recognition binding principles (SoR Bill 2022) and the ACCOs: Rights and Aspiration program to guide further child protection policy and advice to implement all five elements of the ACPP.							
	<ul> <li>a) placement at the highest level of the ACPP placement</li> <li>hierarchy ('placement with Aboriginal extended family or relatives') align with the CP definition of a kinship placement or b)</li> </ul>								
	placement at Level 3 of the ACPP placement hierarchy ('placement with an Aboriginal family from the local community').	Policy guidelines will address the ACPP, the binding Recognition Principles and alignment with existing legislated principles.							
		New policy will include clarification as recommended.							

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38	Amend the PCU process is (sic) to ensure that the best interests of the child, informed by Aboriginal perspectives, are paramount. The child's best interests should guide application of the ACPP placement hierarchy.	The Child Protection Bill 2020 has been developed for introduction to Parliament that includes all five elements of the SNAICC ACPP. The new CYFA Statement of Recognition and binding Recognition Principles mandate participation of Aboriginal family, Elders, and ACCOs in decision making.	Acquit
		Legislating the five elements of the ACPP and the Recognition Principles provides clear advice to all decision makers regarding the response to Aboriginal children and young people.	
		Moreover, CRIS reforms that mandate recording of the level on the placement hierarchy at which an Aboriginal child is placed and recording of any rational if a child is not placed with family, build accountability into the system for placement decisions made with PCU input.	
39	Clarify the following definitional issues with the ACPP placement hierarchy to allow accurate reportingWhat constitutes 'close geographical proximity to the child's natural family' (Level 3 of hierarchy) and 'close proximity to the child's natural family' (Level 5 of the hierarchy)? -At which level of the ACPP placement hierarchy should placements made in Aboriginal-operated residential care and non-Aboriginal residential care be recorded?	The department is adopting the SNAICC national approach and will embed the 5 pillars into the Children Youth and Families Act and policy guidelines. In addition, the Statement of Recognition Bill 2022 has been developed for introduction to Parliament that includes the Statement of Recognition binding Recognition Principles. This will enforce binding principles that must be adhered to when making a decision relating to an Aboriginal child/ren. Policy guidelines will address this recommendation.	In progress
43	Ensure that engagement with potential Aboriginal carers is inclusive, respectful and maximises the likelihood they will be willing to participate in the carer assessment.	Since this recommendation, the department has implemented a new model for kinship care in 2018, supported by \$33.5 million in new funding. 44 staff were employed across the department's 17 areas in kinship teams to oversee the recruitment and retention and develop strategies for Kinship Carers. By establishing dedicated kinship workers, the department has enabled engagement of kinship carers is undertaken that maximises their participation in the assessment process. This Recommendation is considered complete.	Acquit

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44 The recruitment and retention strategy for Aboriginal carers should include: a) a review of the carer assessment process (for both kinship and non-kinship carers) with a focus on ensuring it is not unnecessarily eliminating potential Aboriginal carers who could provide a suitable level of care b) increased support for Aboriginal carers to acknowledge that the socioeconomic disadvantage faced by Aboriginal communities is contributing to carers being assessed as unsuitable. This recommendation should be cross-referenced with recommendation 40 which outlines the recruitment and retention strategy for Aboriginal carers (and is completed).

In addition to this, the department provides the following information about changes to carer assessment processes:

Kinship carers: As part of the development of the new kinship model in 2018, the kinship assessments were updated to include a specific reference in the revised Part B assessment relating to guidance on assessing Aboriginal carer parenting style, and to refer to Assessing Kinship Care for Aboriginal Children: A practice guide for child protection practitioners available on the Child Protection manual https://www.cpmanual.vic.gov.au/sites/default/files/Asess\_kc\_aborigi nal\_chn\_cpguide%202304\_0.pdf In addition, section 18 processes further supports this through enabling assessments to be done by Aboriginal workers/organisations.

Foster carers: In March 2020, foster care assessment tool was updated and published. This was developed in consultation with Aboriginal Community-Controlled Organisations and includes a range of updated content to support the assessment of prospective Aboriginal foster carers. This includes in situations where a non-Aboriginal assessor is assessing a prospective Aboriginal foster carer, that they must:

Have undertaken face to face cultural awareness training; and work, where possible, with an Aboriginal advisor to monitor that they are conducting assessments with cultural awareness and sensitivity.

The Department considers this recommendation to be acquitted.



47	<ul> <li>Better communicate the expectations that CP and CSO staff</li> <li>comply with the mandatory requirements of the ACPP. Strategies</li> <li>to achieve this include: a) greater clarity in CP policy and practice</li> <li>guidance, including that governing the funded community sector</li> <li>(see recommendations 3 and 4 regarding improvements to CP</li> <li>policy and practice guidance) b) training for all CP and CSO staff</li> <li>who have ACPP responsibilities</li> <li>especially where these responsibilities are not currently being</li> <li>met c) greater focus by CP and CSO managers on ensuring staff</li> <li>are aware of their mandatory ACPP responsibilities.</li> </ul>	The Statement of Recognition and its binding principles include a policy and practice implementation plan that will communicate the purpose, meaning and compliance to the binding principles. This will be developed with Victorian ACCOs that are delivering children and family services. Once the CP Bill 2021 passes through Parliament which includes all five elements of the ACPP, the above project relating to the Statement of Recognition and its principles, will incorporate the intent of the recommendation.	In progress
50	Review the resources provided to the service system (including CP and CSOs) to determine whether they are sufficient to meet the mandatory requirements of the ACPP. This review should consider: -the demand placed on the system by the rapid growth in the number of Aboriginal children in OOHC -the adequacy of existing resources to meet this increased need -how the demand on the system can be addressed by additional resourcing, developing strategies and system-wide approaches to prioritisation of duties.	Since this recommendation was made the department has reviewed resources provided to the service system across all Aboriginal children and families programs. Consequently, State Budgets over the years since the Commission's inquiries have provided significant additional funding to the service sector. The Government has invested more than \$160 million in new funding to support Aboriginal children and families since 2018. Since the Commission's Inquiries, the department has implemented and resourced Aboriginal Children in Aboriginal Care (ACAC), promoting a genuinely Aboriginal-led approach to child protection. Over time, as ACAC grows, not only will children and families receive a culturally attuned child protection service led by ACCOs, but the demand for services will also change. For example, demand for ACSASS will diminish as those consultations will not be necessary.	Acquit
		While there are positive signs that the rate of increase of Aboriginal children in care is slowing, further work is needed. The department's Family Preservation and Reunification Response is part of the approach to reform the system to prevent children entering child protection and care.	

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The department continues to seek additional funding every year to expand ACAC and all Aboriginal children and families' services. State Budgets are prepared by Treasury and Finance, balancing a range of competing priorities. Not all submissions from the department are successful.

The department considers this recommendation acquitted to the extent that it is possible to do so, noting the major investment in service growth since the recommendation was made.

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### AA-5: Q4. Aboriginal-led trials

This attachment marked AA-5, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides additional information to support the response to Question 4.

### **1. The Aboriginal-Led Case Conferencing Trial**

This trial was undertaken by VACCA or 12 months between 27 Sept 2021 and 26 September 2022 in the northeast metropolitan area and the Hume and Merri-Bek area (Banyule, Darebin, Hume, Merri-bek, Nillumbik, Whittlesea, Yarra). Its purpose was to receive reports referred by Child Protection Intake that would otherwise have progressed to a Child Protection investigation. Excluded from the trial were reports where Child Protection assessed that an urgent and immediate investigation was required. Once referred to the trial, a case conference was to be convened to decide on the most appropriate response.

A specialist Caseworker (the Aboriginal Led Case Conferencing Convenor) would engage the family and seek to develop a strategy with the family that would address protective concerns and prevent or minimise the need for a protective intervention.

### 2. The Garinga Bupup Trial

This trial was undertaken by BDAC in the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mt Alexander localities. Its purpose was to receive referrals where there were concerns about an unborn Aboriginal child related to their safety and wellbeing after birth early in pregnancy and ideally before Child Protection had opened a case. The aim was for a specialist Case Manager to engage the mother and develop a strategy that would prevent or minimise the need for Child Protection intervention after the baby was born.

### 3. The Aboriginal-Led Family-Led Decision-Making Trial

This trial was undertaken by the Goolum Goolum Aboriginal Cooperative (based in Horsham) and the Njernda Aboriginal Corporation (based in Echuca). Its original purpose was to receive referrals from Child Protection where an investigation had commenced but had not yet been completed, with the intention of diverting the matter from the need for further Child Protection involvement. Referrals were also accepted following a nonsubstantiation decision. This design had to be modified due to a lack of referrals, perhaps because Child Protection more routinely enforced its preferred practice to complete an investigation following the first visit to the family, where possible. The new design is focused on receiving referrals from Child Protection Intake via the Aboriginal Child Specialist Advice and Support Service (ACSASS) (in the case of Njernda) and Lakidjeka (Goolum Goolum) services.

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### AA-6: Q13(a). Number & percentage of First Peoples children & non-First Peoples children in the CP system

This attachment marked AA-6, referred to in the witness statement of Argiri Alisandratos dated 17March 2023, provides data to support the response to Question 13(a).

> Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families 13. As of 1 January in each year since October 2016:

- (a) How many First Peoples children have been in (or had a file open within (are "known to")) the CP System?
  - (NOTE: where available, include data concerning Children with multiple CP system interactions including breakdown by type)?
- (b) What is the proportion of First Peoples children in the CP system v non-First Peoples children?



13(a)(b) Number and percentage of First Peoples children and non First Peoples children in the Child Protection System, including prior CP interactions
Snapshot as at 31 December each year from 2016 to 2022

	31-De	ec-16	31-De	ec-17	31-De	ec-18	31-De	c-19	31-De	ec-20	31-De	c-21	31-De	e <b>c-22</b>		
Number of Children in the Child Protection System <sup>4</sup>	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	Ke	<u>y points</u> The number of <b>First Peoples' C</b>
First Peoples Children	3,431	20%	4,043	21%	4,317	20%	4,711	21%	5,055	21%	5,216	22%	5,314	22%		Protection system has increase
Non First Peoples Children	13,546	80%	16,578	79%	17,589	80%	18,069	79%	19,444	79%	19,035	78%	18,961	78%		compared with a <b>40%</b> increase
Grand Total	16,977		20,621		21,906		22,780		24,499		24,251		24,275			Children over the same period.
Total prior reports for Children in the Child	Protectior	n Systen	n <sup>4</sup>													This has led to the proportion of
First Peoples Children	17,007	21%	21,374	21%	24,271	21%	27,299	22%	31,267	23%	32,383	23%	33,876	23%		in the CP system rising from 20
Non First Peoples Children	62,950	79%	79,478	79%	88,891	79%	95,157	78%	106,547	77%	107,362	77%	111,733	77%		(based on open cases).
Grand Total	79,957		100,852		113,162		122,456		137,814		139,745		145,609			A similar trend has occurred wi
Total prior investigations for Children in the	Child Pro	tection	System <sup>4</sup>													system interactions of these ch
First Peoples Children	9,041	22%	10,968	23%	11,943	23%	13,362	23%	14,822	24%	15,606	25%	15,816	25%		21% to 23% for reports to Child
Non First Peoples Children	31,345	78%	37,558	77%	40,945	77%	43,751	77%	46,181	76%	45,738	75%	47,666	75%		for investigations, 23% to 26%
Grand Total	40,386		48,526		52,888		57,113		61,003		61,344		63,482			26% to 31% for placement entr
Total prior substantiations for Children in th	ne Child Pr	rotectio	n System'	L I												
First Peoples Children	6,145	23%	7,432	23%	8,018	23%	8,973	24%	9,907	25%	10,274	26%	10,237	26%		
Non First Peoples Children	20,948	77%	24,477	77%	26,799	77%	28,664	76%	29,945	75%	28,924	74%	28,967	74%		
Grand Total	27,093		31,909		34,817		37,637		39,852		39,198		39,204			
Total prior placement entries <sup>5</sup> for Children i	n the Chil	d Prote	ction Syst	em <sup>4</sup>												
First Peoples Children	7,567	26%	8,664	27%	9,884	28%	11,456	29%	12,623	30%	13,765	31%	14,552	31%		
Non First Peoples Children	21,766	74%	23,097	73%	25,466	72%	28,524	71%	30,147	70%	30,733	69%	32,287	69%		
Grand Total	29,333		31,761		35,350		39,980		42,770		44,498		46,839			

Children in the Child sed 55% in the last 6 years, se for Non First Peoples' d.

of First Peoples Children 20% to 22% since 2016

with respect to the prior children (increasing from ild Protection, 22% to 25% % for substantiations and ntries).

Notes:

1. Data reflects distinct count of open cases (and closed cases with an open placement) at each reference date and the associated number of reports to CP, investigations, substantiations and entries to care associated with these open cases.

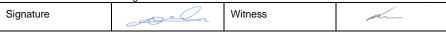
2. Data excludes permanent care placements.

3. CP Report data excludes unborn reports, community-based S38 consults, conciliation counselling, court report request, Hague convention request, interstate request, non-familial

4. Includes children with an open case or with a closed case and open placement at each reference date.

5. Excludes short term accommodation (ie. Accommodation - Emergency, Crisis Accommodation – Other, Placement – Respite, Placements – Secure care and Placement – Shared care).

6. Non First Peoples Children includes all children that have not been confirmed to be First Peoples Children.





### AA-7: Q13(b). Number & percentage of First Peoples children & non-First Peoples children with multiple prior CP interactions

This attachment marked AA-7, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 13(b).

Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families

13. As of 1 January in each year since October 2016:

(a) How many First Peoples children have been in (or had a file open withing (are "known to)) the CP System?

(NOTE: where available, include data concerning Children with multiple CP system interactions including breakdown by type)???

(b) What is the proportion of First Peoples children in the CP system v non-First Peoples children?



13(a)(b) Number and percentage of First Peoples children and non First Peoples children in the Child Protection System who have had multiple prior CP interactions Snapshot as at 31 December each year from 2016 to 2022

	31-Dec-16 31-Dec-17		31-De	ec-18	31-Dec-19		31-Dec-20		20 31-Dec-21		31-Dec-22			
Children in the Child Protection System <sup>1</sup> with	multiple	e prior r	eports											
First Peoples Children	2,615	20%	3,162	20%	3,355	20%	3,647	21%	3,970	21%	3,995	21%	4,077	22%
Non First Peoples Children	10,291	80%	12,518	80%	13,357	80%	13,864	79%	15,045	79%	14,677	79%	14,782	78%
Grand Total	12,906		15,680		16,712		17,511		19,015		18,672		18,859	
Children in the Child Protection System <sup>1</sup> with	h multipl	e prior i	nvestigat	ions										
First Peoples Children	2,102	22%	2,601	22%	2,761	22%	3,079	23%	3,361	23%	3,425	24%	3,438	24%
Non First Peoples Children	7,581	78%	9,097	78%	9,739	78%	10,423	77%	10,958	77%	10,631	76%	11,018	76%
Grand Total	9,683		11,698		12,500		13,502		14,319		14,056		14,456	
Children in the Child Protection System <sup>1</sup> with	h multipl	e prior s	ubstantia	ations										
First Peoples Children	1,556	22%	1,893	23%	2,047	23%	2,315	24%	2,548	25%	2,613	26%	2,603	26%
Non First Peoples Children	5,362	78%	6,250	77%	6,736	77%	7,304	76%	7,745	75%	7,433	74%	7,443	74%
Grand Total	6,918		8,143		8,783		9,619		10,293		10,046		10,046	
Children in the Child Protection System <sup>1</sup> with	multiple	e prior p	lacement	entries	4									
First Peoples Children	1,400	26%	1,572	27%	1,789	27%	2,075	28%	2,275	29%	2,435	30%	2,535	30%
Non First Peoples Children	4,068	74%	4,348	73%	4,765	73%	5,280	72%	5,580	71%	5,601	70%	5,793	70%
Grand Total	5,468		5,920		6,554		7,355		7,855		8,036		8,328	

#### y points

The proportion of First Peoples children in the Child Protection system with multiple prior interactions has gradually risen each year since 2016.

In the last 6 years this increase equates to between 2 and 4 percentage points across reports, investigations, substantiations and placement entries.

Notes:

1. Data reflects distinct count of open cases (and closed cases with an open placement) at each reference date and the associated number of reports to CP, investigations, substantiations and entries to care associated with these open cases.

2. Data excludes permanent care placements.

3. CP Report data excludes unborn reports, community-based \$38 consults, conciliation counselling, court report request, Hague convention request, interstate request, non-familial.

4. Excludes short term accommodation (ie. Accommodation - Emergency, Crisis Accommodation - Other, Placement - Respite, Placements - Secure care, and Placement - Shared care).

5. Non First Peoples Children includes all children that have not been confirmed to be First Peoples Children

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### AA-8: Q13(c). Age breakdown of First Peoples children in the Child Protection system

This attachment marked AA-8, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 13(c).

Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families 13. As of 1 January in each year since October 2016: (c) Provide a breakdown of the ages of First Peoples children in or known to the CP System (eg. <12 months, 1-3 years etc)



13 (c) Age breakdown of First Peoples children in the Child Protection system

Snapshot as at 31 December each year from 2016 to 2022

	31-D	ec-16	31-D	ec-17	31-D	ec- <b>1</b> 8	31-D	ec-19	31-D	ec-20	31-D	ec-21	31-D	ec-22
Age (years)	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
0 - 2	781	22.8%	840	20.8%	837	19.4%	908	19.3%	881	17.4%	914	17.5%	838	15.8%
3 - 4	455	13.3%	546	13.5%	598	13.9%	635	13.5%	631	12.5%	609	11.7%	622	11.7%
5 - 6	427	12.4%	492	12.2%	547	12.7%	606	12.9%	680	13.5%	650	12.5%	615	11.6%
7 - 8	419	12.2%	490	12.1%	495	11.5%	489	10.4%	618	12.2%	661	12.7%	646	12.2%
9 - 10	372	10.8%	458	11.3%	480	11.1%	509	10.8%	529	10.5%	511	9.8%	591	11.1%
11 - 12	335	9.8%	397	9.8%	442	10.2%	501	10.6%	495	9.8%	545	10.5%	579	10.9%
13 - 14	292	8.5%	378	9.3%	413	9.6%	456	9.7%	521	10.3%	538	10.3%	537	10.1%
15 - 16	261	7.6%	328	8.1%	352	8.1%	417	8.9%	448	8.9%	465	8.9%	537	10.1%
17 - 18	74	2.2%	98	2.4%	128	3.0%	159	3.4%	197	3.9%	236	4.5%	232	4.4%
Other <sup>4</sup>	15	0.4%	16	0.4%	25	0.6%	31	0.7%	55	1.1%	87	1.7%	117	2.2%
Grand Total	3,431		4,043		4,317		4,711		5,055		5,216		5,314	

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ney	points	

- The number of First Peoples Children in the Child Protection system has increased across all age groups in the last 6 years.
- Proportionally there is an increasingly even spread across age groups (with 8 groups now representing 10% or greater, up from just 5 groups in 2016).
- First Peoples Children aged 0-2 years continue to have the greatest proportion but this has declined from 22.8% in 2016 to 15.8% at the end of 2022.

Notes:

1. Data reflects distinct count of open cases (and closed cases with an open placement) at each reference date.

2. "In or known to" the child protection system is interpreted as all clients involved in Child Protection with an open case, including reports, investigations, substantiations

and care placements.

Data excludes:

Closed cases (except as noted at 1)

ii. Children in voluntary placements - no child protection involvement

iii. Children in permanent care.

4. Includes young people 19 years plus still involved with post care supports.

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### AA-9: Q13(d). Gender of First Peoples children in the Child Protection system

This attachment marked AA-9, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 13(d).

Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families 13. As of 1 January in each year since October 2016: (d) What is the gender split of First Peoples children in the CP System (male, Female, Undisclosed/Other)



#### 13 (d) Gender of First Peoples children in the Child Protection System

Snapshot as at 31 December each year from 2016 to 2022

	31-De	e <b>c-16</b>	31-De	ec-17	31-De	ec-18	31-De	ec-19	31-D	ec-20	31-D	e <b>c-21</b>	31-D	ec-22
Gender	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Female	1,702	49.6%	2,038	50.4%	2,115	49.0%	2,371	50.3%	2,536	50.2%	2,657	50.9%	2,647	49.8%
Male	1,726	50.3%	2,003	49.5%	2,196	50.9%	2,333	49.5%	2,510	49.7%	2,550	48.9%	2,651	<b>49.9%</b>
Other	3	0.1%	2	0.0%	6	0.1%	7	0.1%	9	0.2%	9	0.2%	16	0.3%
Grand Total	3,431		4,043		4,317		4,711		5,055		5,216		5,314	

#### Key points

- The proportion of female to male First Peoples children in care has remained extremely close to 50% for all years between 2016 and 2022.
- As at the end of 2022 there were four more male First Peoples children than female First Peoples children in care.

Notes:

- 1. Data reflects a unique count of children in the Child protection system with an open case as at 31 December 2022.
- 2. Data captured is all clients with an open case, including reports, investigations, substantiations and placements.
- 3. Data includes children in care with a closed case but open placement.
- 4. Data excludes:
  - i. Closed cases (except as noted at 3)
  - ii. Children in voluntary placements
  - iii. Children in permanent care.
- 5. 'Other' reflects Indeterminate, Intersex, Not Stated/Inadequately described.

Witness Statement	Witness Statement – Argiri Alisandratos – Yoorrook Justice Commission 21 March 2023										
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### AA-10: Q14(a) and (b). Number of children in out-of-home care

This attachment marked AA-10, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 14(a) and (b).

> Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families 14. As of 1 January in each year since October 2016: (a) How many First Peoples children have been in out of home care (b) What is the proportion of First Peoples children in out of home care v non First Peoples children



#### 14(a)(b) Number of children in out of home care

Snapshot as at 31 December each year for First Peoples children and non First Peoples children

	31-D	ec-16	31-D	ec-17	31-D	ec-18	31-D	ec-19	31-D	ec-20	31-D	ec-21	31-D	ec-22
All Children	No.	%												
First Peoples Children	1,743	25.0%	1,888	25.8%	2,164	26.8%	2,395	27.1%	2,554	27.4%	2,672	28.7%	2,635	28.6%
Non First Peoples children	5,228	75.0%	5,428	74.2%	5,902	73.2%	6,433	72.9%	6,764	72.6%	6,639	71.3%	6,571	71.4%
Total (Excl perm care)	6,971		7,316		8,066		8,828		9,318		9,311		9,206	
Permanent Care														
First Peoples Children	292	14.4%	335	13.0%	367	12.9%	387	12.5%	406	12.6%	441	12.6%	460	12.8%
Non First Peoples children	2,034	87.4%	2,236	87.0%	2,468	87.1%	2,707	87.5%	2,814	87.4%	30,60	87.4%	3,140	87.2%
Total Permanent care	2,326		2,571		2,835		3,094		3,220		3,501		3,600	

#### Key points

- The number of First Peoples Children in Out of Home Care has increased 51% in the last 6 years (from 1,743 at the end of 2016 to 2,635 at the end of 2022. This compares with a 26% increase (from 5,228 to 6,571) for Non First Peoples Children over the same period.
- The proportion of First Peoples Children in Out of Home Care has increased from 25% at the end of 2016 to 28.6% at the end of 2022.

#### Notes:

1. Data reflects a unique count of children in care at each date.

- 2. Children may appear more than once across dates, reflecting each year they were in care.
- 3. 'Non First Peoples children' includes children whose status have been confirmed not to be First Peoples Children and children whose status have not been confirmed.
- 4. Non First Peoples Children includes all children that have not been confirmed to be First People Children.
- 5. Policy and practice guidance regarding changing the status of an Aboriginal and/or Torres Strait Islander child came into effect on 25 November 2016. This is often referred to as de-identification. This guidance included practice advice for child protection practitioners for steps to take at the intake phase, which differed from all other child protection phases.

Witness Statement – Argiri Alisandratos – Yoorrook Justice Commission 21 March 2023											
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### AA-11: Q14(c). Number of First Peoples children in out-of-home care by age

This attachment marked AA-11, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 14(c).

Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families

14. As of 1 January in each year since October 2016: Snapshot as opposed to fin year provided below (c) Provide a breakdown of the ages of First Peoples children removed into out of home care (eg. <12 months, 1-3 years etc)



#### 14(c) Number of First Peoples children in out of home care by Age

	31-D	ec-16	31-D	ec-17	31-D	ec-18	31-D	ec-19	31-Dec-20		31-Dec-21		31-D	ec-22
Age (years)	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
0	84	4.8%	71	3.8%	111	5.1%	98	4.1%	92	3.6%	98	3.7%	79	3.0%
1-3	365	20.9%	385	20.4%	403	18.6%	424	17.7%	435	17.0%	461	17.3%	419	15.9%
4 - 6	314	18.0%	349	18.5%	436	20.1%	508	21.2%	525	20.6%	502	18.8%	485	18.4%
7 – 8	222	12.7%	229	12.1%	222	10.3%	264	11.0%	315	12.3%	353	13.2%	345	13.1%
9 - 10	176	10.1%	205	10.9%	248	11.5%	262	10.9%	271	10.6%	294	11.0%	316	12.0%
11 - 12	288	16.5%	295	15.6%	339	15.7%	372	15.5%	414	16.2%	431	16.1%	447	17.0%
13 - 14	177	10.2%	189	10.0%	224	10.4%	248	10.4%	277	10.8%	275	10.3%	275	10.4%
15 - 16	147	8.4%	200	10.6%	215	9.9%	239	10.0%	251	9.8%	248	9.3%	266	10.1%
17 - 18	59	3.4%	52	2.8%	87	4.0%	98	4.1%	114	4.5%	150	5.6%	145	5.5%
Other	1	0.1%	2	0.1%	3	0.1%	3	0.1%	4	0.2%	4	0.1%	4	0.2%
Grand Total	1,743		1,888		2,164		2,395		2,554		2,672		2,635	

Snapshot as at 31 December each year

Notes: Data reflects a unique count of children in care at each date (excluding children in permanent care). Children may appear more than once across dates, reflecting each year they were in care. 'Non First Peoples children' includes children whose status have been confirmed not to be First Peoples Children and children whose status have not been confirmed.

#### Key points

- The number of First Peoples Children in Out of Home Care has increased reasonably consistently across most age groups.
- First Peoples Children between the ages of 1 and 8 consistently make up close to half of those in care .
- With proportionally smaller numbers of First Peoples Children in care under the age of 12 months and 17-18 years, these groups have exhibited greater volatility over the last 6 years.

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Signature	del	Witness	de



### AA-12: Q14(d). Number of First Peoples children in out-of-home care by gender

This attachment marked AA-12, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 14(d).

Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families 14. As of 1 January in each year since October 2016: (d) What is the gender split of First Peoples children in out of home care (male, Female, Undisclosed/Other)



#### **14(d) Number of First Peoples children in out of home care by Gender** *Snapshot as at 31 December each year*

	31 Dec 2016		31 Dec 2017		31 Dec 2018		31 Dec 2019		31 Dec 2020		31 Dec 2021		31 Dec 2022	
First Peoples Children	No.	%												
Female	875	50.2%	931	49.3%	1049	48.5%	1172	48.9%	1269	49.7%	1338	50.1%	1331	50.5%
Male	868	49.8%	957	50.7%	1112	51.4%	1219	50.9%	1282	50.2%	1329	49.7%	1298	49.3%
Other	0	0.0%	0	0.0%	3	0.1%	4	0.2%	3	0.1%	5	0.2%	6	0.2%
Grand Total	1743		1888		2164		2395		2554		2672		2635	

Notes: Data reflects a unique count of children in care at each date (excluding children in permanent care). Children may appear more than once across dates, reflecting each year they were in care. 'Non First Peoples children' includes children whose status have been confirmed not to be First Peoples Children and children whose status have not been confirmed.

#### Key points

- The proportion of female to male First Peoples Children in care has remained extremely close to 50% for all years between 2016 and 2022.
- As at the end of 2022 there were marginally more female First Peoples Children than male First Peoples Children in care.



### AA-13: Q14(e). Proportion of First Peoples children in out-of-home care - North Division

This attachment marked AA-13, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 14(e).

Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families 14. As of 1 January in each year since October 2016: (e) What is the proportion of First Peoples children in out of home care by DFFH region(s)



#### 14(e) Proportion of First peoples children in out of home care - North Division

Snapshot as at 31 December each year from 2016 to 2022

	31-Dec-16	31-Dec-17	31-Dec-18	31-Dec-19	31-Dec-20	31-Dec-21	31-Dec-22
	% of children in care						
North Division	28.6%	29.1%	27.5%	25.8%	25.6%	24.5%	25.1%
North Eastern Melbourne	8.3%	7.2%	8.0%	7.5%	7.0%	6.8%	6.7%
Loddon	8.8%	10.3%	10.2%	9.5%	9.6%	8.6%	9.1%
Hume-Merri-bek	2.9%	3.0%	2.4%	2.6%	3.1%	2.8%	3.2%
Mallee	7.5%	8.3%	6.9%	6.1%	5.9%	6.3%	6.1%
Regional Services <sup>4</sup>	1.1%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%

Notes:

1. Data reflects proportion of children in care at each date.

2. Children may appear more than once across dates, reflecting each year they were in care.

3. Division and Area data reflect area where the case management is allocated, except for unallocated cases where it reflects the location of the child's placement.

4. Regional services represents a legacy area of Child Protection - most cases transitioned from Regions to Areas, but some remain.

#### Key points

- The proportion of First Peoples children in North has fallen in the last 6 years with most of the decline occurring from 2016 2019.
- The proportional decline is attributable to falls in both North Eastern Melbourne (1.6 percentage points lower) and Mallee (1.4 percentage points lower) over the period.
- · As at the end of 2022, Loddon had the most First Peoples children in care in the State.

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### AA-14: Q14(e). Proportion of First Peoples children in out-of-home care – South Division

This attachment marked AA-14, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 14(e).

Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families 14. As of 1 January in each year since October 2016: (e) What is the proportion of First Peoples children in out of home care by DFFH region(s)



### 14(e) Proportion of First peoples children in out of home care - South Division

Snapshot as at 31 December each year from 2016 to 2022

	31-Dec-16	31-Dec-17	31-Dec-18	31-Dec-19	31-Dec-20	31-Dec-21	31-Dec-22
	% of children in care						
South Division	26.3%	26.5%	27.7%	27.8%	28.4%	28.2%	28.5%
Southern Melbourne	9.0%	7.9%	7.8%	8.5%	8.1%	8.2%	8.6%
Bayside Peninsula	4.7%	5.0%	5.8%	5.8%	6.5%	6.6%	6.5%
Inner Gippsland	5.2%	6.5%	6.9%	6.6%	7.1%	6.9%	7.1%
Outer Gippsland	4.6%	4.9%	5.6%	6.3%	6.3%	6.3%	6.2%
Regional Services	2.7%	2.1%	1.6%	0.6%	0.3%	0.1%	0.1%

Notes:

1. Data reflects proportion of children in care at each date.

2. Children may appear more than once across dates, reflecting each year they were in care.

3. Division and Area data reflect area where the case management is allocated, except for unallocated cases where it reflects the location of the child's placement.

4. Regional services represents a legacy area of Child Protection - most cases transitioned from Regions to Areas, but some remain.

#### Key points

In the last 6 years, First Peoples children in care in South Division has proportionally risen 2.2 percentage points.

Proportional growth has been evidenced for all Areas except Southern Melbourne which is slightly lower over the period.

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### AA-15: Q14(e). Proportion of First Peoples children in out-of-home care - East Division

This attachment marked AA-15, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 14(e).

Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families 14. As of 1 January in each year since October 2016: (e) What is the proportion of First Peoples children in out of home care by DFFH region(s)



#### 14(e) Proportion of First peoples children in out of home care - East Division

Snapshot as at 31 December each year from 2016 to 2022

	31-Dec-16	31-Dec-17	31-Dec-18	31-Dec-19	31-Dec-20	31-Dec-21	31-Dec-22
	% of children in care						
East Division	20.1%	18.4%	17.3%	18.1%	19.0%	18.9%	17.9%
Outer Eastern Melbourne	4.9%	4.7%	4.0%	4.4%	4.1%	3.9%	4.1%
Goulburn	8.0%	7.5%	7.5%	7.4%	7.8%	8.6%	7.8%
Ovens Murray	4.4%	4.4%	4.4%	4.9%	5.7%	5.1%	4.8%
Inner Eastern Melbourne	2.0%	1.6%	1.3%	1.3%	1.4%	1.3%	1.2%
Regional Services	0.7%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%

Notes:

1. Data reflects proportion of children in care at each date.

2. Children may appear more than once across dates, reflecting each year they were in care.

3. Division and Area data reflect area where the case management is allocated, except for unallocated cases where it reflects the location of the child's placement.

4. Regional services represents a legacy area of Child Protection - most cases transitioned from Regions to Areas, but some remain.

#### Key points

In the last 6 years, First Peoples children in care in East Division has proportionally declined by 2.2 percentage points.

· The decline is evidenced in Outer and Inner Eastern Melbourne with a shift in growth to the Regional Areas of Goulburn and Ovens Murray.

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### AA-16: Q14(e). Proportion of First Peoples children in out-of-home care – West Division

This attachment marked AA-16, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 14(e).

Rates and trends re: Child Protection intervention in the lives of First Peoples' children and Families 14. As of 1 January in each year since October 2016: (e) What is the proportion of First Peoples children in out of home care by DFFH region(s)



#### 14(e) Proportion of First peoples children in out of home care - West Division

Snapshot as at 31 December each year from 2016 to 2022

	31-Dec-16	31-Dec-17	31-Dec-18	31-Dec-19	31-Dec-20	31-Dec-21	31-Dec-22
	% of children in care						
West Division	25.1%	26.0%	27.4%	28.3%	27.1%	28.4%	28.5%
Barwon	6.4%	6.6%	6.4%	6.6%	5.9%	5.9%	5.9%
Brimbank Melton	3.5%	4.1%	4.2%	4.3%	4.2%	4.3%	5.3%
Central Highlands	4.8%	4.9%	4.9%	5.5%	5.6%	6.4%	6.2%
Western Melbourne	4.3%	4.0%	5.0%	5.2%	5.6%	6.3%	5.9%
Wimmera South West	5.4%	5.9%	6.8%	6.8%	5.8%	5.6%	5.2%
Regional Services	0.7%	0.4%	0.2%	0.0%	0.0%	0.0%	0.0%

Notes:

1. Data reflects proportion of children in care at each date.

2. Children may appear more than once across dates, reflecting each year they were in care.

3. Division and Area data reflect area where the case management is allocated, except for unallocated cases where it reflects the location of the child's placement.

4. Regional services represents a legacy area of Child Protection - most cases transitioned from Regions to Areas, but some remain.

#### Key points

In the last 6 years, First Peoples children in care in West Division has proportionally risen 3.4 percentage points.

This growth has been evidenced across the Metro Melbourne Areas with the greatest change occurring in Brimbank Melbourne (up 1.8 percentage points).



### AA-17: Q15. Rates and trends – Child Protection intervention in the lives of First Peoples children and families

This attachment marked AA-17, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 15.

**15. Rates and trends re: Child protection intervention in the lives of First Peoples' children and Families** The AWAWBKC Report found that (as at October 2016):

What is the comparable position in the case of First Peoples children and families as at February 2023?

1	There were 980 Aboriginal children in out-of-home care	
2	88% of children had experienced family violence	
3	87% of children were exposed to parental alcohol/ substance use	
4	42% of children were placed away from their extended family	
5	25% of the children on Guardianship Orders had no cultural support plan	
6	86% of children were case managed by a non-Aboriginal agency	
7	Over 40% of children with siblings were separated from their brothers and sisters	
8	Over 60% of children were placed with a non-Aboriginal carer	

Question states that AWAWBKC found that as at Oct 2016 there were:	DFFH measure	2015-2016	2021-22
980 First Peoples children in OOHC	First Peoples children in out-of-home care (count of unique children in care at anytime during the year)^1 $$	1,743 <sup>1</sup>	2,6351
20% had an advanted DV	Primary abuse type for substantiated cases – Physical <sup>2</sup>	29%	27%
88% had experienced FV	Primary abuse type for substantiated cases – Emotional <sup>2</sup>	60%	66%
87% were exposed to parental AOD	Alcohol or substance use by parents indicated for substantiated cases	70%	36%3
42% placed away from extended family	First Peoples children in care placed with family	59%4	59%4
25% of children on guardianship orders had no cultural plan	First Peoples children in care >19 weeks with a cultural plan	18%	52%
86% case managed by a non-First Peoples agency	Case management responsibility – DFFH or non-ACCO CSO	88%	68%
	Children with siblings placed with all of them	34%	39%
40%+ children with siblings were separated from them	Children with siblings placed with some of them	39%	40%
	Children with siblings not placed with any of them	27%	21%
	Placed with a non-First Peoples carer (primary carer)	35%	32%
60%+ placed with non-First Peoples carer	Placed with First Peoples carer (primary carer)	21%	26%
	Placed with carer with First Peoples status unknown (primary carer)	44%	42%

#### Key points

- The measures drawn from the 'Always was, always will be' report was a Taskforce 1,000 survey and cannot be replicated from data in CRIS. Presented here are existing DFFH measures which most closely align.
- There is limited data in CRIS to indicate whether a child has experienced family violence. Data presented represents the percentage of substantiated cases with a primary abuse type of physical or emotional as the experience of family violence would most likely fall into one of these two categories. The combined percentage for these for First Peoples children has increased 4 percentage points, from 89% to 93% in the last 6 years.
- First Peoples children in care placed with family or extended family has remained steady at 59%.
- First Peoples children with a cultural plan has increased from 18% to 52%.
- Case management responsibility (managed by DFFH or non-ACCO) for First Peoples children in care has decreased by 20 percentage points (from 88% to 68%).
- First Peoples children with siblings separated from some or all of them fell 5 percentage points (from 66% to 61%).
- First Peoples children placed with a non-First Peoples primary carer has decreased 3 percentage points (from 35% to 32%).

#### Notes:

 The number of First Peoples children in out of home care is not directly comparable to the limited number of 980 Taskforce 1000 survey respondents. Data presented is for 31 December 2016 and 31 December 2022.

There is limited data in CRIS to indicate whether a child has experienced family violence. Data presented represents the percentage of substantiated cases with a primary abuse type of physical or emotional as the experience of family violence would most likely fall into one of these two categories.

 The numbers are not directly comparable between 2015-16 and 2021-22 as the way of recording in CRIS harm type identification relating to substance or alcohol use by parents has changed.

4. Data presented is for 31 December 2016 and 31 December 2022.





### AA-18: Q17(a) and (b). Percentage of children in out-of-home care reunited with family within 24 months

This attachment marked AA-18, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 17(a) and (b).

Rates and trends re: Child protection intervention in the lives of First Peoples' children and Families

17. In each year from 1 January 2017 to present:

(a) What percentage of First peoples children in out of home care are reunited with their families

(b) What percentage of non-First peoples children in out of home care are reunited with their families



### 17. (a & b) Percentage of Children in Out of home care reunited with their families<sup>3</sup> within 24 months

Snapshot as at 31 December each year from 2016 to 2021

	31-Dec-16		31-Dec-18	31-Dec-19	31-Dec-20	
			% reunited			
First Peoples	18.7%	16.0%	16.3%	14.9%	16.6%	
Non First Peoples	19.3%	18.7%	18.5%	18.6%	17.8%	

#### Notes:

- 1. Data presents the percentage of all children in out of home care as at each of the reference dates who were reunited with their families in the following 24 months.
- 2. Non-First Peoples Children includes all children that have not been confirmed to be First Peoples Children.
- 3. 'Reunited with their families' definition in this instance refers to reunification with parent/s

#### Key points

 The percentage of First Peoples children in out of home care who are reunited with their families within 24 months has declined from 18.7% in 2016 to 16.6% in 2022. This compares with a decline from 19.3% to 17.8% for Non First Peoples children in the same period.

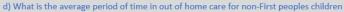
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### AA-19: Q17(c) and (d). Average duration of children in out-of-home care and for children reunited with family.

This attachment marked AA-19, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 17(c) and (d).

Rates and trends re: Child protection intervention in the lives of First Peoples' children and Families 17. In each year from 1 January 2017 to present: c) What is the average period of time in out of home care for First peoples children



#### Table 1:

### 17. (c & d) Average (mean) duration of placements for Children in Out of Home care

Snapshot as at 31 December each year from 2016 to 2022

	31-Dec-16	31-Dec-17	31-Dec-18	31-Dec-19	31-Dec-20	31-Dec-21	31-Dec-22			
	Average (mean) duration in placement (months)									
First Peoples	32.4	33.6	34.8	38.4	40.8	43.2	46.8			
All children	30.0	30.0	30.0	33.6	36.0	38.4	42.0			

Notes:

- 1. Data presents the average months duration children have been in care since the start of their current episode in care (as at each of the reference dates).
- 'Episodes of care' is defined as a continuous period in care, if there is a break in placement exceeding sixty days this is regarded as the period in care is considered ended. If the child subsequently re-enters <u>care</u> then it will be counted as a new care episode.
- 3. Duration in care can be over different placement types and can include breaks of less than sixty days in between placements.

#### Table 2:

## **17.** (c & d) Average (mean) duration of placements for Children reunified with their families in each year *Inclusive of all reunifications in each year from 2016 to 2022*

	2016	2017	2018	2019	2020	2021	2022
	Average (mean) duration in placement (months)						
First Peoples	13.6	15.1	13.9	17.4	15.3	15.8	19.9
Non First Peoples	10.8	12.0	11.7	11.0	12.0	13.5	16.0

### Notes:

- 1. Data presents the average months duration in care for children who are reunified in the calendar year (based upon time between start date of their last episode in care prior to reunification and reunification date).
- 'Episodes of care' is defined as a continuous period in care, if there is a break in placement exceeding sixty days this is regarded as the period in care is considered ended. If the child subsequently re-enters care, then it's counted as a new care episode.

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#### Key points

- Since 2016, the average period of time in out of home care for First Peoples Children has increased from 32.4 months on average to 46.8 months.
- The average period of time in out of home care for all children has increased from 30.0 months on average to 42.0 months over the same period.

#### Key points

- Since 2016, the average period of time in out of home care for First Peoples Children reunified with their families has increased from 13.6 months on average to 19.9 months.
- The average period of time in out of home care for Non First Peoples children reunified with their families has increased from 10.8 months on average to 16.0 months over the same period.



### AA-20: Q22(b). Case planning template

This attachment marked AA-20, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides the case planning template to support the response to Question 22(b).

[Format instructions are written inside square brackets and will be replaced by document markup by the development team when they do their document updates] <system populated fields are written inside angled brackets and are defined in the CP210a FRD>

[Repeat entire document for each group member] CASE PLAN

This case plan is for <name of child>, whose date of birth is <DOB> [if the child is Aboriginal or Torres Strait Islander display the remainder of the paragraph, else delete it and punctuate the sentence end ('.')] <nd who is Aboriginal>. sname of child>'s mob is <nob name> and traditional country is <country name> / <name of child>'s mob and traditional country are yet to be determined. The case plan has been endorsed by <name and title of case planner>. It applies from <date endorsed.

#### Current legal status

[If there is a main order and a prevailing interim accommodation order relating to the child, display the below paragraph, else remove it]

The Children's Court has made an interim accommodation order which has suspended the <name of order>. [If there are additional orders, display the following sentence, else remove it] There is <and a therapeutic treatment and placement order> in relation to <name of child>.

Details of the orders are attached.

[ELSE if there is one or more court order relating to the child, display the below paragraph, else remove it] The Children's Court has made <a/an> <name of order> <and a therapeutic treatment and placement order> in relation to <name of child>. Details of the <order/s> are attached.

[Else if there are no court orders relating to the child and no pending protection application, display the below paragraph, else remove it]

Child Protection has decided that there are some protective concerns in relation to <child's name>, and is working by agreement with the family to address the concerns.

[Else if there are no court orders relating to the child, and a protection application is pending display the below paragraph, else remove it]

Child Protection has decided that there are some protective concerns in relation to <child's name>, and has issued a notice of a protection application and will work by agreement with the family to address the concerns until the application is heard by the Court.

#### Permanency objective

The permanency objective is <permanency objective>.

#### Protective concerns

< list of protective concerns>

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#### Significant decisions for care and wellbeing

The following significant decisions have been made by Child Protection relating to <child's name>'s care and wellbeing:

#### Current care arrangements

<Child's name> will live <current care arrangements>

[If the Cultural considerations field on the Current Care Arrangements page is populated display this section, else remove it from the document]

Cultural considerations <cultural considerations - care>

[If 'No contact decisions need to be made given this child's circumstances' is checked, the below section is excluded from the document]

#### Contact

[If there is one or more record in the LAC Contact table where 'Contact Allowed?' is 'Yes with supervision', or 'Yes without supervision' display the below paragraph, else remove it from the document]

<Child's name> is able to have contact with:

[Repeat for each supervised/unsupervised contact row]

< contact name> <with supervision/without supervision> for < contact number > times per <week/month/year>

[If there is one or more record in the LAC Contact table where 'Contact Allowed?' is 'No contact', display the below paragraph, else remove it from the document]

<Child's name> is not to have contact with the following people:

[Repeat for each No contact row]

<contact name>

[If the Cultural considerations field on the Contact page is populated display this section, else remove it from the document]

#### Cultural considerations

<cultural considerations - contact>

[If 'This child has no specific cultural support needs' is checked, the below section is excluded from the document]

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### Cultural support

<cultural support>

[If the client is Aboriginal or Torres Strait Islander and the cultural plan date is populated, display the below sentence, else remove it from the document] A cultural plan was provided to <child's name> on <cultural plan date>.

[If 'The education section is currently not applicable for this child' is checked, the below section is excluded from the document]

### Education, employment or child care

<education decisions>

[If the Cultural considerations field on the Education page is populated display this section, else remove it from the document]

Cultural considerations <cultural considerations - education>

[If 'No significant decisions need to be made about this child's health' is checked, the below section is excluded from the document]

## Health care

<health decisions>

[If the Cultural considerations field on the Health page is populated display this section, else remove it from the document]

# Cultural considerations

[If 'No significant decisions need to be made to support this child's development' is checked, the below section is excluded from the document]

#### Developmental support

<developmental decisions>

[If the Cultural considerations field on the Developmental Support page is populated display this section, else remove it from the document]

#### Cultural considerations

<cultural considerations - development>

[If 'There are no other significant decisions to be made by the Secretary in regards to this child' is checked, the below section is excluded from the document]



### Other significant decisions

<other decisions>

#### [If the Cultural considerations field on the Other Significant Decisions page is populated display this section, else remove it from the document]

Cultural considerations <cultural considerations - other>

[If no content has been entered into the Preparation of the Plan text field, the below section is excluded from the document]

### Different perspectives on this plan

<different perspectives>

### Review

This case plan will be reviewed by <Complete Review By>.

### Other relevant information

[If a court order is in place, display the following line, else remove it]

- Court order details
- About Child Protection case planning information sheet
- · Review of a case plan decision information sheet
- Actions table

[If Child/Young Person's Profile attachment was selected on the Other Relevant Information page display the following line, else remove it]

· Child profile and genogram

[If there is a cultural plan for the client display the following line, else remove it]

· Child and family cultural details

[If one or more additional items were added in the Other Relevant Information page, add a line per item else remove the below line]

<Other relevant information>

[display the court order details section on generation if there is at least one court order, else remove]

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### Court order details

#### CURRENT ORDERS FOR <Name of child>

[If the client has a prevailing order display this section, else remove]

#### PREVAILING ORDER

#### Details of the Order

Order Type: <prevailing order type> Issue Date: <prev issue date> Expiry: <prev expiry date>

[If the order has associated conditions display this paragraph, else remove it] Conditions:

<prevailing conditions>

#### [If the client has a protection order display this section, else remove]

#### PROTECTION ORDER

#### Details of the Order

Order Type: <protection order="" type=""></protection>	Issue Date: <po issue<br="">date&gt; Expiry: <po date="" expiry=""></po></po>
[If the order has associated conditions display this paragraph, else remov	e it] Conditions:

<po conditions>

[If the client has a therapeutic treatment order display this section, else remove]

#### THERAPEUTIC TREATMENT ORDER

#### Details of the Order

Order Type: <tt order="" type=""></tt>	Issue Date: < <u>tt</u> issue date>	
	Expiry: <tt date="" expiry=""></tt>	
[If the order has associated conditions display this paragraph, else remove it] Conditions:		
<tt conditions=""></tt>		

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#### [If the client has a therapeutic treatment placement order display this section, else remove]

#### THERAPEUTIC TREATMENT (PLACEMENT) ORDER

#### Details of the Order

Order Type: <ttpp order="" type=""></ttpp>	Issue Date: < <u>ttpo</u> issue date> Expiry: <ttpo date="" expiry=""></ttpo>
[If the order has associated conditions display this paragraph, else remove it] Conditions: <ttp><ttp><ttp><ttp><td< td=""></td<></ttp></ttp></ttp></ttp>	



### What is a case plan?

#### Case Plan under s166 of the Children Youth and Families Act 2005

Preparing a case plan is how Child Protection helps children, young people and families to understand the decisions being made for children and young people. Case plans are required by law. Every case plan must include the permanency objective that is being worked towards.

The law sets out the best interests principles that Child Protection must consider when making decisions for children and young people.

- The most important principle is decisions must always be in the best interests of the child or young person.
- When determining whether a decision or action is in the best interests of a child, the need to protect the child from harm, to protect the child's rights and to promote the child's development must always be considered.
- Where the following principles relate to the decision they should also be considered:
  - the need to work towards reunification where it is in the best interests of the child
  - the need to strengthen, preserve and promote positive relationships between the child and the child's parents, family members and persons significant to the child
  - the need to protect and promote the child's cultural and spiritual identity and development by maintaining and building connections to family and community, especially for Aboriginal and/or Torres Strait Islander children
  - the child's wishes
  - o the impact of repeated harm on the child's safety and development
  - the benefits of the child having stable and permanent care
  - the need to make decisions as quickly as possible
  - the permanency objective is chosen in the best interests of the child in order of preference: family preservation, family reunification, adoption, permanent care, and long-term out of home care
- Decisions about the child or young person's safety or wellbeing shouldn't be about anything more than the minimum to achieve safety and wellbeing.
- Seek full participation of the child/young person and their family.

- Allow and encourage the child/young person and their family to use support people, and especially for people from culturally and linguistically diverse backgrounds.
- The process must be understandable.
- Consider different perspectives.
- Seek agreement.
- Use interpreters.

Sometimes it isn't possible to be consistent with <u>all of</u> these principles at once. That doesn't mean that the principles or the decisions are wrong, it just means that some things are more important than others. In deciding what is the most important thing, the law says that decisions <u>have to</u> be made in the best interests of the child or young person.

For Aboriginal and/or Torres Strait Islander children or young people living in out of home care, the case plan must address the cultural support needs of the children or young people. Child Protection will prepare a cultural plan to help in making sure these needs are met.

The person who approves this case plan will make sure that the plan looks after the best interests of the child or young person, and, as far as possible, is consistent with the principles listed above.



### **Review of a Child Protection decision**

#### Information for parents

Child Protection is involved with your child due to concerns for their care and safety. A Child Protection practitioner is working with you and your child to assess the care and safety of your child and to develop a case plan. The case plan outlines what needs to be done to make sure your child is safe from harm. It will also help you and people working with you to know what needs to be done. You may have met with the Child Protection practitioner about the plan or been to a meeting to discuss it.

#### What happens if I disagree with any decision

During Child Protection's involvement with your family there may be decisions that you do not understand or agree with. These decisions may be about the Child Protection assessment, where your child lives, who they have contact with, what services you or they are requested to attend etc. You and your child have a right to an explanation of the decision by the Child Protection practitioner who made it. You also have a right to ask for a review of any decision made during the period of Child Protection's involvement with your family.

#### What should I do if I want a review of the Case Plan

Ask the Child Protection practitioner for a *Request for Review of a Child Protection Decision* form to assist your request. The form will have the name and address of the area manager who conducts reviews.

The form will assist you identify which decision(s) you want reviewed, the reasons for wanting a review, and what you want the decision or case plan to be. You can get help to do this from your Child Protection practitioner (or anyone else). This request should be made as soon as possible after you are advised of the decision or receive the plan.

Completion of the form is not essential and some people choose to write a letter to request a review. Your letter should explain the decision you want reviewed, the reason for wanting a review, and what you want the decision or case plan to be.

#### What then

A review meeting with an Area Manager (or senior departmental officer) will be arranged as quickly as possible after your request has been received. You will be given advance notice of the meeting.

You may have someone else with you at the review meeting to support you and help explain what you are unhappy with and what you would like to see happen.

#### What will happen at the meeting

The Area Manager will outline their role and give <u>a brief summary</u> of the situation. You will be asked to explain your reasons for wanting the decision or case plan changed and what you would like it to be instead. Other people at the meeting will also be given the chance to express their opinions.

After the meeting, the matter will be looked at further and within two weeks you will receive a decision in writing. The Area Manager is required to <u>make a</u> <u>decision</u> that, in their view, is in the best interests of your child.

#### What if I am still not satisfied

You can apply to have the matter reviewed by the Child Protection Director. You should follow the same process used for your first review request.

You may also apply to the Victorian Civil Administrative Tribunal (VCAT) for the plan decision to be reviewed. However, VCAT may only accept your application when you have been through both levels of review within the department and remain dissatisfied. VCAT is like a court and is independent of Child Protection. VCAT can be contacted at 55 King Street, Melbourne, 3000, or by telephone on (03) 9628 9755.

#### What if I have other concerns

Child Protection staff will attempt to work cooperatively with you to ensure your child's safety and wellbeing. However, if you are unhappy with any of the department's actions, you may contact the Child Protection Operations Manager.

You may also contact the Ombudsman Victoria, Level 9, North Tower, 459 Collins Street, Melbourne Vic 3000, (03) 9613 6222, or Toll Free on 1800 806 314. The Ombudsman is able to investigate complaints about government departments. The Ombudsman is an office of last resort, so people who have a complaint may be encouraged to use all available avenues for resolving the complaint before the Ombudsman becomes involved.





### What if I have difficulty understanding English

If you have difficulty understanding English, ask your Child Protection practitioner to contact the Telephone and Interpreter Service on 131 450 to organise a <u>three way</u> conversation.

### **Contact Information**

The Child Protection Practitioner's name is:	<last submitter=""></last>
Their office is:	<submitter office=""></submitter>
Their contact number is:	<submitter number=""></submitter>
The Team Manager's name is:	<endorser></endorser>
Their contact number is:	<endorser number=""></endorser>
The Child Protection Area Manager's name is:	<manager></manager>
Their contact number is:	<manager number=""></manager>



### AA-21(a): Q36 and 41(b). Average duration in current placement for First Peoples children by placement type – 31 Jan 2023 snapshot

This attachment marked AA-21(a), referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 36 and 41(b).

Experience of First Peoples' children in out of home care
36. As at February 2023: (data is at 31 January 2023)
(a) What is the average duration of a placement for a First Peoples child in out of home care?
41. Provide an overview of
(b) As at Feb 23 date

i. Data concerning the average duration of placements in each of the settings in sub-para (a) above and



#### 41(b)(i) Average duration in current placement for First Peoples children by placement type Snapshot as at 31 January 2023

First Peoples Children	Ave duration in placement (mths)	Median <sup>3</sup> duration in placement (mths)	
Kinship Care	32.5	22.8	
Home Based Care (Foster)	29.4	18.9	
Residential Care	10.0	4.8	
Lead Tenant	4.9	4.9	
Other	3.9	0.5	
Total First Peoples Placement duration in OoHC	30.9	21.0	
Permanent care	62.3	57.9	

### Key points

- The average duration of a placement for First People's children was 30.9 months as at January 2023.
- The average duration for Kinship care placements is the longest at 32.5 months.
- Home based care is the second longest at 29.4 months.
- Residential care placements were 10.0 months on average.

Notes:

- 1. Data provides the average (median) period of time those children have been in care since the start of their current episode in care as at 31 January 2023.
- 'Other' represents the following placement types: Declared hospital placement, Declared parent & baby unit, Respite, Secure care (welfare), Independent living, THM-YI/SAAP (Transitional Housing Management - Youth Justice/ Supported Accommodation Assistance Program), Accommodation - emergency, Accommodation - respite, Boarding school, Crisis accommodation - motel/hotel, Crisis accommodation - other, Incarceration.
- 3. Represents the mid point of the data (ie. Half of all data points are below and half of all data points are above).

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### AA-21(b): Q36 and 41(b). Number of First Peoples children in care by placement type – 31 Jan 2023 snapshot

This attachment marked AA-21(b), referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 36 and 41(b).



#### 41(b)(ii) Number of First Peoples children in care by placement type

Snapshot as at 31 January 2023

	31-Jan-23		
First Peoples Children	No.	%	
Kinship Care	2,078	79%	
Home Based (Foster) Care	418	16%	
Residential Care	103	4%	
Lead Tenant	3	0%	
Other	36	1%	
Total First peoples children in OoHC	2,638	100%	
Permanent care	461	N/A	

#### Key points

The majority (79%) of First Peoples Children in care as at 31 January 2023 were in Kinship Care. 16% were in Home Based (or Foster) Care and 4% were in Residential Care.

#### Notes: Data presents a unique count of children in placement at 31 January 2023.

 'Other' represents the following placement types: Declared hospital placement, Declared parent & baby unit, Respite, Secure care (welfare), Independent living, THM-YJ/SAAP (Transitional Housing Management - Youth Justice/ Supported Accommodation Assistance Program), Accommodation - emergency, Accommodation - respite, Boarding school, Crisis accommodation - motel/hotel, Crisis accommodation - other, Incarceration.

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### AA-22: Q42. Number of First Peoples children in non-family environments

This attachment marked AA-22, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 42.

Experience of First Peoples' children in out of home care 42. In what circumstances may First Peoples children be placed in non-family environments e.g. group homes, temporary accommodation such as motels? Are these regarded as options of last resort? In each year since 2016, how often has this occurred and for what timeframes?



#### 42. Number of First Peoples children in non-family environments

Number of children in placement at 30 June each year from 2017-18 to 2021-22 financial years

	2017-18	2018-19	2019-20	2020-21	2021-22
First Peoples children			No. in Care		
Residential Care	116	125	115	125	122
Lead Tenant	13	15	15	10	6
Temporary accommodation (contingency placements)	14	47	49	51	48
Non First Peoples children			No. in care		
Residential Care	518	562	529	498	499
Lead Tenant	81	79	67	70	61
Temporary accommodation (contingency placements)	70	126	127	153	156

#### Key points

- First Peoples Children placed in Residential Care has ranged from 115 to 125 in the last 5 financial years to 2021/2022.
- Temporary placements have ranged from 14 to 51.
- Lead tenant placements have ranged from 6 to 15.

#### Notes: Data presents a unique count of children in placement for each financial year.

- 1. Temporary accommodation placement data is a unique count of open and closed contingency placements in each financial year from 2017-18.
- 2. Residential Care and Lead tenant data is a unique count of children in placement at 30 June each year.
- 3. Children may appear more than once across financial years, reflecting each year they were in care and where placement changes occurred.
- 4. Temporary accommodation is a placement across multiple placement setting types including Hotel /Motel, Department house, Private apartment, Agency house, Serviced apartment, Hospital, Cabins and other.

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### AA-23: Q43. Number of First Peoples children in non-family environments by gender

This attachment marked AA-23, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 43.

Experience of First Peoples' children in out of home care 43. What are the known characteristics and needs of children in such settings e.g. age, education status, disability, known behaviours, interactions with the criminal justice system (CJ System)?



#### 43. Number of First Peoples children in non-family environments by gender

Number of children in placements in each financial year ending 30 June

	201	7/18	201	8/19	201	9/20	2020	0/21	202:	1/22
	No	%	No	%	No	%	No	%	No	%
Female	64	45%	81	43%	80	45%	86	46%	84	48%
Male	78	55%	105	56%	96	54%	97	52%	89	51%
Other	1	1%	1	1%	3	2%	3	2%	3	2%

#### Key points

 In the last 5 financial years the proportional gap between male and female placements has gradually decreased from a 10 pp difference in 2017/18 reduced to only 3pp difference in 2021/22.

Notes: Data presents a unique count of children in placement for each financial year.

- 1. Contingency data is a unique count of open and closed placements in each financial year from 2017-18.
- 2. Residential Care and Lead tenant data is a unique count of children in placement at 30 June each year.
- 3. Children may appear more than once across financial years, reflecting each year they were in care and where placement changes occurred.
- 4. Contingency placements are made where there is not an available placement able to meet a child or young person's needs. They may include the placement of a child or young person in a department house, motel, or serviced apartment.

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### AA-24: Q43. Number of First Peoples children in non-family environments by age

This attachment marked AA-24, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 43.

Experience of First Peoples' children in out of home care 43. What are the known characteristics and needs of children in such settings e.g. age, education status, disability, known behaviours, interactions with the criminal justice system (CI System)?



43. Number of First Peoples children in non-family environments by age - Number of children in placements in each financial year ending 30 June

	2017	7/18	2018	8/19	2019	9/20	2020	0/21	2021	1/22
Age (Years)	No. in Care	%								
0 - 6	0	0%	7	4%	2	1%	0	0%	3	2%
7 - 12	13	9%	44	24%	35	20%	29	16%	24	14%
13 - 18	124	87%	129	69%	134	75%	146	78%	144	82%
19+	6	4%	7	4%	8	4%	11	6%	5	3%

#### Key points

 Over the past 5 financial years, First Peoples children aged 13 – 18 have consistently represented the highest number of placements across placements in nonfamily environments.

#### Notes: Data presents a unique count of children in placement for each financial year.

- 1. Non-Family environment include Contingencies, Lead Tenant and Residential care placements.
- 2. Contingency data is a unique count of open and closed placements in each financial year from 2017-18.
- 3. Residential Care and Lead tenant data is a unique count of children in placement <u>at</u> 30 June each year.
- Children may appear more than once across financial years, reflecting each year they were in care and where placement changes occurred.
- Contingency placements are made where there is not an available placement able to meet a child or young person's needs. They may include the placement of a child or young person in a department house, motel, or serviced apartment.
- All young people in the 19+ category all turned 19 during the financial year.



### AA-25(a): Q44. Proportion of children over 10 who have had prior contact with the Criminal Justice system

This attachment marked AA-25(a), referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 44.

#### Experience of First Peoples' children in out of home care

Proportion of children over 10 who had prior contact with the Criminal Justice (CJ) system

44. Is there a correlation between children housed in settings of the nature identified in paragraph (42) above, and children that are, or later come to be, known to the CJ System (particularly in the case of First Peoples children)?

		Proportion with <u>prior</u> CJ Contact	Relative Risk vs children in family based settings (Kinship and Home-based Care)	Proportion with <u>prior</u> CJ Contact	Relative Risk vs children in family based settings (Kinship and Home-based Care)
		First Peo	oples children	Non First Pe	eoples children
	Residential Care	41%	2.4 times more likely	38%	3.4 times more likely
Aged 11-14	Lead Tenant	N/A*	N/A*	N/A*	N/A*
	Temporary accommodation (contingency placements)	39%	2.3 times more likely	35%	3.1 times more likely
	Residential Care	54%	1.6 times more likely	56%	1.9 times more likely
Aged 15-19	Lead Tenant	77%	2.3 times more likely	64%	2.2 times more likely
	Temporary accommodation (contingency placements)	53%	1.6 times more likely	56%	1.9 times more likely

#### Key points

- Children in these settings are more likely to have had CJ system contact; this is true for both First Peoples and Non First Peoples children.
- Derived from the population of children in these settings between 2017-18 through to 2021-22.
- Analysis looks backward from the date of the end of their first component of care in a setting to prior contact with the criminal justice system.
- Comparisons are within age group. They highlight the difference in risk for these settings compared to family based care settings.

#### Notes:

- All data presented is sourced from the latest VSIIDR linked data (current to the end of 2021-22).
- 1. Placement data for all settings has been sourced from the CRIS child protection databases within the VSIIDR linked data. This only has a subset of placements data (e.g. does not hold data collected manually outside CRIS) so is not as comprehensive as direct reporting lines.
- 2. CI (criminal justice) contact is defined as contact with police (as an alleged offender in an incident), youth justice admissions or orders, corrections orders or custodial sentences. Data is derived from a number of sources across Youth Justice, LEAP and Corrections Victoria data holdings in the VSIIDR linked data.
- 3. Relative risk compares the relative proportion of clients with prior CJ contact housed in these settings to kinship and home-based care. It can be interpreted as "times more likely".
- 4. Children may appear in more than one housing setting.
- 5. Children are counted to a setting based on the end date of their first component of care in that setting.
- 6. Children have been sampled over multiple years to give sufficient sample size for some of the rarer settings. Note that prior contact is observed over varying periods of time.
- 7. Temporary accommodation is a placement across multiple placement setting types including Hotel /Motel, Department house, Private apartment, Agency house, Serviced apartment, Hospital, Cabins and other. \* Figures have been omitted where the sample is less than 30

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### AA-25(b): Q44. Proportion of children over 10 who have had subsequent contact with the Criminal Justice system

This attachment marked AA-25(b), referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 44.

	ר
	Experience of First Peoples' children in out-of-home care
. 6	44. Is there a correlation between children housed in settings of the nature identified in paragraph (42) above, and children that are, or later come to be, known to the CJ System (particularly in the case of First Peoples children)?

#### Proportion of children over 10 who had subsequent contact with the Criminal Justice (CJ) system

		Proportion with <u>subsequent</u> CJ Contact	Relative Risk vs children in family based settings (Kinship and Home-based Care)	Proportion with <u>subsequent</u> CJ Contact	Relative Risk vs children in family based settings (Kinship and Home-based Care)
		First Pe	oples children	Non First P	eoples children
	Residential Care	67%	1.2 times more likely	66%	1.4 times more likely
Aged 11-14	Lead Tenant	N/A*	N/A*	N/A*	N/A*
	Temporary accommodation (contingency placements)	68%	1.2 times more likely	68%	1.4 times more likely
	Residential Care	63%	1.3 times more likely	58%	1.3 times more likely
Aged 15-19	Lead Tenant	50%	1.0 (same likelihood)	50%	1.1 times more likely
	Temporary accommodation (contingency placements)	64%	1.3 times more likely	55%	1.2 times more likely

#### Key points

- Children in those settings are also more likely to go on to have CJ system contact; again this is true for both First Peoples and Non First Peoples children.
- Derived from the population of children in these settings between 2008-9 through to 2012-13.
- Analysis looks *forward* from the date of the end of the first component of care in a setting, through to contact later on with the criminal justice system (up to 2021-22).
- Comparisons are within age group. They highlight the difference in risk for these settings compared to family based care settings.

#### Notes:

All data presented is sourced from the latest VSIIDR linked data (current to the end of 2021-22).

- 1. Placement data for all settings has been sourced from the CRIS child protection databases within the VSIIDR linked data. This only has a subset of placements data (e.g. does not hold data collected manually outside CRIS) so is not as comprehensive as direct reporting lines.
- 2. CJ (criminal justice) contact is defined as contact with police (as an alleged offender in an incident), youth justice admissions or orders, corrections orders or custodial sentences. Data is derived from a number of sources across Youth Justice, LEAP and Corrections Victoria data holdings in the VSIIDR linked data.
- 3. Relative risk compares the relative proportion of clients with prior CJ contact housed in these settings to kinship and home-based care. It can be interpreted as "times more likely".
- 4. Children may appear in more than one housing setting.
- 5. Children are counted to a setting based on the end date of their first component of care in that setting.
- 6. Children have been sampled over multiple years to give sufficient sample size for some of the rarer settings. Note that subsequent contact is observed over varying periods of time.
- 7. Temporary accommodation is a placement across multiple placement setting types including Hotel /Motel, Department house, Private apartment, Agency house, Serviced apartment, Hospital, Cabins and other.
- \* Figures have been omitted where the sample is less than 30

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### AA-26: Q50 and 51. Detailed Response on Child Protection and Family Services output funding

This attachment marked AA-26, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides additional information to support the response to Question 50 and 51.

### **Question 50**

Theme 5: Child protection system expenditure. In the period 1 January 2017 to present, in the case of First Peoples' children and families: (a) Annual expenditure, overall, and with a breakdown of: (i) Tertiary end of the system; (ii) Early intervention programs and initiatives (aimed at strengthening families); and (iii) Funding for ACCOs — community led programs and initiatives.

In the period 1 January 2017 to present, in the case of First Peoples' children and families, summarise annual expenditure on the CP System: (a) Overall; (b) Breakdown of: i. Primary expenditure; ii. Secondary expenditure; and iii. Tertiary expenditure.

The department's annual expenditure in the Child Protection and Family Services portfolio was \$1,883.2 million in 2021-22.

In responding to this question, we have considered sector funding of programs in the Child Protection and Family Services portfolio, administered through the Department of Families Fairness and Housing Service Agreement Management System. In 2021-22 this was \$904.92 million.

Further detail can be found in **Notes on funding data sources**. Note also that we do not consider that any of this funding is for Primary or Universal services. It is for Secondary or Targeted services and Tertiary or Statutory services.

We have categorised the programs as:

Family and Parenting Services

- Earlier intervention programs and initiatives aimed at strengthening families.
- Secondary services, that is, services that are available to children and families who need targeted support and/or who are involved or at risk of involvement with Child Protection.
- Delivered by Aboriginal Community Controlled Organisations (ACCOs) and Community Service Organisations (CSOs)

Community-delivered Child Protection Services

- Services aimed at supporting families involved with Child Protection and diverting them from further involvement, services inform or undertake decision-making and statutory planning for children on Child Protection orders.
- Tertiary services, aimed at supporting families and diverting from further Child Protection engagement
- Delivered by ACCOs and CSOs
- Note: this does not include Child Protection Services delivered by the department.



### Care Services

- Accommodation and care of children placed away from their birth families, including kinship, foster and residential care. Also includes services aimed at supporting children and young people's development and wellbeing.
- Tertiary services, caring for children and young people in the statutory system.
- Delivered by ACCOs and CSOs
- Note: this does not include payments made to foster or kinship carers or secure welfare services delivered by the department.

## Transitions from Care Services

- Supporting young people to transition from care to independent living and adulthood
- Secondary services that work with young people from before they leave care through to post care. We have defined them as secondary services because their focus is on supporting young people to live beyond the statutory system.
- Delivered by ACCOs and CSOs
- Note: this does not include payments to carers through the Home Stretch program.

### Other

• System enablers such as network or workforce supports.

### Our response provides

- Total annual (financial year) expenditure over 6 financial years (July 2016-June 2022) through Aboriginal Community Controlled Organisations for each of the five categories.
- Total annual expenditure (financial year) expenditure over 6 financial years (July 2016-June 2022) in our funded service system (through Community Service Organisations <u>and</u> Aboriginal Community Controlled Organisations) for each of the five categories.
- Proportion of total funding that is delivered by Aboriginal Community Controlled Organisations for each of the five categories.
- An explanation of the proportional funding to ACCOs approach and progress.

The total annual expenditure of Child Protection and Family Services program funding delivered through ACCOs

The total funding of Child Protection and Family Services programs delivered through ACCOs is \$127.38 million per annum in 2021-22.

This has increased from 50.34 million in 2016-17. An increase of 153 per cent.

The funding in 2021-2022 delivered by ACCOs includes:

- Family and Parenting Services \$46.59 million
- Community-delivered Child Protection Services \$25.42 million
- Care Services \$46.97 million
- Transitions from Care Services \$4.50 million Other - \$3.90 million



Table 2: Child Protect	ction and Family Servic	es ACCO funding from 2	016-17 to 2021-22			
ACCO funding	g - Data Source: Cont	racted commitments ex	stracted from the depar	tment's Service Agreer	ment Management Syst	em (SAMS2).
	16/17	17/18	18/19	19/20	20/21	21/22
Family and Parenting Services	\$22,787,529	\$30,675,923	\$30,422,322	\$32,572,467	\$42,345,935	\$46,594,448
Community delivered CP	\$8,728,190	\$9,443,222	\$13,454,562	\$17,845,630	\$19,583,107	\$25,417,158
Care Services	\$16,857,562	\$21,235,093	\$33,632,065	\$34,100,157	\$39,770,978	\$46,965,975
Transitions from Care Services	\$741,823	\$838,461	\$1,073,321	\$2,091,183	\$2,926,117	\$4,499,524
Other CYF system enablers	\$1,228,704	\$2,161,142	\$779,062	\$689,117	\$11,691,368	\$3,902,449
Grand Total	\$50,343,808	\$64,353,842	\$79,361,332	\$87,298,554	\$116,317,504	\$127,379,556

The Total annual expenditure of Child Protection and Family Services program funding

The total funding in the Child Protection and Family Services portfolio (delivered by ACCOs and CSOs) is \$904.92 million per annum in 2021-22.

This has increased from \$472.69 million in 2016-17. An increase of 91 per cent.

The total funding in 2021-2022 delivered by ACCOs and CSOs includes:

- Family and Parenting Services \$309.82 million
- Community delivered Child Protection Services \$37.45 million
- Care Services \$518.35 million
- Transitions from Care Services \$26.65 million
- Other \$12.65 million

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### Table 3: Child Protection and Family Services sector funding from 2016-17 to 2021-22

All funding – ACCO and CSOs - Data Source: Contracted commitments extracted from the department's Service Agreement Management System (SAMS2).								
	16/17	17/18	18/19	19/20	20/21	21/22		
Family and Parenting Services	\$153,294,194	\$201,228,602	\$206,775,098	\$239,083,135	\$282,948,106	\$309,818,656		
Community delivered CP	\$20,206,490	\$24,875,502	\$28,511,973	\$31,197,213	\$31,294,620	\$37,452,349		
Care Services	\$276,483,253	\$319,614,697	\$402,510,919	\$425,064,247	\$439,950,530	\$518,349,533		
Transitions from Care Services	\$12,123,606	\$13,103,392	\$15,217,905	\$16,932,592	\$20,828,156	\$26,645,379		
Other CYF system enablers	\$10,577,547	\$13,431,054	\$10,374,309	\$9,279,861	\$19,345,148	\$12,654,481		
Grand Total	\$472,685,090	\$572,253,246	\$663,390,204	\$721,557,048	\$794,366,560	\$904,920,399		

The Proportion of Child Protection and Family Services program funding that is delivered by ACCOs

The proportion of funding in the Child Protection and Family Services portfolio delivered by ACCOs is 14 per cent in 2021-22.

This has increased from 11 per cent in 2016-17.

The proportional funding varies as follows:

- Family and Parenting Services 15 per cent
- Community-delivered Child Protection Services 68 per cent
- Care Services 9 per cent
- Transitions from Care Services 17 per cent
- Other 31 per cent



Proportion of all contracted commitments where funding is managed by ACCOs (per cent)							
	16/17	17/18	18/19	19/20	20/21	21/22	
Family & Parenting Services	14.9	15.2	14.7	13.6	15.0	15.0	
Community delivered Child Protection Services	43.2	38.0	47.2	57.2	62.6	67.9	
Care Services	6.1	6.6	8.4	8.0	9.0	9.1	
Transitions from Care Services	6.1	6.4	7.1	12.4	14.0	16.9	
Other CYF system enablers	11.6	16.1	7.5	7.4	60.4	30.8	
Grand Total	10.7	11.2	12.0	12.1	14.6	14.1	

### 

### Approach to proportional funding for ACCOs

Through Wungurilwil Gapgapduir and the department's Aboriginal Self Determination policies, the department has strengthened its approach to proportional funding for ACCOs.

The aim is that funding through ACCOs is commensurate with demand, that is, with the number or proportion of Aboriginal children who need the services. This varies across Child Protection and Family Services portfolio.

Family and Parenting Services

Family and Parenting Services aims for a 'sliding scale' of proportional funding.

- For Parenting and Integrated Family Services we aim for ٠ proportional funding equal to the proportion of Aboriginal children in reports to Child Protection.
- For Intensive Family Services or Placement Prevention and • Reunification Services we aim for proportional funding equal to the proportion of Aboriginal children in entries to care.
- More work needs to be done to increase the amount of ٠ Parenting Supports Services delivered through ACCOs. The department is aiming to increase funding to ACCOs through new investment or through the transfer of funding.
- Future funding allocations will improve the proportional funding ٠ in Intensive Family Services, Placement Prevention and Reunification



Table 5: ACCO proportional funding target and achievement for different Family Services intensities

	Proportional funding target	Proportional funding achievement
Parenting Support (\$16.88 million total)	9 per cent (Aboriginal children in reports in 2021-22)	2.8 per cent
Integrated Family Services (\$146.19 million total)	9 per cent (Aboriginal children in reports in 2021-22)	8.8 per cent
Intensive Family Services and Placement Prevention Reunification Services (\$111.39 million total)	24 per cent (Aboriginal children in entries to care)	23.5 per cent

**Note**: Table above does not include all components of the total Family and Parenting Services category. System Enablers (\$16.6 m, 16 per cent managed by ACCOs) and Flexible Funding (\$16.6 m, 24 per cent managed by ACCOs) are not included as they cannot be easily attributed to each Family Service type.

### Community-delivered Child Protection Services

ACCOs deliver a high proportion of community-delivered Child Protection Services. This is due to these services being in a large part focussed on achieving the Aboriginal and Torres Strait Islander Child Placement Principle. Services such as ACSASS, which provides cultural advice and input to Child Protection decision-making, and Aboriginal Family Led Decision Making have a long history in Victoria. Newer programs such as Aboriginal Children in Aboriginal Care are shifting the delivery of Child Protection Services to ACCOs.

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Table 6: ACCO proportional funding achievement for Community-delivered Child Protection Services

	Proportional funding target	Proportional funding achievement
Community-delivered Child Protection Services	NA	67.9 per cent

Care Services

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- Overall, nine per cent of funding for Care Services programs is delivered by ACCOs.
- The aim is that all Aboriginal children in care are managed and or supported by an ACCO. Through Wungurilwil Gapgapduir the department, ACCOs and CSOs are working to transition Aboriginal Children in Care to ACCOs.
- It is worth noting that some ACCOs are building their children and families programs to prepare for delivering Care Services in the future and that some ACCOs do not want to deliver the full suite of Care Services.
- The department is committed to continuing the transition of care and case management of children and young people on final protection orders and who are placed in the State's care to registered ACCOs.
- The table below provides the data regarding the proportion of Aboriginal children on contractable orders who are case contracted to or case managed by an ACCO, by placement type. Note that these figures are <u>not</u> comparable with the nine per cent referenced in the text above, which refers to the percentage of funding for Care Services programs delivered by ACCOs.

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Table 7: Proportion of First Peoples children on contractable orders who are case contracted to or case managed by an ACCO, by placement types

	Proportion of Aboriginal children on contractable orders who are case contracted to or case managed by an ACCO – target*	Proportion of Aboriginal children on contractable orders who are case contracted or case managed by an ACCO – actual^
Kinship Care	100 per cent	54 per cent
Foster Care	100 per cent	25 per cent
Residential Care	100 per cent	22 per cent

\*Note: 100 per cent is an aspirational target and subject to ACCOs aspiration to deliver Care Services.

^Note: This denotes data as of 31 December 2022

### Transitions from Care Services

For Better Futures, the transitions from care service, we aim for proportional funding equal to the proportion of Aboriginal young people aged 16-18 who are leaving care.

The department is aiming to increase funding to ACCOs through new investment or through transfer of funding.



### **Question 51**

Theme 5: Child protection system expenditure. In the period 1 January 2017 to present, in the case of First Peoples' children and families: (a) Annual expenditure, overall, and with a breakdown of: (i) Tertiary end of the system; (ii) Early intervention programs and initiatives (aimed at strengthening families); and (iii) Funding for ACCOs — community led programs and initiatives.

In responding to 50(b), please include a breakdown by reference to: (a) Funding recipients (bureaucracy (DFFH), ACCOs, carers and families); (b) Key types of expenditure and programs (including for strengthening families); and (c) Geographic expenditure (e.g., by DFFH region or metropolitan vs rural).

### Funding recipients

In answering Question 50 we have focused on the sector delivered services, that is, services delivered by ACCOs and CSOs.

Child Protection delivered by the Department

In 2021-22 the Department of Families Fairness and Housing expended \$328.26 million to deliver the Child Protection Program.

Table 8.	Child	Protection	expenditure
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Child Protection - Data Source: Expenditure reports extracted from the department's general ledger.					
	17/18	18/19	19/20	20/21	21/22
Child Protection	\$237,392,473	\$272,081,502	\$274,647,805	\$329,251,450	\$328,263,111

### Care Allowance

Carers receive the Care Allowance. In 2021-22 carers received \$198.95 million in Care Allowance payments.

It is not possible to provide a breakdown for Care Allowance for Aboriginal carers or Aboriginal children in care.

Table 9: Care Allowance expenditure

Care Allowance - Data Source: Expenditure reports extracted from the department's general ledger.						
17/18         18/19         19/20         20/21         21/22						
Care Allowance         \$136,953,793         \$156,886,511         \$179,706,628         \$186,735,772         \$198,952,477						



### Client Expenses

In 2021-22, total expenditure on client expenses was \$26.85 million. This includes \$2.23 million delivered through ACCOs and CSOs and \$24.62

million paid directly by the department. The \$2.23 million is included in the Response to Question 50 as a sub activity under Community delivered Child Protection services.

Table 10: Client Expenses expenditure

Client Expenses - Data Source: Expenditure reports extracted from the department's general ledger.						
17/18 18/19 19/20 20/21 21/22						
Total Client Expenses	\$29,470,300	\$33,741,970	\$30,827,740	\$23,362,526	\$26,850,947	

### Families

Families are not direct funding recipients through the Child Protection and Family Services output. They are supported by programs or Care Allowance. Families can also be supported through flexible funding but this is usually though programs purchasing goods and services rather than through providing funding to families.

### Key types of expenditure and programs

In answering Question 50 we have outlined the key programs in the Child Protection and Family Services portfolio that are sector delivered:

- Family and Parenting Services
- Community delivered Child Protection Services
- Care Services
- Transitions from Care Services
- Other

**Notes on funding data sources** below provides more detail on the funded activities that are grouped under each program.

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### Geographic expenditure

The department can provide a level of geographic breakdown of funding but will need more time to prepare.



Notes on funding data sources for the response to Question 50

- Data Source: Contracted commitments extracted from the department's Service Agreement Management System (SAMS2).
- Report: 'SAMS 2 DE 08d Commitment sub-activity level final agreement versions'. [20 February 2023]
- Output Group: Child Protection & Family Services
- Figures are exclusive of GST.
- Figures are presented in nominal terms.
- Includes the impact of price indexation applied to eligible commitments each year through the Global Price Update (GPU).
- The scope of activities shown reflects those programs comprising the Child Protection portfolio as at 30 June 2022.
- Activities that were part of the Child Protection portfolio in prior years but subsequently transferred to other portfolios by Machinery of Government (e.g., family violence and sexual assault programs to Family Safety Victoria) have been excluded from the presentation.
- Note the following activities have been excluded from the analysis, as these services are not for children and families in our Child Protection, care and family services system or were short term, non-continuing initiatives:

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- Pandemic Response
- Redress
- Pre-1990 Care Leavers
- Forgotten Australians

- Refugee Minors
- Korin Korin Balit Djak
- Note also that Child FIRST funding via the Child Protection & Family Services Output Group has also been excluded from the analysis, this service is now delivered via The Orange Door and supplemented by additional funding via the Family Violence Service Delivery Output.

Funding has been divided into the following categories

• Family and Parenting Services

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- Earlier intervention programs and initiatives aimed at strengthening families.
- Secondary services, that is, services that are available to children and families who need targeted support and/or who are involved or at risk of involvement with Child Protection.
- Delivered by Aboriginal Community Controlled Organisations (ACCOs) and Community Service Organisations (CSOs)
- This category includes Supported Playgroups, Integrated Family Services referred via The Orange Door, more intensive services targeted to families referred from Child Protection and at imminent risk of placement – this includes programs such as Parenting Assessment and Skill Development Services, Stronger Families, Cradle to Kinder, and the Family Preservation and Reunification Response.

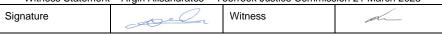
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- 1. Community-delivered Child Protection Services
  - Services aimed at supporting families involved with Child Protection and diverting them from further involvement, services inform or undertake decision-making and statutory planning for children on Child Protection orders.
  - Tertiary services, aimed at supporting families and diverting from further Child Protection engagement
  - Delivered by ACCOs and CSOs
  - Note: this does not include Child Protection Services delivered by the department.
  - This category includes the Aboriginal Family Led Decision Making program, Cultural Planning for Aboriginal Children in Care and Aboriginal Child Specialist Advice and Support Services (ACSASS)
- 2. Care Services
  - Accommodation and care of children placed away from their birth families, including kinship, foster and residential care. Also includes services aimed at supporting children and young people's development and wellbeing.
  - Tertiary services, caring for children and young people in the statutory system.
  - Delivered by ACCOs and CSOs
  - Note: this does not include payments made to foster or kinship carers or secure welfare services delivered by the department.
  - This category includes Home Based care, Kinship Care, Residential Care, Targeted Care Packages



- 3. Transitions from Care Services
  - Supporting young people to transition from care to independent living and adulthood
  - Secondary services that work with young people from before they leave care through to post care. We have defined them as secondary services because their focus is on supporting young people to live beyond the statutory system.
  - Delivered by ACCOs and CSOs
  - Note: this does not include payments to carers through the Home Stretch program.
  - This category includes Better Futures.
- 4. Other
  - System enablers such as network or workforce supports.
  - Includes capacity-building activities to support recruitment of Aboriginal kinship and foster carers, support for the Aboriginal children and young people's alliance, Carer Kafe, Create.



Notes on funding data sources for the response to Question 51

- Statutory Child Protection and Care Allowance
- Data Source: Expenditure reports extracted from the department's general ledger.
- Output Group: Child Protection & Family Services
- Care Allowance: Activity 31417 'Care Allowance'

- Child Protection: Activities 31161 'Child Protection Services', 31162 'Child Protection After Hours Service' and 31651 'Family Group Conferencing'.
- Client Expenses: Activities 31302 'Client Expenses' and 31303 'Client Expenses Placement Prevention'.
- Figures are exclusive of GST.
- Figures are presented in nominal terms.



### AA-27: Q68. Number and rate of pre-birth (un-born) reports

This attachment marked AA-27, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 68.

### Pre-Birth (un-born) reports

68. In the period 1 Jan 2017 to present, describe the annual rate of pre-birth (un-born) notifications; (a) First Peoples and

(b) Total



#### 68. Number and rate of pre-birth (un-born) reports

Number and rate of pre-birth (un-born) reports for each calendar year from 2017 to 2022

	2017	2018	2019	2020	2021	2022
- First Peoples Children						
Pre-birth (unborn) reports	386	503	475	516	464	404
Pre birth (unborn) reports as a % of all reports	4.3%	4.9%	4.5%	4.7%	4.2%	3.6%
Non-First Peoples Children						
Pre-birth (unborn) reports	1,783	2,099	2,062	2,042	1,876	1,689
Pre birth (unborn) reports as a % of all reports	1.7%	1.8%	1.8%	1.8%	1.7%	1.5%

Notes:

1. Data reflects all Unborn (pre-birth) CP Reports (notifications) received for the calendar years 2017 to 2022.

- Some children are involved in multiple Unborn reports and may be reflected more than once within each year and across the years.
- 3. CRIS and CRISSP systems do not share a unique client identifier. Matching of placement data to CP Intake data has been undertaken by creating a unique identifier using several fields that appear in both datasets.
- 4. Not all Unborn CP reports lead to an investigation. Child Protection's engagement with a Mother of an unborn child can only occur with the Mother's consent. Should protective concerns be identified for that child once they are born, a new CP report is <u>opened</u> and a risk assessment undertaken. Removal of a child from parental care can only occur via a court order.

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#### Key points

- In 2022 there were 404 reports to child protection about unborn First Peoples children and 1,689 for non First People's children.
- The annual rate of unborn reports for First Peoples Children has consistently been between 4-5% of all reports of concern to Child Protection for First Peoples Children for the period 2017-2022.
- This compares with a rate of between 1.5% and 1.8% for unborn reports for non First people's children during the same period.



### AA-28: Q69. Number and rate of pre-birth (un-born) reports

This attachment marked AA-28, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides data to support the response to Question 69.



# 69. Proportion of children who were the subject of a pre-birth (un-born) report who were then subsequently removed into out of home care prior to 6 months of age

Rate of children in each year from 2017 to 2021

	2017	2018	2019	2020	2021
First Peoples Children	15.4%	19.3%	18.2%	20.1%	18.2%
Non First Peoples Children	12.4%	9.8%	11.4%	12.1%	11.0%

#### Notes:

- 1. Data reflects a distinct count of children who were the subject of an Unborn (pre-birth) CP Report (notification) in the calendar years 2017 to 2021 who were then subsequently removed into out of home care within 6 months of birth divided by a distinct count of children who were the subject of an Unborn (pre-birth) CP Report (notification).
- Some children are involved in multiple Unborn reports. Where they were subsequently removed into out of home care within 6 months of <u>birth</u> they will be counted in the year in which the unborn report was made (that led to their subsequent removal). Where subsequent removal did not occur within 6 months of birth (or did not occur at all) they are counted in the year of their first unborn report.
- 3. CRIS and CRISSP systems do not share a unique client identifier. Matching of placement data to CP Intake data has been undertaken by creating a unique identifier using several fields that appear in both datasets.
- 4. Not all Unborn CP reports lead to an investigation. Child Protection's engagement with a Mother of an unborn child can only occur with the Mother's consent. Should protective concerns be identified for that child once they are born, a new CP report is <u>opened</u> and a risk assessment undertaken. Removal of a child from parental care can only occur via a court order.

#### Key points

- The proportion of First Peoples Children who were the subject of a pre-birth (unborn) report and subsequently removed into out of home care within 180 days of birth has consistently been higher than the proportion for non First Peoples children in the years from 2017 to 2021.
- In 2021 the difference was 7.2 percentage points (pp). This has varied each year between 3.0 pp (2017) and 9.5pp (2018).

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### AA-29: Q76 and 77. List of Category A offences

This attachment marked AA-29, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides the list of Category A offences to support the response to Questions 76 and 77.

A person, who, as an adult (a person at least 18 years of age), has been convicted or found guilty of any of the following offences against a child (a person under 18 years of age):

- Abduction or detention for the purpose of marriage or sexual penetration
- Administration of drugs for the purpose of enabling sexual penetration of the drugged person
- Assault with intent to take part in act of sexual penetration with child
- Assault with intent to take part in act of sexual penetration with mentally ill or intellectually defective person (and similar historical offences)
- Assault with intent to unlawfully and carnally know and abuse girl
- Attempted and actual sexual penetration of child
- Attempting to or unlawfully and carnally knowing and abusing a girl
- Benefiting from or encouraging offences against part iiia of the commonwealth crimes act 1914 (child sex tourism)
- Bestiality
- Buggery
- Burglary in circumstances where the offender entered the building or part of the building as a trespasser with intent to commit a sexual or indecent assault
- Causing, allowing or inducing a child to take part in prostitution
- Compelling sexual penetration

- Deceptive recruiting for commercial sexual services
- Facilitating sexual offences against children
- Forcible abduction of woman
- Gross indecency with child
- Incest (but not if both people were aged 18 or older and each consented)
- Indecent act with a child
- Indecent act with a child by a person who is responsible for their care etc
- Indecent assault
- Inducing child under 16 to engage in sexual intercourse or in sexual conduct
- Intentionally causing grievous bodily harm or shooting, etc.
- Kidnapping
- Murder; manslaughter; child homicide; causing serious injury intentionally
- Obtaining payment or agreement for sexual services provided by a child
- Occupier etc. Permitting unlawful sexual penetration of a child
- Persistent sexual abuse of child
- Possessing, controlling, producing, supplying or obtaining child abuse material through a carriage service



- Possessing, controlling, producing, supplying or obtaining child pornography material for use through a carriage service
- Procurement of minor for child pornography
- Procuring defilement of woman by threats or fraud or administering drugs
- Procuring sexual penetration of a child
- Production, possession, publication or transmission of child pornography
- Rape; attempted rape; intent to rape.
- Sexual intercourse with or sexual conduct involving a child under 16
- Sexual offences against people with a cognitive impairment by providers of medical or therapeutic services or special programs
- Sexual penetration and attempted sexual penetration of a child
- Sexual penetration and attempted sexual penetration of mentally ill or intellectually defective person
- Sexual penetration of a child
- Sexual penetration of a child who is 16 or 17 by a person who is responsible for their care etc
- Sexual performance involving a minor
- Sexual servitude and aggravated sexual servitude
- Soliciting acts of sexual penetration or indecent acts
- Trafficking or domestic trafficking in children where the purpose is to provide sexual services
- Unlawfully and carnally knowing and abusing girl
- Using a carriage service to procure or "groom" persons under 16 years of age.



### AA-30: Q84. Identification errors and their descriptions

This attachment marked AA-30, referred to in the witness statement of Argiri Alisandratos dated 21 March 2023, provides additional information to support the response to Question 84.

### Table 11: Breakdown of the types of errors and their descriptions

Error Type	Number of Children	Percentag e of Total
Administration error	19	13%
Assumption or not asked - Aboriginal Sibling Group	8	5%
Assumption or not asked - other	9	6%
Assumption or not asked - reporter error or service Provider Error	44	29%
New Information - Family Finding	21	14%
New information - family incorrectly self- identified	29	19%
New information - paternity	7	5%
No error - retain status	13	9%

### Error Types

• Assumption: the practitioner assumes Aboriginality based on the child belonging to an Aboriginal sibling group, information provided by a reporter or service provider\* or other (most commonly, confusing Torres Strait Islander culture with other Pacific Island cultures).

- Administrative Error: most commonly an accidental click on CRIS
- New Information: New information emerges that a family is not of Aboriginal or Torres Strait Islander heritage. For example, when family research reveals that they were mistaken in their belief that they were of Aboriginal heritage, or a DNA test reveals a child has different paternity than first thought, or when a family identify themselves to Child Protection with the knowledge that there is no Aboriginal or Torres Strait Islander heritage in their family.
- No error/retain status: either the State-wide Principal Practitioner or the Commissioner for Aboriginal Children and Young People have not endorsed de-identification.
- [\*Note that the current practice advice in the manual instructs intake practitioners to ask reporters if either of the parents identifies as Aboriginal, if the reporter says yes then the child is recorded as such. If the reporter does not know, then the child is "under assessment".]

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		GLOSSA
Acronym	Description	
ACAC	Aboriginal Children in Aboriginal Care program	<u> </u>
ACCO	Aboriginal Community Controlled Organisation	
ACF	Aboriginal Children's Forum	
ACPP	Aboriginal Child Placement Principle	
ACPT	Adoption and Permanent Care Team	
ACSASS	Aboriginal Children Specialist Advice and Support Service	_
AFLDM	Aboriginal Family Led Decision Making	
AFPR	Aboriginal Family Preservation and Response program	
AHCPES	After-Hours Child Protection Emergency Services	
AKFS	Aboriginal Kinship Finding Service	
APRAP	Aboriginal Private Rental Assistance Program	
ASIC	Australian Securities and Investment Commission	
AWAWBKC	Always Was, Always Will Be, Koori Children report	
BADAC	Ballarat and District Aboriginal Co-operative	
BDAC	Bendigo and District Aboriginal Co-operative	

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BICPM	Best Interests Case Practice Model		
BP	Beginning Practice (Child Protection indication program)		
CAP	Child Protection Career Advancement Program		
CCYP	Commission for Children and Young People		
CEO	Chief Executive Officer		
СР	Child Protection		
CPLO	Child Protection Litigation Office		
CPP	Child Protection Practitioner		
CRIS	Client Relationship Information System		
CSO	Community Service Organisation		
CWSA	Child Wellbeing and Safety Act 2005 (Vic)		
CYF registration	Registration under the Child, Youth and Families Act 2005		
CYFA	Children, Youth and Families Act 2005 (Vic)		
DAOM	Deputy Area Operations Manager for Child Protection		
DH	Department of Health		
Dhelk Dja	Dhelk Dja: Safe Our Way; Strong Culture, Strong Peoples, Strong Families 2018-2028		
DJCS	Department of Justice and Community Safety		

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eDINMAR	Electronic disease, injury, near miss, accident report - Incident reporting and investigation system		
EIR	Essential Information Record		
FCAV	Foster Care Association of Victoria		
FPHW	First Peoples' Health and Wellbeing		
FRO	Family Reunification Order		
IAO	Interim Accommodation Order		
ICMS	Intensive case management and support service		
IFS	Individual Family Services		
IFS	Integrated Family Services		
ITCBI	In The Child's Best Interest report		
KCV	Kinship Care Victoria		
KSP	Koori Supported Playgroup		
MARAM	Multi-Agency Risk Assessment and Management Framework – risk assessment framework for responding to family violence		
MDAS	Mallee District Aboriginal Service		
MTAL	More than a Landlord		
PA	Protection Application		

PCAF	Permanent Care and Adoptive Families	
PCO	Permanent Care Order	
PCU	Placement Coordination Unit	
PFF	Putting Families First	
ROGS	Report on Government Services	
SAFER	The SAFER children framework – risk assessment framework for the Victorian Child Protection Program	
TAC	The transition of Aboriginal Children to Aboriginal Community Controlled Organisations initiative	
TCP	Targeted Care Package	
TFCO	Treatment Foster Care Oregon	
The Charter	The Charter for Human Rights and Responsibilities Act 2006 (Vic)	
The department	The Department of Families, Fairness and Housing	
VACCA	Victorian Aboriginal Child Care Agency	
VAGO	Victorian Auditor-General's Office	
VO	Victorian Ombudsman	

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Wungurilwil Gapgapduir	Means <i>strong families</i> in Latji Latji – is a tripartite agreement between the Aboriginal community, Victorian Government and community service organisations.
WWCC	Working with Children Check

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