



## OUTLINE OF EVIDENCE OF SHANE AND AIMEE POTTER

### FEBRUARY HEARINGS 2023 (CHILD PROTECTION)

8 MARCH 2023

#### I BACKGROUND – SHANE POTTER

1. My name is Shane Potter, a proud Gunditjmara man.
2. I have a history of working in the community for over 30 years. I worked:
  - (a) For the Aboriginal Advancement League for two years;
  - (b) For the Victorian Aboriginal Health Service for 17 years in the Mental Health and Drug & Alcohol teams;
  - (c) For VACCA in group homes and Link-Up for about seven years; and
  - (d) In youth justice at Ngwala Willumbong for six years.
3. I am currently working in men's family violence at the Boorndawan Willam Aboriginal Healing Centre.

#### II BACKGROUND – AIMEE POTTER

4. My name is Aimee Potter.
5. I worked at Winda-mara Aboriginal Corporation for about 12 months. I was also a registered kinship carer for around 15 years. Shane and I continue to care for Indigenous children, although we were de-registered as carers when we wanted to change our area with the Department of Families, Fairness and Housing (DFFH).
6. In this outline, Shane and I share with Yoorrook our experiences with and perspectives on, the Child Protection system.

#### III BECOMING RESPITE CARERS

7. We first thought that we would start caring as respite carers.
8. We were young and married and had two children of our own. We thought that we'd spend every weekend or second weekend with other children, and take them out with our own kids, because they needed Indigenous carers.

#### IV BECOMING KINSHIP CARERS

9. Eventually, it was no longer respite and no longer all fun and joy.
10. We ended up with [REDACTED] children in our care. [REDACTED]  
[REDACTED] there were [REDACTED] pretty highly complex children.
11. At this time, our own children were around 6 years old and 10 years old.
12. [REDACTED]
13. It was difficult, and that's when we asked VACCA for help. We asked for assistance because the case worker at the time was barely around. [REDACTED]  
[REDACTED]

- 14. We also told VACCA that [REDACTED] behaviours were very difficult to manage, [REDACTED] [REDACTED] We told them that's complex, but they said "No". But we were the ones living it.
- 15. We were begging for help and never received it. It was 14 years of asking for support, and basically getting accused the whole time of wanting money. When we would say that we were struggling [REDACTED] and that we didn't know how to deal with [REDACTED] behaviour, they would make out like we were full of it. We even made these complaints to the lawyers for VACCA, but they said that because we were permanent carers for [REDACTED] at that time, we couldn't get that support because they didn't have funding for us.
- 16. They would also manipulate our vulnerability in asking for support to say that we couldn't look after the kids.
- 17. All we were trying to do was do the best for the children. We were trying to raise them like they were our own kids, and to advocate for them.
- 18. [REDACTED] They would also believe that we just wanted a higher rating as carers, so that we could get more money. We'd say, "*We don't want the money, but just put the work behind [REDACTED]*".
- 19. It was like we were always being questioned and judged for doing the wrong thing, accused of not doing care properly. You do feel that and doubt yourself. We felt like we had to bend over backwards, otherwise VACCA wouldn't help. You ask yourself whether you're doing the right thing by the kids or not. But we would always come back to thinking, we love the kids, so it won't be good if we don't keep pushing.
- 20. When [REDACTED] did something, they blamed us, like it was our fault. During accesses, the VACCA worker would ask [REDACTED] on the way home whether we drank all the time. When we heard about this, we rang up the VACCA worker and said that this was disgusting. Then it turned really hostile.
- 21. We also feared from the beginning that if we didn't look after [REDACTED], then they would take [REDACTED] away from us. They didn't say that directly, but that was the strong message.

[REDACTED]

- 22. [REDACTED]
- 23. [REDACTED]
- 24. [REDACTED]
- 25. [REDACTED]
- 26. [REDACTED]

**V CONTINUING TO CARE FOR [REDACTED]**

- 27. [REDACTED]
  - 28. [REDACTED]
  - 29. [REDACTED]
  - 30. VACCA did not work with us as a pair to make decisions. [REDACTED]
  - 31. It actually caused a lot of suffering between us to this day. [REDACTED]
  - 32. [REDACTED] We felt like we were being backed into a corner.
  - 33. [REDACTED]
- [REDACTED]
- 34. [REDACTED]

35.  
36.  
37.  
38.

**Difficulties with caring for [REDACTED] and Child Protection investigation**

39.  
40.  
41.  
42.

43. Child Protection started an investigation for [REDACTED]. They said horrible things. Aimee had a baby at the time. If this wasn't an attack on her care, then what is?
44. After not providing the supports that we had asked for for all those years, they shouldn't come in judging us and belittling our abilities. The whole time was traumatising for everyone in our family.

45.  
46.  
47.

48. We also weren't invited to, or allowed to attend, the AFLDM meeting for [REDACTED], because we were permanent carers but not classed as family.

49.  
50.

**Request for [REDACTED] files**

51. When [REDACTED] was around [REDACTED], Aimee attempted to get the files for [REDACTED] and [REDACTED]. They said that we had to go through the freedom of information process to get the files.
52. When it came back, they wouldn't give us the files for [REDACTED] and [REDACTED]. They wouldn't give it to her. They only provided us with our files as carers.
53. Aimee was dumbfounded about this, after jumping through all of the hoops. Their reasoning behind not providing the files was about the fear of safety of others. There were trusting the kids to be in our care, and we had cared for [REDACTED] and [REDACTED] for more than 10 years, but they were still fearing for their safety?
54. Aimee is intrigued about what is in those files that they don't want her and Shane to get a hold of. It makes no sense not to have the files for kids who are permanently in your care. Aimee couldn't believe it.
55. Aimee believes that the children's files would paint a good picture of everything, if she was able to get a hold of them.

VI [REDACTED]

56. [REDACTED]

[REDACTED]

57. [REDACTED]

58. [REDACTED]

59. [REDACTED]

[REDACTED]

60. [REDACTED]

61. [REDACTED]

62. [REDACTED]

[REDACTED]

63. [REDACTED]

64. [REDACTED]

[REDACTED]

65. [REDACTED]

[REDACTED]

66. [REDACTED]

67. [REDACTED]

68. [REDACTED]

69. [REDACTED]

70. [REDACTED]

71. [REDACTED]

72. [REDACTED]

73. [REDACTED]

74. [REDACTED]

75. [REDACTED]

76. [REDACTED]

77. [REDACTED]

78. We just wanted the right outcome for the kids. We thought it was a just system where if we told them our vulnerabilities, then they wouldn't judge you and use them against you. And when they do, you get angry and put a wall up. It's sort of like they're holding you down, but wanting you to still care for the kids.

79. [REDACTED]

80. [REDACTED]

81. [REDACTED]

82. [REDACTED]

83. [REDACTED]

84. [REDACTED]

85. [REDACTED]

86. [REDACTED]

VII [REDACTED]

87. [REDACTED]

88. [REDACTED]

89. [REDACTED]

90. [REDACTED]

91. [REDACTED]

**Removal of the children from our care**

92. Towards the end of their placement with us, we went to have a meeting about [REDACTED]. At the meeting, VACCA said that they were removing [REDACTED] children out of our care and placing them in two separate homes.
93. We were just like, "Are you kidding? We love these children, you can't do that."
94. They had spent the whole time in care with us together, and prior to that they were together [REDACTED].
95. [REDACTED]
96. We were just dumbfounded. We were like, "Is it even legal to take [REDACTED] kids away and separate them?"
97. It absolutely broke us as a family.
98. The VACCA staff member who told us that the kids were being removed from our care and separated was not Aboriginal, which Aimee found incredibly insulting. We had barely dealt with that worker before.
99. The worker's main reason for the decision was that there had been a meeting and we had asked for too much support. At that meeting, we had said that our hot water system had broken down, and we asked for the kids to go on respite because there was no hot water to bathe them or shower them. VACCA said that they couldn't do it. We then asked if they could pay for the hot water system to be replaced, because we didn't have the money for it. There was the reason why she thought we asked for too much support.

100. Again, when you ask for something, you're asking for too much. Even though they'd always say, just tell us if the kids need something, we can get it.

**Complaints to the Ombudsman**

101. Aimee put in two complaints to the Ombudsman. [REDACTED]
102. In response to the Ombudsman complaint, VACCA just outright lied. They blatantly lied. Their response included supports we had for other children previously, saying that we had support [REDACTED] and it still wasn't enough. Every single thing provided to us throughout all the years of caring, they brought up. [REDACTED]
- [REDACTED] They said that they couldn't sustain the placement because we were asking for too much. We couldn't do nothing about it. It was just a kick in the guts.
103. It was like a battle. We were not just looking after the children, there was another battle going on. We were honestly just depleted.
104. [REDACTED]
105. [REDACTED]
- [REDACTED]
106. [REDACTED]
107. [REDACTED]
108. [REDACTED]
109. [REDACTED]
110. [REDACTED]
111. [REDACTED]
112. [REDACTED]

**VIII CEASING TO BE REGISTERED CARERS**

113. After the situation with [REDACTED], we saw the light. We couldn't do it anymore.
114. We went to change our area with DFFH and then they de-registered us as carers anyway.

**IX RECOMMENDATIONS FOR REFORM**

115. We don't want to have other carers go through what we went through.
116. Based on our experiences within the system, we encourage Yoorrook to consider making the following recommendations for reform:

***Involvement of case workers in decision-making***

117. A lot of our trauma and distress has been caused by VACCA, and whitefellas within VACCA. We have been through a lot with DFFH as well.
118. Shane feels like if children are living with a kinship carer, then the involvement should be 95% the carer and 5% the VACCA case worker. The case workers seem to feel like they can make decisions about the kid, but you (as a carer) can't.

119. The case workers think that the kids are theirs, but they're just the workers. The whole system is against Indigenous carers.
120. The case worker might only see the child for an hour a week. Decisions shouldn't be based on what a kid says during a one-hour visit.
121. They have to be careful of neglect, it's a fine line. But case workers can't just visit a child in your care and say that no-one is giving them things. You can see how the kids dress and their demeanour, you just know straight away by the way the kids act if they are being looked after properly.
122. For example, when you have got your own children and children in care, and the workers come and pick up kids in kinship care and take them to McDonald's, it does impact on your own children. To most people, that might seem petty. But when you've got your own children, and the workers take children who are in your care and bring them back with McDonald's, then you have to explain it to the other kids. It's little things like that, because it's not fair upon all the other children. It's silly, but it does impact on these innocent children and the family.
123. The case workers don't have the understanding of living with the family and all the children in the same place.
124. Also, you might say "no" when the kids ask for a pair of runners, and then the kid might go to the worker and say that. But the worker doesn't see what happened. It's sort of like you're always getting judged. You would have to explain yourself all the time, which is exhausting. With your own kids, you don't have to do that. If you tell your own kids to go to bed, they just go to bed.
125. If DFFH and VACCA want good carers, then they're not going to get them in the system that they have now.

**Access to documents for children in kinship and respite care**

126. When children go into kinship care arrangements, carers aren't given the documents they'll need to care for the children, like birth certificates and Medicare cards.
127. This means that you don't have those documents when you need them, and you have to apply for them. It's just a nightmare.
128. Shane had to get documents like birth certificates for the children himself. VACCA should automatically have those documents when the kids go into care, or be able to get them in a week. They should have a pack of documents that you'll need for the children, and a system where it's all there.
129. For example, with [REDACTED], we found out that we only had a copy of [REDACTED] birth certificate for all these years. We couldn't even use it for [REDACTED] to get a tax file number (TFN) when [REDACTED] turned [REDACTED]. So we had to re-apply for an actual copy just so [REDACTED] could get a TFN. And it was difficult with Births, Deaths and Marriages, because we didn't have the identification documents. There was an awesome group worker there who helped us so much, when we gave them the school report and [REDACTED]. It was a struggle. There's no way we could have got it without that worker.
130. Even if you have a kid coming for respite care, and they need to go to a doctor, you can't take them, because you don't have a Medicare card. You have to ring up and ask how much it will cost. Then the doctors are saying, "Where's the Medicare card? Who is this child?" It's always after hours, and the VACCA workers don't care because they've clocked off. It adds to the stress of a sick child.
131. Having those documents would be so helpful for many carers. If you have got the Medicare card and the birth certificate for the kids, you can do so much from just that. It would save a lot of people a lot of headaches.
132. There's obviously a reason for carers asking for those documents. It should be a priority for every child.
133. This is a pretty basic thing. It's not hard. It should be easy for VACCA to organise.