

Anonymous submission to the Yoorrook Justice Commission

My [REDACTED] was placed into care just after she was born. She was supposed to live with her mother and father at their house with the maternal grandmother while they sorted out their issues. However, the maternal grandmother took her from the hospital and said that her parents were not coming with her and she did not want them involved. The Department endorsed that position. We don't dispute, at the time, my [REDACTED] needed to be in care.

My [REDACTED] is now [REDACTED] years' old. She has been in the care of her maternal grandmother in regional Victoria for her whole life. Her maternal grandmother is not Aboriginal. We, the paternal side, are her Aboriginal family. My sister, my [REDACTED] paternal grandmother, cares for my [REDACTED] sister.

The Department have applied for a new Care By Secretary Order to come into effect when the current order expires. The only reason the Department have not applied for a Permanent Care Order is because of our continued advocacy.

Around two years ago, the Department was considering changing my [REDACTED] care arrangements, and they had organized for my sister's home to be assessed so my [REDACTED] could be placed her with her paternal grandparents, but those plans were shelved when the Department's caseworker changed and the new worker chose to apply for a Care By Secretary Order.

My sister and her husband have formally asked for my [REDACTED] to be placed in their care so that she can grow up with her big sister and grow strong in her culture. My sister and her husband are financially sound. They own their own home and have run their own business for over twenty years. They have been married for thirty years and have raised five children.

My [REDACTED] parents have asked for her to be relocated to live with her paternal grandparents and her big sister.

The Department has excluded us from involvement in my [REDACTED] life from the time the Care By Secretary Orders were put in place. The caseworker advised my sister that she would only get four phone calls per year. They now only allow my [REDACTED] a monthly face-to-face visit with her sister and her paternal grandmother, however this has not occurred yet.

Apart from this, my [REDACTED] does not have regular contact with her sister. How are these girls meant to create a meaningful relationship when they only see each other one day a month? The maternal grandmother uses the fact that they live three hours apart as an excuse to deny contact, and the Department/VACCA endorse this plan.

We have issues with VACCA's involvement as well. They have taken a passive role in relation to the Department. All they do is sign off on the Department's decisions. We've asked to have VACCA removed from involvement in the case until everything is sorted properly, due to the department making all decisions and VACCA only being responsible for case management. VACCA has no authority.

The Aboriginal placement principles have been ignored. My sister was not asked to take my [REDACTED], the Department favoured the non-Aboriginal family. We were not included in any case planning meetings until recently. The Department told us repeatedly that more contact with my [REDACTED]

was not provided for in the case plan. When we finally got a copy of the case plan, we saw that this was not true.

We have been asking for my [REDACTED] to be allowed weekly phone calls with all family members, including her cousins, aunts, uncles, and myself. We have also requested that she have weekly face-to-face contact with her sister. VACCA and the Department keep telling us that they are prioritising her local non-Aboriginal community and her daycare over us, her Aboriginal family.

We are not invited to her birthdays or any significant events, and we aren't sent any photos from them. We asked for her to be present for her sister's baptism, giving the Department four weeks' notice. Neither VACCA nor the Department responded until two days before the event. This is one of many events she has been excluded from. The only reason my sister has had contact in the last few months is because we contacted the Minister directly. The Department is currently opposing my sister's application to be joined as a party to the child protection proceedings.

The maternal grandmother uses corporal punishment on my [REDACTED]. She is known to be violent and is a regular pot smoker. My [REDACTED] maternal aunt, who is also involved in her care, may return to prison soon. The Department has not paid any attention to our concerns about them as carers. I also know that the aunt is a violent person and a regular drug user, and she associates with criminal elements. In fact, the aunt mirrors the behaviours that the Department have used to remove my [REDACTED] from her parents. At the same time, they wouldn't allow her to visit her father, my nephew, while he was in prison, and my nephew only requested video calls, as he did not want his daughter exposed to a prison.

We don't want to deal with the Department; their approach is punitive, and we feel very negatively judged by them. We are not asked our available times, and we are expected to drop everything to accommodate the unemployed carer's schedule at a minute's notice. We can tell that they get angry when we raise certain things and, when we come prepared with questions.

These stories need to be published. It saddens me that our own mob, VACCA, are involved as well. It is soul-destroying. For a time there, my sister had given up. But if we don't fight, it's another generation lost. My father was in care, my siblings and I were in and out of care, and now my [REDACTED] is in care. We just don't want her lost to us.

I am also currently a kinship carer of [REDACTED] year-old boy. I knew and used to help out his paternal family, and I am also related to his mother, although I did not know that when I took him into my care. He lives with me in another State and his case is now being managed by that State's child protection authority. Two of his siblings are still living in Victoria.

It has been very difficult organising contact between the boy in my kinship care and his siblings in Victoria. The different States don't respect each other or communicate properly. I have had to fight like mad for funding to take him back to Country in Victoria. He was finally granted funding for fourteen days' accommodation and two flights per year. His siblings were six and three years' old when he first met them. I have been treated appallingly by both Victorian DFFH and child protection in the State in which we live for advocating to keep these siblings connected.

The two siblings living in Victoria are in the care of an elderly woman who can't keep up with them. She isn't Indigenous. She has permanent care of another Aboriginal child, and in my opinion that shouldn't have happened either. Kids need safety, and I am all for that, but there need to be boundaries about granting permanent care to non-Indigenous carers.

Neither of the children appear to have a particularly secure attachment to the carer, and they are not receiving any early intervention for their needs. However, she does not cause issues for the Department, so they favour her. Both children are on Care By Secretary Orders.

The carer does not facilitate contact between the boy in my kinship care and his siblings. Last time we visited Victoria he only saw his siblings on one occasion in the nine days we were on Country. DFFH were aware we were coming, as three months' notice was given. The carer actively tries to bring the children's visits to an end early. She told us on our last visit that the Department did not know why we had come. I told her – "What, isn't it obvious?" We were meant to have seven days of contact, but she refused this. We tried to fill the time on Country with culturally significant activities, which was lovely, but not what we had planned.

We are concerned that the children are not being involved in any activities. The carer does not even take them to swimming lessons. Part of the allowance she receives is meant to pay for the children to play a sport. I do not think either child is getting any kind of cultural education. A worker at the Aboriginal corporation which is case managing one of the children told us that the Department had told the carer she can do whatever she wants. It flies in the face of all the principles about children's best interests, and the rights of Aboriginal children to their culture and family.

Last year, at NAIDOC 2023, we could tell that the carer of the younger brother and sister was upset that she had to go to the events. I told the carer off because she was rude/mean to the boy in my kinship care, and as a result the rest of our contact was cancelled for that trip. I felt the whole time that the carer was trying to bait me, so that she would be able to complain to the Department and she wouldn't have to engage any further.

We have no mediator to work through who can help us resolve our problems with the carer. When we raise these issues with the Department, they tell us that the carer can do what they wish. We are worried that this will end with her being granted permanent care of both children.

I'm tired of the system; it's so frustrating. I've been involved with two cases, and none of them follow the principles. What are the odds they're following them for anyone? It's all just hot air. They are creating the next generation of disconnected people. I myself have siblings who I hardly know because of the broken system.