



Creating Empowerment and Wellness through Culture

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30 June 2023

Ms Anne Hollands
National Childrens Commissioner
Australian Human Rights Commission
GPO Box 5218
SYDNEY NSW 2001

Via email: youthjusticereform@humanrights.gov.au

Dear Commissioner,

Call for submissions: Youth Justice and Child Wellbeing Reform across Australia

We are writing in response to the Australian Human Rights Commission (AHRC) call for submissions into youth justice and child wellbeing reforms across Australia. Our primary focus for this submission relates to the blight of this nation and on-going cultural genocide with systemic over-representation of First Nations children across all out-of-home care (OOHC) and youth incarceration systems run by state and territory governments.

As descendants of the First Peoples of the lands, waters and skies of Noongar¹ Boodja², we are guided by our Elders and ancient knowledge custodians. This is our way as it has always been. Our Culture does not recognise systems of oppression, isolation, disconnection, violence and trauma that government child welfare and youth justice represent. The systems built to assimilate and incarcerate our children, cannot be retrofitted to support our young people.

The information shared within this submission and informs our later question responses is based on lived experience of the authors, and the children and young people we have supported over many years, their families, and communities. Our experience is intergenerational, having survived and observed the government designed and operated human conveyor belt that is taking our children from cradle, court to custody.

¹ Noongar peoples are the largest collective identity of First Nations peoples in Australia, with over 30,000 with Noongar ancestry across 14 distinct language group regions within the south-west of Western Australia. Population estimate obtained from: <https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/noongar-history>, accessed May 2023.

² The meaning of Boodja in Noongar language is 'Land' or 'Country'.

Purpose

The purpose of this submission and what drives us every day is to return all First Nations children home to the love and Cultural safety of their family, community, and kin, on their Country where their spirit can grow strong, and they can grow up in their Culture. When our children are Culturally safe, we all thrive.

Aim

The aim of this submission is to:

1. Highlight systemic practice by statutory child protection agencies evidenced, witnessed and recorded in WA and QLD that are inconsistent with and contrary to human rights.
2. To inform the National Child Commissioners understanding of the challenges faced by First Nations youth in these statutory systems as distinct, requiring specific focus and community lead solutions.
3. To present the Connection to Traditional Culture Framework (CTCF) developed by First Nations people, for First Nations people that offers a roadmap home for youth trapped in the statutory child welfare and youth justice systems across this nation.

Who are we?

We are As One Nyitting Ltd (AONL), a Noongar social enterprise, established in 2015 on Noongar Boodja by husband-and-wife Robert and Zoe Davis, under the Cultural Authority and guidance of Robert's father and Cultural Elder, Trevor Davis.

For a long time, we both understood the overwhelming need for young people to connect to Culture, that the transmission of knowledge from our Elders must be continued for the sake of our land and our people. But there was a major problem, where were the role models for our children in the community? Prison. Where were the next generation of leaders? Out-of-home care. What is the trajectory of these children? Youth incarceration at Banksia Hill Detention Centre. The government conveyor belt is taking our children from the love of their families and moving them efficiently from institution to institution. After 25 years of marriage and successful careers as a builder and corporate accountant respectively, we made the decision to focus our energy, resources, and skills in the creation of Cultural pathways for First Nations youth, to stop the governments human conveyor belt and return our children home.

Our focus is on lifting our people up through our ancient Culture. Healing those the system has taken through strengthening their connection to Culture and creating a pathway home; and empowering those who the system has yet to take through strengthening their connection to Culture and guiding their Cultural Journey. The work we do is guided by the Cultural Authority of our Elders, who are our ancient knowledge custodians as we work with our families, children, and young people to achieve self-determination and freedom from the chains of a paternalistic government by asserting our sovereignty.

We are the experts of our Culture, with over 8 years of operational experience creating, innovating, and adapting Cultural pathways and programs on-Country that have serviced over 2000 young people and families. Our programs include belonging, identity, leadership, wellness, training, and employment to support youth and families on their Cultural Journey.

Our work has achieved great success by returning children home who the system had discarded and ridden off. Our work has kept children out of prison and on-Country where they belong. When our families and communities are strong, we all benefit.

Our experience, brief case studies

AONL has designed and delivered Cultural programs for children and young people across Justice and Child Protection industries in Western Australia, which have achieved transformative success, children staying home from justice, children on permanent protection orders being reunified with family. We share a brief overview of this experience below.

Youth Justice - Koorlankga Dreaming Program

The Western Australian state government through the Department of Justice, Corrective Services (DoJCS), were seeking an innovative approach in 2014 to prevent youth from entering Banksia Hill Detention Centre (BHDC) and an alternative from the youth justice system. AONL's Koorlankga Dreaming Program (KDP) was birthed with the objectives to reduce reoffending and increase the number of cultural leaders in our community, using Culture as the tool.

We delivered KDP during 2015-2017 to 134 youth per year including 110 youth across the community justice services and 24 of the highest profile 'offenders' with high recidivism rates. Of the youth who participated in KDP, 95% remained out of justice and youth in BHDC did not return as supported by the through a Cultural care model developed by AONL.

"We measure our efforts by the decisions our young people make for themselves, family and community."

One young person entered BHDC as a 10-year-old and continued to re-enter the justice system, not from re-offending but from breach of bail conditions. This young person would only ever stay out of the system for days at a time where finally as an 18-year-old he completed our KDP while in BHDC. Through KDP, this youth was able to reconnect back into his community, supporting his family within his loving home where 2 young siblings were the start of breaking the cycle of inter-generational violence of justice, father and older brother being in adult prison.

Despite our solutions and successes achieved, DoJCS was not ready to listen to the voices of the young people within their walls. In 2017, we wrote to then Premier Mark McGowan presenting the systemic challenges for our people across all government departments, sharing our solutions and an invitation to walk with us. This invitation was ignored.

Child Protection - Connection to Traditional Culture Framework (CTCF)

While DoJCS began tightening the noose around BHDC, shutting down from meaningful change they so desperately sought in 2014, AONL turned attention to the first stop on the conveyor belt, child protection. If we could stop our children from being stolen as their ancestors, by creating a pathway home, then we could stop the trajectory to youth incarceration.

In 2018, AONL were recognised by senior leaders of a local Department of Child Protection and Family Support (DCPFS) district, who were looking for solutions for our people's children. AONL's Connection to Traditional Culture Framework (CTCF) was born. The Framework is designed by and for First Nations people, grounded in Culture. It places our children at the

centre of a support network led by Elders on Country including family, a family champion, First Nations organisation, a statutory agency, and carers (if not family).

The Framework maps and tracks each child's Cultural Journey through a bespoke software application and is based on a set of Cultural principles so that it can be adapted across all nations, language and clan groups of Australia under the Cultural Authority of local Elders. Critically, CTCF offers statutory agencies a meaningful and transformative opportunity to step back and walk with our children and families, to make different choices, keeping our families together, and our children Culturally safe, stopping the conveyor belt.

The Cultural Framework, its inception, initial testing, development, and outcomes of a 12-month Pilot undertaken with a DCPFS district in WA are presented within the CTCF Pilot Report (2021) attached to this submission. DCPFS staff who walked with AONL and families during the Pilot share feedback within Section 5.3 of the attached Report.

AONL presented the transformative work undertaken during the CTCF Pilot and a copy of the Report to the then Minister of Child Protection, the Hon Simone McGurk in February 2022, extending an invitation to walk with us. The invitation was never answered.

Family Support – Practical implementation of CTCF Principles

Following the publication of the CTCF Pilot Report in October of 2021 and turning our attention to the practical implementation of the Cultural Framework without government support, the community began reaching out.

Between January to December 2022, AONL supported three separate families who had children taken by different districts of the DCPFS. All children were placed on temporary protection orders under s.37 of the *Children and Community Services Act 2021* (WA) (CCS Act). All children were under the age of 4 months when DCPFS exerted their statutory authority over the indivisible and inalienable Cultural Authority and sovereignty of our families. The youngest child met the Department less than 24 hrs after taking his first breath in hospital with his Mum and Grandmother by his bedside.

The similarity in DCPFS practice was striking to witness with common themes of DCPFS deceit, malicious attempts to harass, intimidate, defame, threaten, and undermine family strength present in each family case. DCPFS workers acting outside the Objectives and Principles of the CCS Act with impunity, actively working against families and oblivious to the harm being caused under the guise of "protection".

The story of these families is their own to share and we encourage the Commissioner to seek their voices to inform this reform work. AONL can provide a Culturally safe conduit for these interactions.

Responses to AHRC Questions

The following responses are informed by our experiences in Western Australia and Queensland, of slowing the government conveyor belt to enable our children to find hope and strength to create their path home. These experiences have come with success for families and children, reinterpreting the definition of *parent* through a Cultural lens under the *Children and Communities Services Act 2021* (WA) and *Child Protection Act 1999* (QLD).

Our lens is strengths based. This lens inherently challenges the role of statutory intervention and undermines the decisions of successive governments to steal our children and imprison our youth. This lens questions the legitimacy of child removals and the authority by which those decision makers act. First Nations Cultural Authority and sovereignty over our families has never been ceded.

What factors contribute to children's and young people's involvement in youth justice systems in Australia?

"The histories we trace are complex and pervasive. Most significantly the actions of the past resonate in the present and will continue to do so in the future. The laws, policies and practices which separated Indigenous children from their families have contributed directly to the alienation of Indigenous societies today." (HREOC 1997, 4)

Systemic and structural racism imbedded in western European supremacy ideologies that were brought to our lands, waters and skies that have pervaded every arm of government in every state and territory since the arrival of the tall ships to the present day.

Statutory agencies operate with impunity and without independent oversight or accountability for the harm they cause. These institutions have exercised unmediated power for decades that has created a social narrative that legitimises their intervention into our daily lives while our families are silenced, without Culturally appropriate legal support if any legal support at all. Magistrates hear the same story repeatedly by statutory agencies that *choose* to demonise our families and our children, backed by a team of lawyers with an interest to defend government decisions. Individual liability blinds staff from seeing the harm they are inflicting by their choices. All cogs working seamlessly to facilitate the removal of our children without challenging the Cultural competence³, the individual prejudice or legitimacy of these decision makers to act in the first place. Yet when family legal support and statutory agents commit to walking with families, led by the Cultural Authority of an independent First Nations organisation, they are able shift their lens and see the innate strength in our families, see the Objectives and Principles imbedded in legislation through a Cultural lens and make different choices. How do we create change for our young people unless we begin to see, think, do differently? The government conveyor belt must stop and we have the switch.

Systemic targeting of persons who have been removed under the genocidal policy that led to the Stolen Generations and their descendants. Stolen children, especially young mums are being aggressively monitored and targeted by statutory child removal agencies (Mendes et al. 2021). Our children become chained to the government conveyor belt the moment child

³ United Nations Convention on the Rights of the Child, Art. 3.3 speaks directly to competence of institutions, services and facilities specifically in relation to safety and health. First Nations Culture does not measure health in boxes, it is a holistic worldview of Cultural safety. Physical, emotional and spiritual wellness that is not understood or respected by these institutions or staff.

protection enter their lives with 82% (AIHW 2018)⁴ of all children touched by child protection likely to enter youth justice.

What needs to be changed so that youth justice and related systems protect the rights and wellbeing of children and young people?

“Unless our respective child welfare systems fully embrace self-determination and self-management and embed human rights within child welfare legislation the position of First Nations and Aboriginal and Torres Strait Islander children in child welfare will remain one of over representation and disconnection from family and Nation.”
(Blackstock, Bamblett, and Black 2020, 9)

The systems designed to assimilate and incarcerate our children to erase our people from this earth cannot be retrofitted to support them. These institutions and all their branches must be dismantled, de-colonised and Indigenised, centring the knowledge and experience of First Nations peoples in every state and territory, guided by the Cultural Authority of community Elders. This process starts with stopping the conveyor belt and a commitment to move forward together.

When Aboriginal and Torres Strait Islander “customs and traditions”, “Culture” and “family” are written into legislation, only First Nations peoples and families can interpret these terms. The definition of ‘parent’ is used to take from and return explicitly to by child protection agencies, yet in First Nations Culture, our Nans and Pops are the Cultural Authority of our families, our Cultural parents. If Mum and Dad are experiencing challenges, Aunties, Uncles, Nans and Pops are there to support under our Customary Law and familial responsibilities that cannot be interpreted by western lawyers. Our families, our Elders are the only qualified persons to interpret these terms⁵.

Our families and communities must assert their sovereignty over our families and kin to keep our children safe and connected. There must be a transition home for our children currently trapped by this system in a Culturally safe and connected way. Building the support and capacity of our families through strengthening their connection to Culture, increasing the support network, guided by Elders and family champions to offer that wrap around support. The Cultural Framework attached to this submission provides a roadmap.

⁴ AONL experience and observations supports a near 1:1 ratio of stolen children and justice entry however, we reject the assertion presented with this data made by AIHW (2018) that places blame on families and children for offending. AIHW have a role in presenting data and shaping the narrative that supports government BAU. These non-critical assertions fail violently to acknowledge the role of these institutions and practice in perpetuating on-going injustice and discrimination towards our young people that is the cause.

⁵ In October 2022, AONL supported the return of two children who were under permanent protection orders in QLD to the loving embrace of their maternal grandmother and Cultural Parent in WA under Customary Law, by applying a Cultural lens to the interpretation of section 11(3) of the *Child Protection Act 1989* (QLD) that states “A parent of an Aboriginal child includes a person who, under Aboriginal tradition, is regarded as a parent of the child”. This clause had not once been interpreted through a Cultural lens despite speaking directly to Customary Law.

What are the barriers to change, and how can these be overcome?

“People who value the family as the cornerstone of all in society rationalise the breaking up of Indigenous families as being for their own good and reports to the contrary are ignored and forgotten. This forgetting is powerful and obstinate, persisting in the face of circulating knowledge, observable evidence, personal encounters and public protests.” (Haebich 2015, 22)

Western ideology that enabled and continues to nurture mainstream acceptance that removing First Nations children from the love of their family was and continues to be “for their own good”. This is the foundation of what exists now. How could the nation not know our children were being systemically removed and the violence and trauma this was wreaking on our peoples and communities? Why was it not questioned when white families were raising our children? How can this act of violence simply be normalised to a point of societal apathy?

Our children are being removed at unprecedented rates today with a predicted 50% increase in First Nations children being taken over the next decade (SNAICC 2022), exponentially more than the period defined by the Stolen Generations. As of the 30 June 2022, there were 63,996⁶ First Nations children trapped in the child welfare system with most of these children predicted to enter youth justice. Generation after generation of stolen children. Kevin Rudd (2008) apologised for this blight on our nation and said the words “never, never happen again”, yet the system has not once stopped, it has accelerated. Why is Australia not outraged? Why is the Commonwealth of Australia not facing crimes against humanity under Article II of UN Genocide Convention? Answers to these questions highlight the structural barriers this nation faces to change.

“It is well documented that the predominant aim of the forcible removal of First Peoples children was the clear and explicit intention to eliminate First Peoples by ensuring their unique culture and identities would disappear.” (Child protection system hearing – Government and departmental day 9 2023, p818)

Child protection and youth justice institutions are perpetrators of violence towards our people. They represent the continuation of colonisation and assimilation that has not abated since the Frontier Wars. The institutions and decision makers that *choose* to maintain the status quo are violently incompetent to provide care and protection to First Nations children. They are incapable of change blinded by their belief they are morally right (informed by western ideologies that introduced two-centuries of assimilation) (Yuk-Lin Renita 2018). Caseworkers to senior executives are Culturally incompetent and treat our children and families with contempt and hide behind their ‘statutory role’ and prejudicial risk assessments predicting the same outcomes they are responsible for perpetuating (Merkel-Holguin et al. 2022). They are incapable of seeing the shining light that our koorlangkas⁷ bring to this world and the strength of our families. Only when there is a commitment to walk with our families and be guided by Culture can this lens become clear.

⁶ This number includes 61,100 First Nations children under statutory care and protection orders and 2896 children under third party guardianship orders (children on permanent care made invisible by the national reporting figures) obtained from AIHW (2023).

⁷ ‘Koorlangkas’ means children in Noongar language.

Can you identify reforms that show evidence of positive outcomes, including reductions in children's and young people's involvement in youth justice and child protection systems, either in Australia or internationally?

First Nations Australians are the experts of their families. When First Nations people design and deliver their own Cultural programs without the chains of government, then transformative outcomes are achievable. Only when we are leading the change with a commitment to walk with us and lead by First Nations people, can change be achieved.

AONL's work across Justice and Child Protection industries in WA through the delivery of our Koorlangka Dreaming Program and Connection to Traditional Culture Framework is evidence of this success. Yet when these solutions are hand delivered to government, the results are 'too good to be true', 'confronting', funding is cut, barriers erected, and our children suffer from this paternalistic fragility.

AONL has returned young people from prison and out of home care, have kept our children Culturally safe on-Country, developed relationships of trust within our community and created spaces for healing and truth telling. This is our Cultural way of working, as is the way of all First Nations groups across Australia who are not bound by government shackles.

AONL has measured and evidenced this success over the last 8 years of operation, and we can share this evidence with the Commissioner upon request.

From your perspective, are there benefits in taking a national approach to youth justice and child wellbeing reform in Australia?

A national understanding of Aboriginal and Torres Strait Islander Culture, family relationships, and shared parental responsibilities is essential for this nation however, a one size fits all approach that homogenises the diversity of First Nations peoples and Cultures will not support our young people.

"Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child." (UN General Assembly 2007, 2)

Any national approach must be based on principles, First Nations First Principles that can be interpreted and adapted by the Cultural Authority of each First Nations language group or clan across the nation to support their children and young people. These principles are not for government interpretation and application, rather to support government to understand their statutory jurisdiction in relation to First Nations Cultural Authority, our unceded sovereignty over our families.

If so, what are the next steps?

We invite the Commissioner to Noongar Boodja in Perth Western Australia for a yarn with the community we support regarding the next steps.

Creating a new story

“Our children are our future Elders. They are our pride and our beautiful offering to the world. When our children enter the journey into Culture they are loved, guided, and encouraged. Our children are the continuation of our story since the creation times of the Nyitting, carrying the light and wisdom of our Culture onward to give back again to the new generation.” (As One Nyitting Ltd 2021, 52)

No First Nations child should ever be taken from the love of their kin by statutory intervention. Our kin have shared parental responsibility of our children and our families are large. If Mum and Dad are experiencing challenges, Aunties, Uncles, Nan’s and Pops on both sides of the family are there to exercise their Cultural responsibility and support our young people.

The present statutory child protection and youth justice systems were created by an assimilation ideology designed to erase our people. This cannot be the foundation for change. Our people are the experts of their family and Culture, the oldest continuing Culture of earth that existed long before the tall ships arrived, and it will continue long after we are all gone.

We must break the chains of paternalistic governments once and for all and stop the conveyor belt transporting our children from institution to institution. Our First Nations peoples of this land must be empowered to chart their path to healing, through the raising of their own children on their Country, in the love and Culturally safety of their communities. First, we need our children home.

The Connection to Traditional Culture Framework presented in the attached Report is a trialled and evidenced roadmap home for our children and provides the opportunity for transformative change for statutory agencies who are prepared to walk a different path with our families and young people, to see the strength of our people and Culture.

We invite the Commissioner to Noongar Boodja for a yarn.

Sincerely,



Robert Davis
(*Yamatji, Whadjuk and Yuet Maaman*)
Director, Co-Founder, Program Director
AS ONE NYITTING LTD



Zoe Davis
(*Wilman and Badamia Yorga*)
CEO
AS ONE NYITTING LTD

Attachment:

1. Connection to Traditional Culture Framework: Pilot Report Sept 2020 – Oct 2021

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Attachment 1:

Connection to Traditional Culture Framework Pilot Report: Sept 2020 – Oct 2021



AS ONE
NYITTING

*Connection to
Traditional
CULTURE
Framework*

*As One Nyitting Ltd
PILOT September 2020
– October 2021*

Connection to Traditional Culture Framework Pilot, September 2020 to October 2021.

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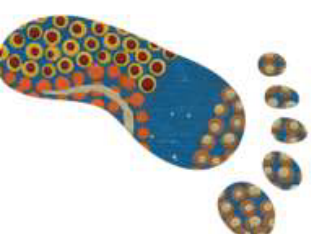
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As One Nyitting – ‘Dreaming As One’

Nyitting means the cold times – our creation times, where stories emerged along with all living things by the movements of spirits across the earth and sky. Formed in the Nyitting, our Culture continues unbroken, passed down through our Elders from generation to generation.

Our logo depicts our strong connection to Eagle Dreaming; Waalitj Nyitting. The older eagle guides the young; if youth is lost, the Waalitj guides them home.





Mambakoort (Heart of the Ocean). Artist Trevor Davis.

The painting of the Mambakoort is adapted throughout this report to illustrate the concept of First Nations Culture as a vast interconnection of all things through life, death, and renewal. Trevor Davis is a treasured Elder who has supported As One Nyitting Ltd since the earliest days as we began working with our people.



As One Nyitting Ltd would like to thank the Jon and Caro Stewart Family Foundation who have been with us on our journey since 2018. We highly value their belief in our vision, and we thank the foundation for their ongoing support.



**THE JON & CARO STEWART
FAMILY FOUNDATION**

Our Children are our Future

They are our Pride

our Hope and our Joy



We will Never Abandon Them

We Will Bring Them Home

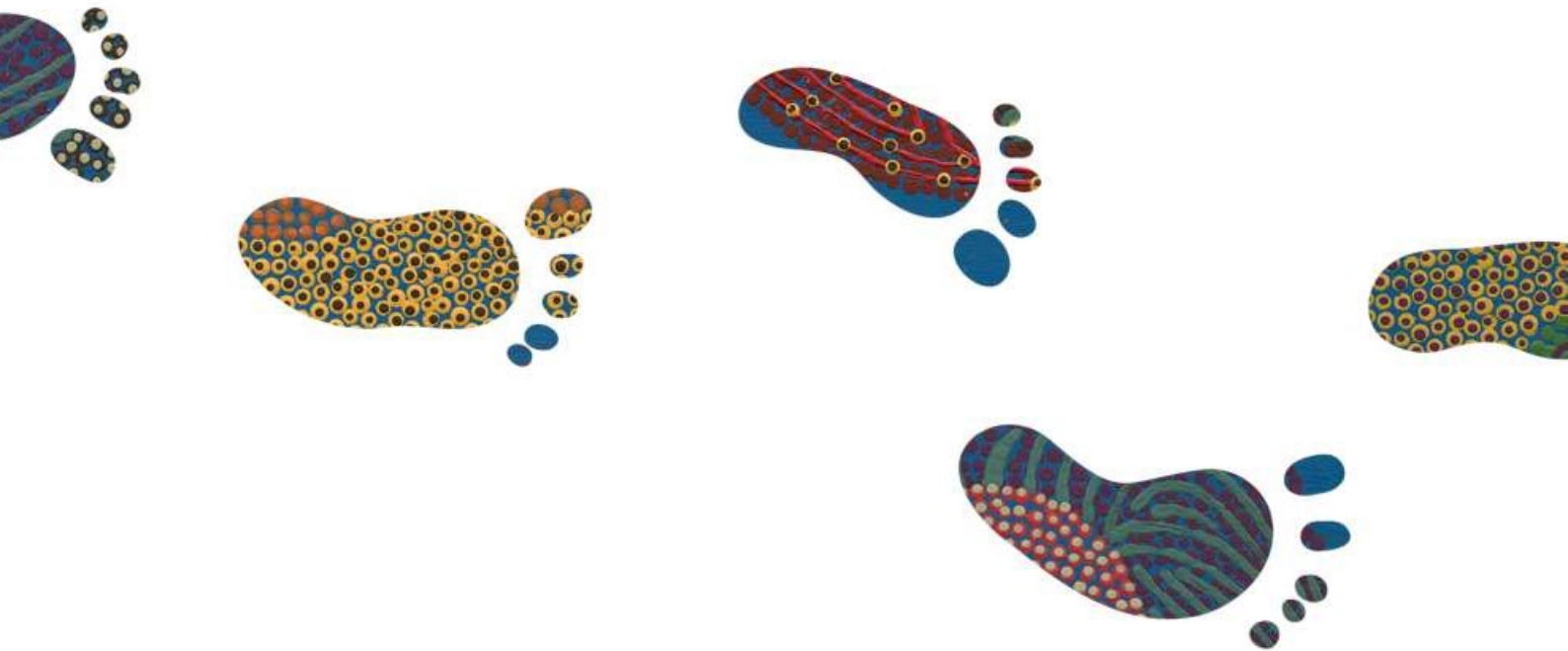
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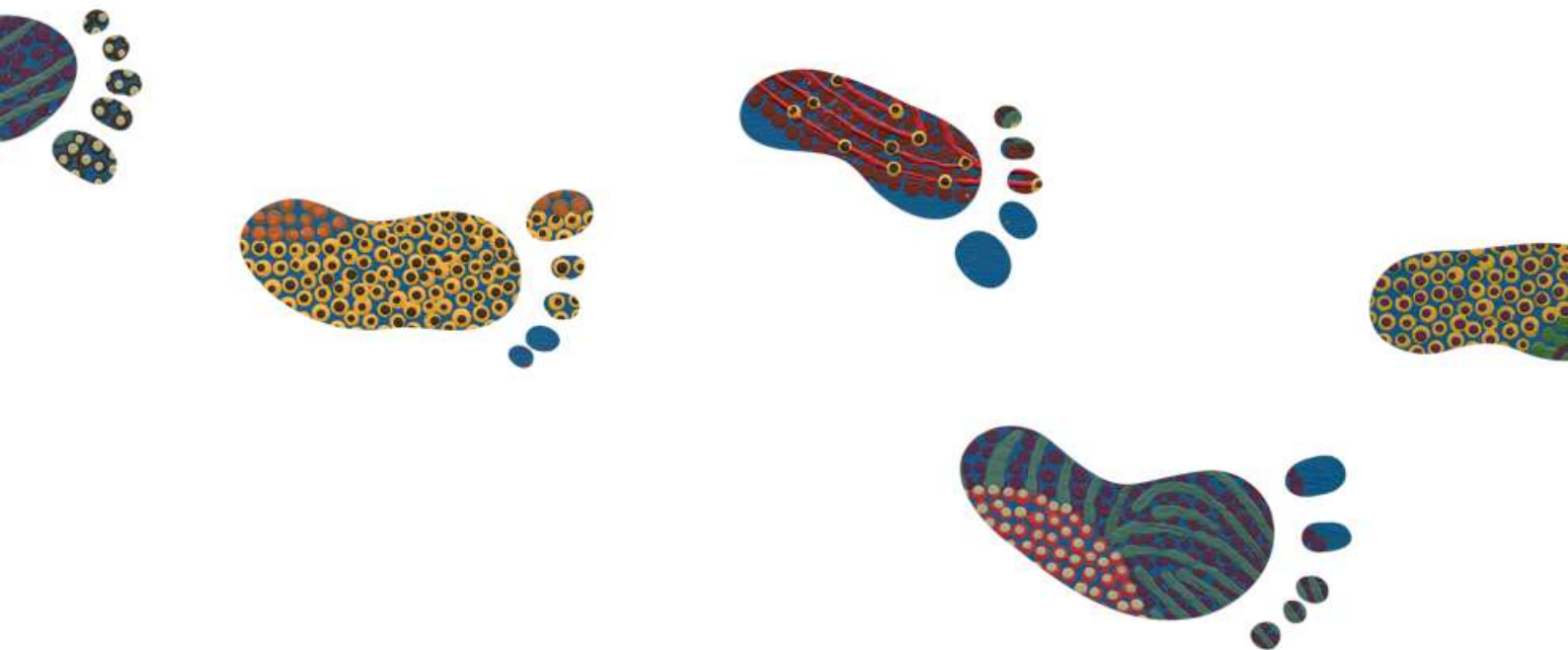


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ACRONYMS AND DEFINITIONS

Table 1 - Acronyms and Definitions

Acronyms	Description and Definitions
The Act	Children and Community Services Act 2004 (WA) - is the principal legislation governing the child protection system in Western Australia.
AONL	As One Nyitting Ltd – a First Nations social enterprise that specialises in the design and delivery of Cultural pathways for First Nations communities.
ATSICPP	Aboriginal and Torres Strait Islander Child Placement Principle - underlines the fundamental importance of a continuing connection with family, Culture and community for any First Nations child impacted by the child protection system, and states that self-determining communities are central for those connections.
CEO	Chief Executive Officer – relates to the statutory role of the CEO of the Child Protection and Family Support (Western Australia) agency as defined within the <i>Children and Community Services Act 2004 (WA)</i> .
CSP	Cultural Support Plan – an individualised plan developed by the Department for Child Protection that aims to maintain the cultural identity of a child through connection to family, community, and Culture. Current Department policy requires every First Nations child in out-of-home care in Western Australia to have a CSP.
CTCF, the Framework	Connection to Traditional Culture Framework – a Framework designed and delivered by As One Nyitting Ltd to support Cultural connection for First Nations children impacted by the statutory child protection system.
Cultural Safety	Cultural Safety – refers to First Nations people being physically, emotionally, socially, and spiritually safe, embedded in family and community, knowing where and how they belong, including what people and Country they belong to. It means that First Nations families and communities are listened to and respected. Cultural safety also means the ongoing impact of colonisation on First Nations people is understood.
DCP, the Department	DCP (the Department) - the agency within the Western Australian Government Department of Communities that is responsible for child removal and child placement under relevant legislation. While the agency has been renamed Department of Communities, Child Protection and Family Services, this report uses the acronym DCP (Department of Child Protection) or ‘the Department’, in line with how the agency is historically recognised and currently spoken about in the First Nations community.
First Nations	First Nations - In the context of Australia and this report, relates to the original custodians of Australian and Torres Strait land and waters from ancient time to the current day. This includes more than 250 unique Aboriginal and Torres Strait Islander language groups.
OOHC	Out-of-home care – refers to children who are subject to an order under the <i>Children and Community Services Act 2004 (WA)</i> , where the court designates that the child must live somewhere other than the parental home. OOHC includes foster care, relative care, group homes, residential care, and independent living such as boarding.
Permanent Care	Permanent Care – refers to a court order that gives the Department parental responsibility for the child until the child reaches the age of 18 years under s. 57 of the <i>Act</i> .
Reunification	Reunification – refers to the reunification of a child with their parents after they have been removed from the parental home under the <i>Act</i> .
Stolen Generations	Stolen Generations - refers to the Australia-wide practice of forced removal of First Nations children from their families by police and government agents between the mid 1800’s to the 1970’s.
Yarning	Yarning - is a Cultural way of conversing that speaks to harmonious and meaningful conversation that restores wellness and strength in our community, especially when conducted on Country among people with respectful relationships.

ACKNOWLEDGEMENTS

As One Nyitting Ltd acknowledges that we live and work upon Ngoongar Boodja¹. We acknowledge traditional custodians of all the lands and waters across Ngoongar Country. We acknowledge our Elders who continually guide us and show us the pathways we must travel and how to travel them with strength and focus. We acknowledge our Elders who have passed, our Elders who live with us, and those who are becoming our future Elders.

We give our thanks to our Elders on Country who supported us in undertaking and completing the work of this CTCF Pilot. It is through their guidance, wisdom, and leadership that we can keep moving forward with confidence.

We acknowledge our koorlangkas² and their families involved in this Pilot. We acknowledge the strength and resourcefulness of families holding on to each other through all adversity. Together we travel along the pathways towards wholeness and healing.

We acknowledge the foster and group home carers who embraced the Pilot as a means to further support the koorlangkas they care for.

We acknowledge the Department of Communities, Child Protection and Family Support group, who came with us on a journey of collaboration over the past year, seeking new ways of working with our koorlangkas and our communities.

Finally, we would like to acknowledge the Jon & Caro Stewart Family Foundation who invested in us to carry out this Connection to Traditional Culture Framework Pilot.

¹ Ngoongar Boodjar: m. Country of the First Nations people of the south-west of Western Australia. (There are a number of different ways to spell 'Ngoongar' in our language. AONL utilises this spelling according to the knowledge passed to us from our Ballardong Elders.)

² Koorlangkas: m. Children (Ngoongar language)

EXECUTIVE SUMMARY

Our Culture is not part of our life, it is our life. As First Nations people we are born into a journey where everyone and everything is connected through their unique place in this world. As we walk along our own pathways, we inhabit sites of knowledge and understanding that our Culture reveals to us when we are ready. It is along these pathways that we must lead our children. Every child has the right to grow up in their family and community, healthy and safe. Our children can only be wholly safe; physically, emotionally, socially, spiritually and Culturally when they are embedded in their family and community, inheriting their rightful place in our Culture. This is in the best interests of First Nations children, families, communities, and the wider Australian nation.

For more than a hundred years our children have been continually removed from our families. While government legislation changes across time, removal of our children continues at an unprecedented rate. First Nations people can no longer wait for government: instead, it is time for us to lead. This report introduces the Connection to Traditional Culture Framework (CTCF / the Framework), created in 2018 by As One Nyitting Ltd (AONL), for First Nations people in response to child protection systems that are failing us. The aims of CTCF are simple yet ambitious; our children are returned home to family and Country; young leaders are nurtured in our communities; and our young people grow up strong in our Culture.

Section One of the report introduces Culture as experienced by Ngoongar people. Culture provides foundational understandings for AONL and informs the landscape of work that we undertake in the community through our Cultural pathways. Culture is given precedence in our work and throughout this report.

Section Two introduces AONL and the CTCF Pilot story. In this section the context for the creation and development of the Framework is discussed from the impetus to act through to early testing of ideas that later led to the full development of CTCF and its trial in the community.

Section Three presents the aims and structure of the Framework, including the Cultural Model of Support informing CTCF, and the roles, responsibilities, and collaborative relationships of all participants. This section also defines the Cultural journey undertaken by each child entering CTCF and explains how this is tracked through bespoke CTCF software.

Section Four provides an overview of CTCF pilot activity. This section provides a snapshot of the seven families within a Cultural context and provides case studies comparing the journey of two families through the Pilot. In this way the reader gains an understanding of the unique circumstances our families experience and how this influences the level of Cultural support that can be achieved.

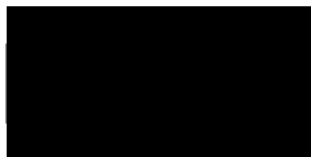
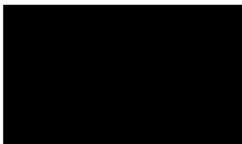
Section Five examines the impact of the Pilot across three participant groups including: (1) Youth and Families, (2) Elders, and (3) the DCP group. Information on the impact of the pilot on youth, families, and Elders was gathered through yarning as the preferred way of communication in our communities. Towards the end of Pilot activity, the DCP group responded to a questionnaire around the impact of CTCF. Their responses are overwhelmingly positive, particularly in relation to changes in professional practice.

Section Six presents the findings of the Pilot, focussing on themes identified through the Cultural lens of AONL. A range of findings are summarised under the sub-sections of Youth and Families, Carers, and the Department. In this section we examine Cultural connection and the range of positive benefits that arise for youth and families when Cultural support is provided by First Nations people. We also look at the role of carers in relation to Cultural connection for our young people. Lastly, we look at the interaction between DCP staff and families in the Pilot, analysing ways in which the Department impacts upon families, and the opportunities that CTCF offers for demonstrating how to work with families more effectively.

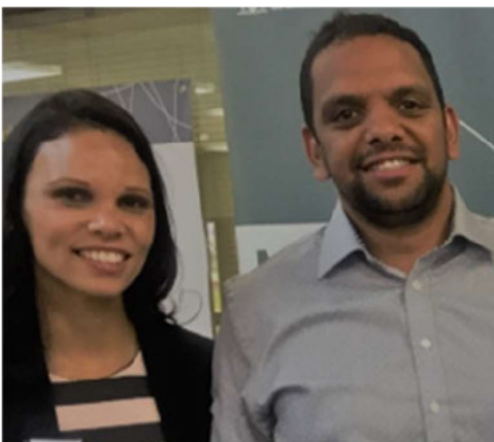
Section Seven presents a snapshot of national and WA state data to highlight the pervasive nature of child protection systems and the overwhelming representation of First Nations youth in OOHC. This section speaks to the urgent need for change.

Section Eight outlines four major challenges in the child protection system: supporting children to have an authentic connection to Culture; implementing the Aboriginal and Torres Strait Islander Placement Principle; the problematic nature of putting First Nations children on permanent protection orders until they are 18 years old; and supporting young people when they leave care. The report looks at each of these areas and discusses how CTCF can respond to these challenges to provide solutions and bring about positive change for our children.

Section Nine tells a new story, where our children come home to become strong leaders for our next generation. As First Nations people we know our people best. We know what needs to be done and we know how to do it. We invite youth and families, community members, governments, and supporters to come with us on this journey of transformative change for our people.



Robert and Zoe Davis: Executive Directors
As One Nyitting Ltd, 2021.



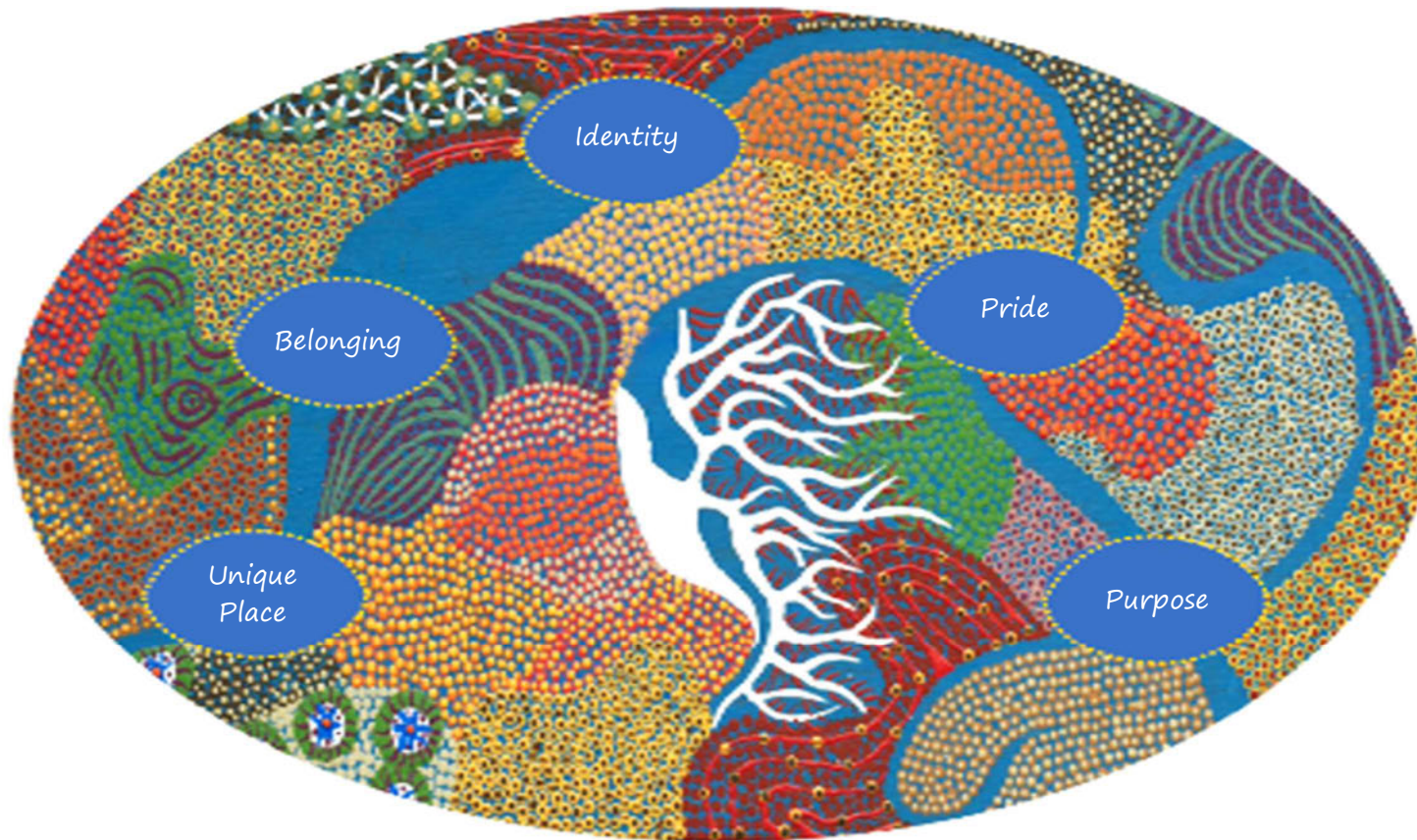
1 CULTURE IS OUR WAY FORWARD

Our Culture comes to us through the Nyitting when our spirit ancestors emerged from the cold darkness and travelled across the surface of the world, creating the land and rivers, waterholes, trees, hills, people, and all the animals, fish, and birds. Knowledge began in the Nyitting, where our law, our Country and our people become One in an eternal landscape of interconnection unbound by time. Connection resides deep within us from the moment we are born, spiritually binding us to the Country of our mothers and fathers. Our Country, our *Boodja* is part of us - together we live in a reciprocal relationship where Country sustains us, and in turn we care for Country. Our Culture continually renews this deep connection to the Nyitting and Boodja through our families, our stories, songs, dances, language, and ceremonies.

Culture defines our roles, guides our actions, and defines our responsibilities to Family, Community and Country. This knowledge is handed down by our Elders from generation to generation since the Nyitting. Our Elders guide us through our lives to be true to ourselves, each other, and the Country we must care for. They teach us to listen deeply to the land and the people, showing us their wisdom, and giving us the knowledge that is appropriate for continual learning throughout our lives.

Our children are like the sun to our people, bringing warmth, happiness and joy to our families and communities. Born into their place of ancient connection, each child grows from strength to strength within the support of family and community. As a community, we teach and look out for our children, collectively creating a place of safety for them to explore and experience the world so they grow up knowing they belong to us and are loved. When our children are safe and connected to Culture, we all thrive.

The relationship between our Elders and the youngest in our community is defined through Culture. The old teach the young and the young watch and listen. The child benefits from the guidance and gentleness of our Elders and the Elders benefit from the exuberance and energy of the child in a mutual bond reinforcing Cultural ties from the beginning to the end of our lives. Our connection to Culture takes us upon a life-long journey, supporting us through happiness and hardship, growing us, and showing us how to give back to our people and Country. In this way when it is our time to pass from this life, the next generation is ready to lead and we can re-join our ancestors in the endless process of renewal.



As underwater rivers flow together through the heart of the ocean, the life of our Ancestors, our Families and Country are One.
Our Culture lives in us and all around us, revealing sites of knowledge and Cultural empowerment as we travel through birth, life, and renewal.

Figure 1 - Mambakoort. Artist-Trevor Davis. Original adapted with permission of the Artist.

2 INTRODUCTION

As One Nyitting Ltd (AONL) has been working with young people and families on Ngoongar Country in metropolitan Perth and the Wheatbelt region since 2015. As a First Nations social enterprise we take our lead from our Elders and work for the benefit of our community; creating, innovating, adapting, and delivering Cultural programs and tools to meet the needs of our people. Our pathways include belonging and identity, leadership, wellness, training, and employment. Our Culture demands that we work in a holistic way under the guidance of our Elders. Over 2,000 people have participated in AONL Cultural pathways in the past six years with our organisational capacity to offer quality programs and welcome more people growing each year.

Many of our people struggle with a sense of belonging and identity due to decades of systemic government child removal policies and practices that were originally designed to eliminate and then assimilate our people and Culture. The intergenerational trauma caused by these policies is being uniquely experienced by our young people today who are continuing to be removed from family at unprecedented rates (SNAICC 2020a, 20). Our youth are overrepresented in all out-of-home care (OOHC) systems, are 9.5 times more likely to be removed than non-Indigenous children nationally, and 16.7 times more likely in Western Australia (SNAICC 2020a). All our families and communities are impacted by government child removal either directly due to the current absence of a child, or indirectly due to historical removal and trauma.

Since commencing operations, AONL has provided support to many young people and families living under the jurisdiction of DCP and we understand the specific challenges that our people experience. The holistic and Culturally grounded support provided by AONL was recognised by senior leaders of a DCP district who approached AONL in 2018 to help the Department develop solutions to support First Nations children in OOHC. This signalled a recognition by the Department that First Nations organisations are able to meet the Cultural needs of families in ways that the Department cannot. It is First Nations families and communities who must drive the development and implementation of support for our people to bring about the positive change that we all seek.

AONL is informed by Elders oversight, Cultural knowledge, and years of operational experience in the delivery of Cultural pathways. This landscape of expertise provided the foundation for the creation of the Connection to Traditional Culture Framework (CTCF / the Framework); a framework grounded in Culture that places our children at the centre of a support network led by our Elders including family, carers, a family champion, AONL, and the government agency (the Department). Early testing of Framework principles took place in 2018 with four children in four families across the Wheatbelt in Western Australia. AONL worked with the families and caseworkers to help facilitate Cultural connection and strengthen the identity of each child. After 12 weeks of this initial testing phase, all four children returned home to live with their family with the formal support of the Department. Three years later, all children remain at home.

The success of initial testing was the springboard to further development and implementation of the CTCF Pilot undertaken with the financial support of the Jon and Caro Stewart Family Foundation. A memorandum of understanding was signed between AONL and a DCP district that supported a group of ten DCP staff to allocate time to participate in the Pilot. The CTCF Pilot become operational in September 2020. Activity in the Pilot that occurred throughout the following year is articulated in this report. For confidentiality reasons the seven families, the Department district and the DCP staff who participated in the Pilot are not identified.

3 THE CONNECTION TO TRADITIONAL CULTURE FRAMEWORK

3.1 OVERVIEW

The Connection to Traditional Culture Framework was developed by AONL to ensure that all First Nations children in OOHC have a defined pathway home to Family, Country, and Culture. It is through connecting to Culture that our children, families, and communities are able to thrive. CTCF identifies all those with a responsibility for the wellbeing of the child and facilitates a framework of collaboration focussed on working together to achieve the best interests of the child, which in turn is best for family and community. CTCF operates as a foundational framework providing a structure and methodology to support our youth in a manner that is Culturally relevant and Culturally safe.

3.2 AIMS

The aims of CTCF are simple yet ambitious. These include:

1. Our children come home to family and Country
2. Young leaders are nurtured in our communities
3. Our young people grow strong in our Culture and give back to our people

3.3 CTCF ROLES, RESPONSIBILITIES AND RELATIONSHIPS

Cultural authority and knowledge hold a privileged position within CTCF in recognition that our Elders make decisions in the best interests of our people in accordance with our traditions. CTCF elevates the Cultural experience and understandings that reside in our families and in AONL as a First Nations organisation. The agency (DCP) is recognised as having a statutory responsibility for the child under relevant child protection legislation. AONL provides leadership through CTCF as we work in collaboration with the Department staff to ensure the full breadth of support is offered to the child to connect them to Culture. Together we all support the child to progress and strengthen this connection.

3.3.1 The Child

The child is at the centre of the Framework and supported by all. The child's first and primary connection is to family, kinship, and community and this is celebrated and strengthened through CTCF. The child is encouraged by all Framework participants to reach out to those people who support them to embrace their Cultural identity and connection. CTCF holds up a mirror to the child so that they understand who they are and where they belong. Through this journey the child begins to understand all the pathways available to them as they embrace their Culture with pride.

3.3.2 Elders Panel

Elders are the keepers of our sacred traditional knowledge handed down through our ancestors; they are our role models, advisors, and educators. Respect for their wisdom and authority is unequivocal. Elders provide the Cultural permission and guidance required for CTCF to operate across different Cultural regions. The Elders Panel is re-established as the Framework enters each new district in accordance with changing Cultural authority across different Country. The Panel maps out kinship networks for each child and provides the Cultural oversight required for working with families on Country.

3.3.3 Families

The first thing we say to anyone we meet is ‘where you from?’ and ‘who’s your mob?’ Answers to those questions place us within family, kinship, and Country, determining where and how we may be related. Parents, siblings, grandparents, great grandparents, aunts, uncles, and cousins are all our family. Depending upon Cultural practice and tradition, children may have several sets of parents or multiple community members included in their family. Families are the source of strength for the young people; through supporting the family, the child is also supported. Families are the means for gaining deeper insight into the strengths, talents, and interests of the child, and they are the people who can identify potential family champions. Families know their children and their own families best and are best placed to determine ways to encourage and nurture their children. To bring our children home and keep them home, CTCF works with all family and kin along maternal and paternal lines according to Cultural protocols.

3.3.4 Champions

The focus of champions is to uplift and advance the family and act as a guide to the child, supporting them in achieving journey milestones so they can keep moving forward with strength and Cultural pride. Champions generate stability and leadership and remain connected to the family ongoing. The activities of champions adapt to the needs of the child and family so that support remains relevant throughout change. Champions are identified by the child, family, Elders and AONL. AONL establishes and nurtures long term relationships and networks across the community and consults with the appropriate Cultural authority to ensure that each CTCF champion is the right guide and supporter - a person who is *Culturally* right for that family.

3.3.5 Agency

Within the Framework, ‘agency’ is defined as any person or organisation who has a statutory role over the child. Inclusion of the agency as a key part of the Framework helps guide the agency to authentically uphold the first principle under s.9(a) of the *Children and Community Services Act 2004* (WA) (the Act) where ‘*the parents, family and community of a child have the primary role in safeguarding and promoting the child’s wellbeing.*’ CTCF also supports the agency to authentically support the principles of self-determination and community participation in s.13 and s.14 of the Act.

DCP caseworkers and managers are representatives of the agency. Through the Framework each caseworker receives guidance on how to further Cultural connection for each child. Both caseworkers and managers in the Department engage with AONL staff regarding progress of the child through CTCF.

3.3.6 Carers

A carer is any person who officially provides care for a child under a DCP placement arrangement. They may be family or non-family carers. The Foster Care Handbook states that carers have a responsibility to ‘promote/encourage cultural identity...[and] keep the child’s best interests (including cultural) in mind at all times’ (Department of Communities n.d.-b, 19). CTCF offers the opportunity for carers to be fully supported in undertaking this responsibility. The participation of carers in CTCF provides further support for the child and in turn, carers benefit from a deeper understanding of who the child is and where they belong. Family carers are recognised for their special status within the category of carer.

3.3.7 As One Nyitting Ltd

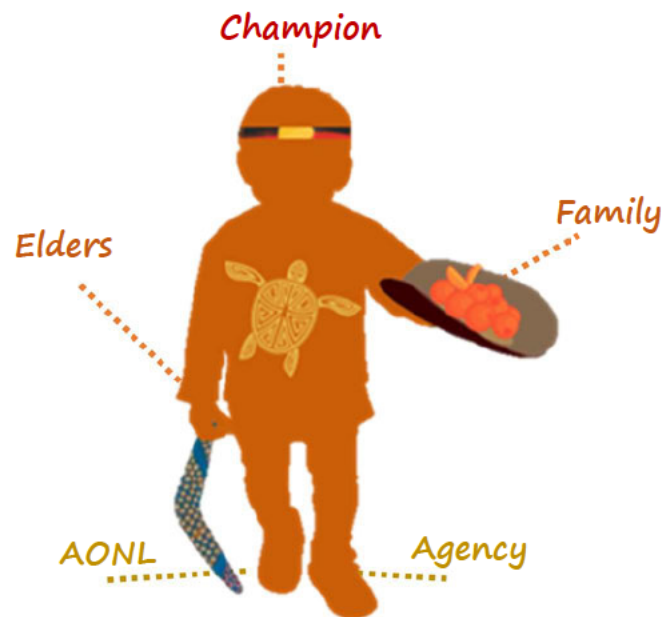
AONL provides leadership for all parties, oversees all aspects of the Framework and is the centre point for all communication relating to CTCF. AONL undertakes engagement with Elders, families, and community, establishes and convenes the Elders Panel, enrolls children into CTCF and employs and manages champions. AONL is responsible for mapping the plan of activity for each child in consultation with the child and family, and monitors and tracks the child's Cultural journey. All information is housed within CTCF software and all reporting is generated by AONL. AONL is responsible for continuous community, corporate and government relationship building in relation to the Framework. AONL is also responsible for advancing quality improvement regarding implementation of the Framework.

3.4 CTCF SOFTWARE

CTCF includes a software system purpose-built by AONL for the Framework, the first software of its kind in Australia. The software facilitates user-friendly communication for the child, champions, Elders, the agency, and AONL who all experience differing levels of access for confidentiality and Cultural safety. When a child accesses the software, they see themselves in their unique place within their family and kinship model. Each child is provided with their own login credentials giving them ongoing access to their kinship map and Cultural journey. The software shows where the child belongs, where they have come from and where they are going, including the steps and activities required for the child to progress. Many children in OOHC experience a range of different placements throughout their time in care - CTCF software enables ease of access for the child to resume their Cultural journey at any time regardless of their physical location or changing situation, even if they disengage for an extended period of time.

CTCF software supports caseworkers to authentically implement DCP policies in relation to connecting First Nations youth in OOHC to Culture and family. The software provides a transparent forum for understanding where the child is situated along their Cultural journey at any point in time. It offers the agency the opportunity to be both pro-active and appropriately guided so caseworkers can be sure that they are supporting connection in a way that is Culturally relevant, necessary, and safe. CTCF software also offers agencies the ability to provide service consistency regardless of caseworker rotation. Each new caseworker can login to the software wherever they are and see exactly where the child is along their Cultural journey and what steps must be taken to support the child to keep moving forward. In this way, CTCF acts as a Cultural safeguard ensuring accountability and continuity of support for the child.

3.5 THE BALDJA CULTURAL SUPPORT MODEL



Champion	walks with the child and family supporting the child along their Cultural journey
Elders	Elders Panel ensures Cultural authority & Cultural safety in the best interests of the child
Family	resides at the left hand of the child giving love and a sense of belonging
AONL	supports the child and all groups in the Model to ensure Cultural connection is authentic and sustained
Agency	provides practical support for the child to forward Cultural connection in line with government policy

Figure 2 - Baldja Model, Copyright As One Nyitting Limited 2021 ALL RIGHTS RESERVED.
Showing people responsible for connecting the First Nations child in out-of-home care to Culture

3.5.1 The Baldja Model

'Baldja' means 'united' in Ngoongar language. Created by AONL for CTCF, the Baldja Model identifies all people who play a role in forwarding Cultural connection for the child and calculates the level of support provided by each group to assess how the child is being Culturally supported. The Model is used as a reference benchmark throughout the journey of the child. When each child enters the Framework, AONL assesses their level of support using the Baldja Model to understand the child's unique situation. If any participant group within the model is absent or under-represented in the context of supporting the child on their Cultural journey, this signals where further activity should be focussed to progress full wrap-around support for the child. Where there is an absence or contraction of family and community support, AONL utilises Cultural expertise to renew these relationships. Where there is a lack of Cultural experience within the agency, AONL offers caseworkers and managers further learnings through the CTCF software in how to work in a Culturally effective and respectful way. The aim of the Baldja Model is to provide the maximum level of support for each child in an environment where all groups are in mutual understanding regarding what constitutes the best interests of the child. It is only when we are all truly united that our children in OOHC can be fully supported in a Culturally safe way.

3.5.2 Best-Case Support for the Child

Conditions that optimise best-case Cultural support include the following:

- ✓ The child lives with family at home on Country
- ✓ The child has relationships of trust, and good communication with both sides of the family, Elders, CTCF champion, caseworker and AONL
- ✓ The child has regular face-to-face contact with family and Elders on maternal and paternal sides of the family
- ✓ The child has regular face-to-face contact with a champion who facilitates and partakes in Cultural activities with the child and family
- ✓ The caseworker has regular face-to-face contact with the child and the child's extended family
- ✓ AONL provides holistic support to the child and family
- ✓ All groups are actively driven to support the progression of the child along their Cultural Journey

When all groups are working together as one, Cultural safety for the child increases; when the Baldja Model is working at full capacity, the child has the best opportunity to thrive.

3.6 THE CTCF CULTURAL JOURNEY

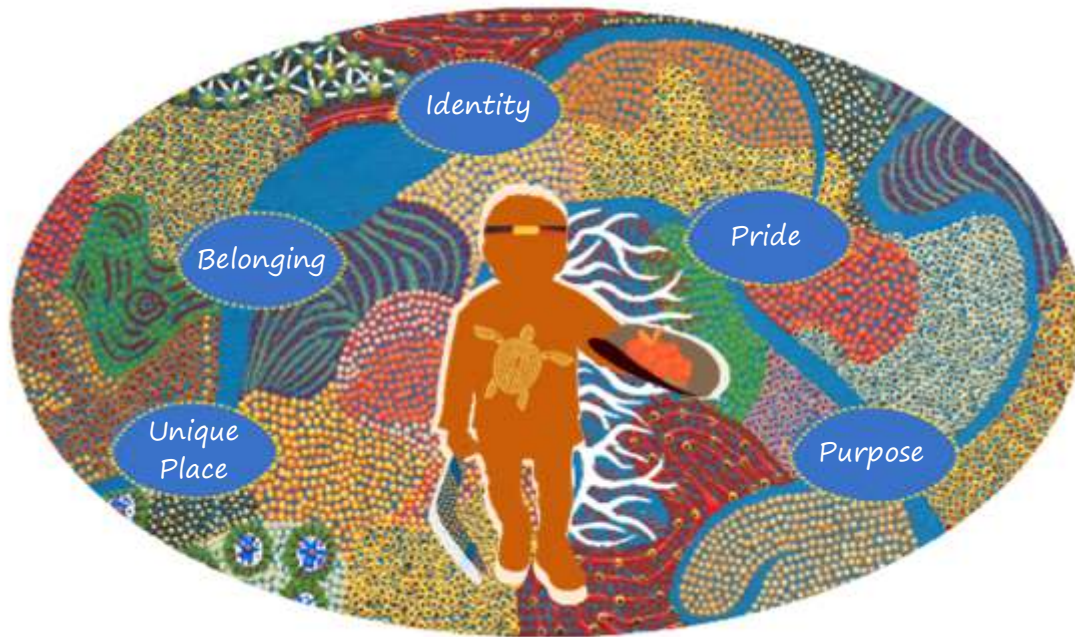


Figure 3 - The CTCF Cultural Journey showing sites of knowledge and Cultural empowerment

3.6.1 The Journey

In CTCF each young person is supported along their unique Cultural journey, travelling between sites of knowledge, growth, and Cultural empowerment. Each child will enter the Framework in their individual way, with some youth already walking their journey, and others not yet begun. All are supported wherever they are situated at any time and continually encouraged to embrace their connection to Culture through all aspects of life. Some children may lose their way, as is part of life, however through CTCF children will know that their path awaits them, and people are here to help keep them safe and get them back on track. Supported by the wisdom of Elders and family, AONL identifies the steps each individual child must take upon their entry to CTCF. This initial placement acts as a knowledge site for AONL which informs the mapping of the next steps for the child towards stronger Cultural connection. In ongoing consultation with family, AONL articulates the way forward, entering information into CTCF software that maps and tracks each child's journey. AONL continually engages with champions and the Department, so we are all in step as we walk alongside the child.

3.6.2 The Five Sites of Knowledge, Growth and Cultural Empowerment

- Unique Place:** Each one of us inhabits a unique place through our ancestral connection. When we understand how we are connected to family, kin and Country, our Cultural journey has begun.
- Belonging:** Embedded in our rightful place among our community, our family and kin nurture our sense of belonging. Through their embrace our connections to family and Country grow strong.
- Identity:** Ongoing connection with family and kin is the source of our identity, where we learn, share, and practice Cultural values, Cultural knowledge systems, language, and ways of being.
- Pride:** As we continue along our Cultural journey, we develop Cultural pride. Cultural pride opens the door to a deep understanding of the vast richness offered by our ancient Culture and this realisation means we walk tall and strong.
- Purpose:** Our true purpose in life is revealed to us in time. When we understand our purpose, we can pursue our unique path with the wisdom and focus of our Culture guiding us. This helps us negotiate the challenges we face so we can keep walking towards our destination. Side by side with the understanding of our purpose is the knowledge that we also have a responsibility to give back to our people as our Culture requires.

4 THE CTCF PILOT

4.1 OVERVIEW

In 2020 AONL partnered with a regional DCP district to implement key elements of CTCF in a Pilot that included AONL staff allocation, DCP staff collaboration, an Elders panel, and the first iteration of CTCF software. The Pilot was conducted on Ngoongar Country between September 2020 and October 2021 with funding provided by the Jon and Caro Stewart Family Foundation. Twenty-two children in OOHc from seven families were identified by AONL to take part in the Pilot. All children are connected to each other through one kinship line although kinship connections across the families had not been mapped. All children and young people identified for the Pilot were under permanent protection orders until the age of 18 years under s. 57 of the Act. Some young people turned 18 during the Pilot.

AONL began engagement with families in September 2020, establishing relationships and discussing the aims of the Pilot with family members and carers. Working towards the operational fulfilment of the Baldja Model, AONL assessed the level of support each child was receiving at the beginning of the Pilot and identified what work needed to be done to achieve the full expression of Cultural support for the child and family. AONL staff travelled thousands of kilometres across metropolitan Perth, throughout the Wheatbelt and into Bunbury in south-west WA to engage with families and carers. Yarning sessions that arose through this engagement provide a source for the quotes used in this Report.

AONL approached Elders on Country connected to the families in the Pilot and invited them to join the CTCF Elders Panel. Within the first few months of the Pilot, the panel was convened and kinship mapping of the families began. Elders came together in three meetings throughout the year to complete this work. After the initial meeting with AONL, Elders took leadership of this process for the remainder of the Pilot.

The DCP group participating in the Pilot were based in two regional DCP offices. The group included one senior manager, three team leaders and six caseworkers with case management responsibility for the young people in the Pilot. AONL initiated a series of meetings at the beginning of the Pilot, travelling to regions multiple times to ensure members of the DCP group were properly inducted into CTCF and trained in the use of software trialled in the Pilot. All members of the group were asked to participate in DCP Reference Group meetings which were held with AONL in January and in June 2021. These meetings provided a forum for discussion of issues, challenges, and successes of the Pilot. Both meetings were well attended. The DCP group was asked to provide feedback at both meetings.

CTCF-specific software developed by AONL was trialled in the Pilot, opening up a highly productive space for learning and development that informed the next generation of the software. CTCF software was accessible to all DCP group members as an application on their work phones. All information relating to the Cultural journey of children and families in the Pilot was detailed in the software with access to this information available to the DCP staff members relevant to each family. Both the DCP group and AONL entered information and tasks into the software system to collaborate in furthering Cultural connection for the youth.

CTCF activated a range of Cultural support through the Pilot. All families have been extensively mapped within the kinship group, five families have received active Cultural support and two families were supported to go on Country and connect with Culture. A variety of holistic supports were put in place for families according to their needs. Two young people experiencing homelessness reached out to CTCF and were provided with assistance to access secure transitional housing and leaving care support, while other young people were supported to re-engage in education. Two families were supported in their quest for revocation of DCP protection orders and CTCF support for another family meant that DCP reconsidered the prospect of child removal from that family. CTCF also empowered our Elders. Through the Elders panel, the Cultural

authority of our Elders has been formally re-established and sustained past the life of the Pilot. This healing space for Elders is invaluable for our community.

For the first time, the DCP group experienced a Cultural way of working that is both collaborative and led by First Nations people. As a result, the group experienced a range of learnings that are shared in the impact and findings sections of this report. CTCF offers the means through which deeper understandings of our children and families can continue to grow. DCP feedback confirms the value that caseworkers and DCP managers placed on CTCF and their enthusiasm for a continuation of the Framework. Importantly up to half the group stated that their work practice had changed for the better and almost all members expressed the opinion that the CTCF Pilot had benefited children and families.

On finalisation of the Pilot, support continues to be provided through AONL Cultural pathways for all youth and families who participated in the Pilot in line with our Cultural obligations.

4.2 THE SEVEN FAMILIES

4.2.1 Family Relationships

Twenty-two young people across seven families were selected for the Pilot. All children are connected to each other through one kinship network. Some children live with their mother, others with sisters, uncles, grandmothers, great grandmothers, or other kinship relatives. Some children live with non-Indigenous carers, and others live in a group home.

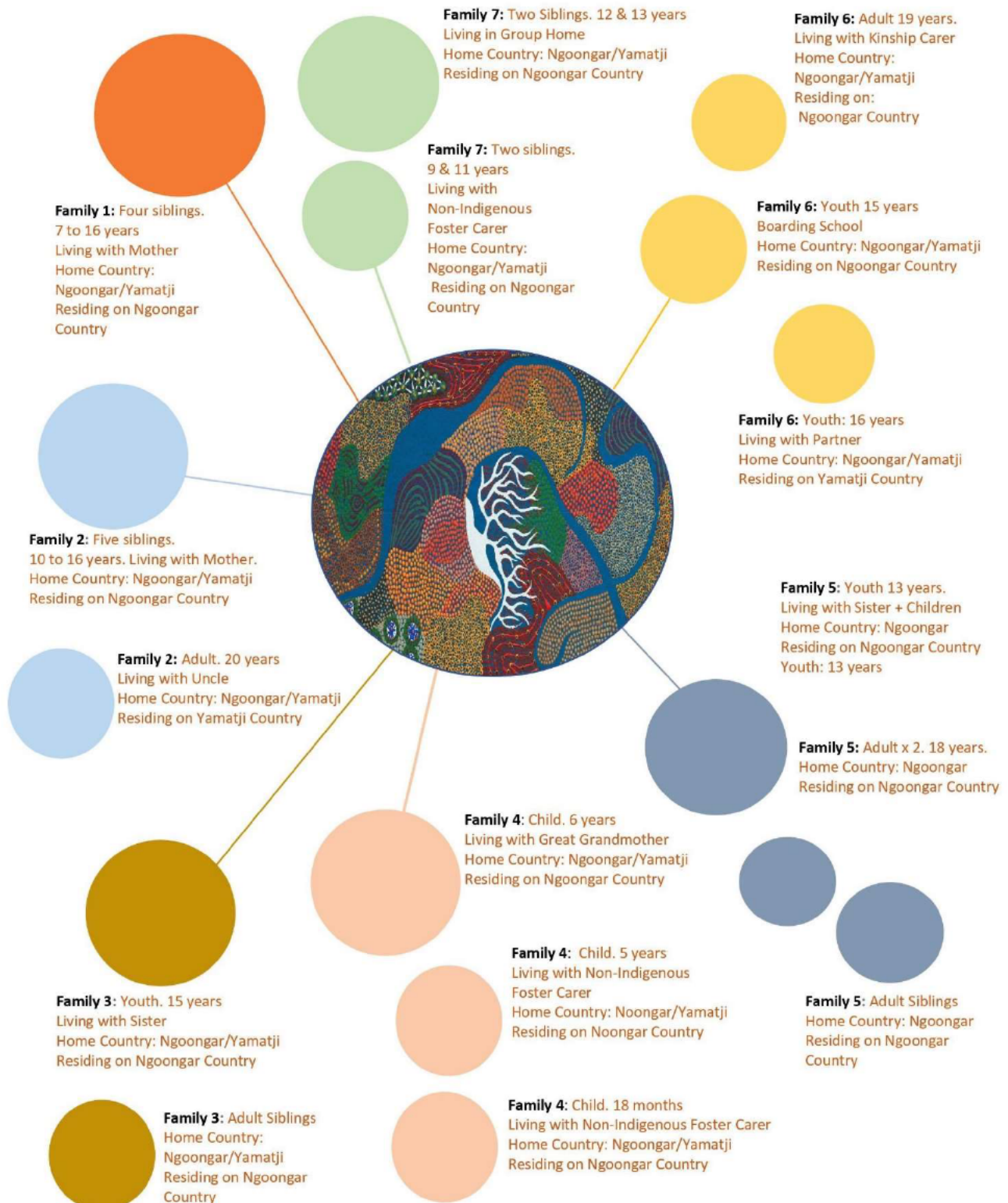


Figure 4 - The Seven Families involved in the Pilot

4.2.2 Family Alignment with the Baldja Model of Cultural Support

The CTCF Pilot used the Baldja Model to understand and assess the level of Cultural support each family and child was receiving. Of the seven families, the experiences of two families through the Pilot have been confidentially shared in this report. One family is the most aligned to the Baldja Model in the Pilot and the other family represents the least aligned. The following sections detail the journey of each family through the Pilot.

4.3 FAMILY ONE

4.3.1 The Family

The children of Family One live at home with their mother and are connected to family and kin from both sides of the family. Of all families within the Pilot, Family One receives the most Cultural support according to the Baldja Model.

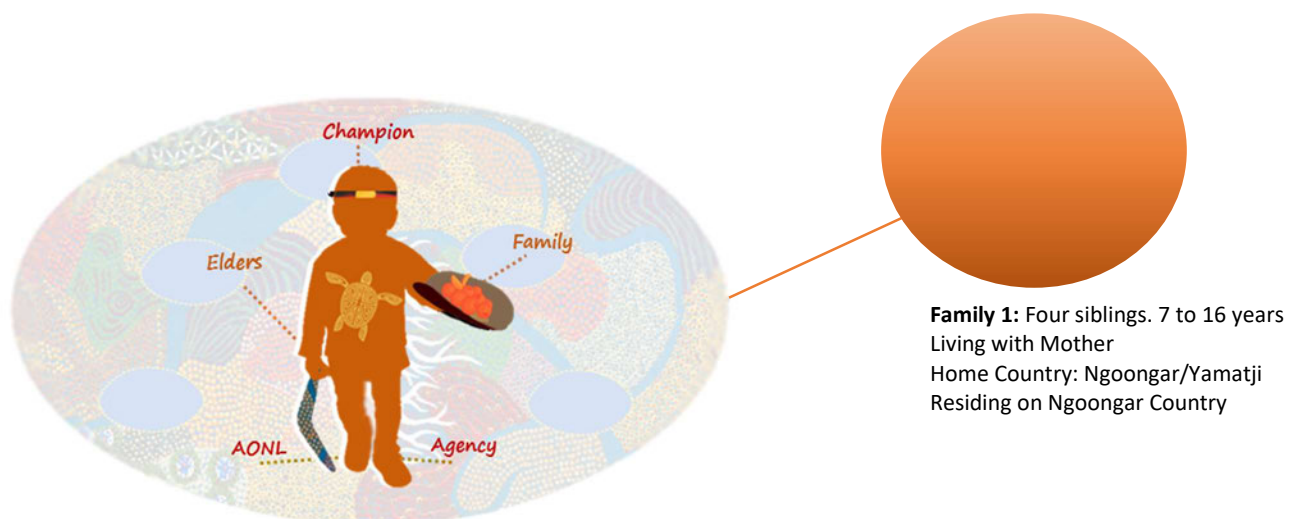


Figure 5 - Family One

4.3.2 Beginning of the Pilot

AONL staff met with Family One for the first time during a home visit in October 2020. Mother (A) was enthusiastic about strengthening her children’s connection to Culture, sharing that when she was a child, she was encouraged by her own mother to connect to Culture and loved to go on Country with relatives and sit down and listen to the stories of the Elders when they visited the family home. It was (A)’s search for her father’s family that led her to the town where she now lives. (A) said it was ‘extremely important’ that her own children are connected to their Culture, rating their connection as low and in ‘need of more’ because, ‘these days young people don’t know about Culture and language.’ The aspirations of (A) for the Cultural welfare of her children were prominent throughout the conversation. In feedback, (A) stated that she ‘needs more’ understanding about land and spirit in relation to her children, and ‘needs more’ understanding about Ngoongar Culture as (A) was raised in a different First Nations Country. During the initial meeting with AONL, (A) also said that she needed support to encourage her children to attend school. While the majority of the sibling group had previously been regular attendees at the local school, at the time of CTCF sign-up, all four children were disengaged with education.

The strengths of each child in the sibling group were discussed, including the leadership qualities of the eldest child (A1), who assumes the responsibilities of the oldest sibling by taking care of, protecting, and guiding

her younger brother and sisters. (A1) is recognised as a young leader in her community; she has previously participated in youth leadership groups and events on Ngoongar Country and is visibly connected to her Culture through her actions in the community. (A1) demonstrates Cultural pride, undertakes the role of Welcome to Country in Ngoongar language when requested by her Elders and explores her Cultural creativity through her artwork. (A1) also participates regularly in multiple sports teams. At the time of CTCF sign-up, (A1) had sourced a job for herself and was regularly employed on a part-time basis. Younger siblings demonstrated different strengths and interests, sports being a noticeable point of engagement and interest for the 2nd oldest sibling (A2). AONL confirmed to mother (A), the offer of CTCF support for each child. (A)'s feedback was that she felt 'extremely good' about being involved in the Pilot.

AONL staff also met with Nan (mother-in-law) of (A) to yarn about the CTCF Pilot. Nan is a key supporter of (A)'s family and many other families in her kinship group. Kinship mapping was discussed, and Nan provided AONL with a number of family connections. Nan was invited to be on the CTCF Elders panel however, instead nominated an alternative Elder whom she suggested held much knowledge of the family. At the end of discussion about CTCF champions, Nan provided the name of a person who is related to the family with good standing in the community who could fill this role for (A)'s family. Nan also raised the progress of the children's education, confirming that a meeting between the eldest sibling and DCP was imminent, during which sibling (A1) would inform DCP of which school she had chosen to attend. Nan is a strong supporter of the children engaging in education.

On entry to CTCF, the family group demonstrated the resilience and determination that enables them to stay together. The family have connection to their Culture and a commitment to continue to learn and grow this connection. The children are a close-knit sibling group who acknowledge and respect the leadership of their elder sibling. Challenges for this family operate within this family context.

4.3.3 Journey through the Pilot

CTCF empowers each family to harness their own strengths to seek solutions to challenges. When facing challenges, we all benefit from people who understand who we are and what we face. Being surrounded by this support creates a space to reach out to access this help and build upon those strengths that are already within the family. Regular visits by AONL to the family home nurtured a relationship of trust and over time mother (A) began to reach out to seek help with issues of need in the family.

(A)'s immediate concern was the re-engagement of her children in education. In recognition of the importance of leadership within the sibling group, CTCF focussed on supporting the eldest sibling to attend the school of her choice which was a boarding school away from her hometown. Visits were made to the school to discuss the educational environment and the landscape of support to students. CTCF encouraged (A1) to consider all training, education and employment pathways and made the commitment to support her in any of these pathways she chose. AONL recruited a family champion who was asked by (A) to support her children to attend school. The champion began to visit the family on school mornings to support them to attend school on a regular basis.

In December 2020 the family attended a day on Country also attended by another family in the Pilot. This day provided a unique opportunity to link kinship families and facilitate a space where they could immerse themselves in the enjoyment and appreciation of Culture in a safe and joyous way. A sense of belonging and Cultural pride was nurtured between sibling groups through learning and play. All people present on the day participated in Cultural activities and listened to the stories belonging to the Country. It was on this day that (A1) encouraged her younger sibling to engage in the same school that she was attending. For the first time he began to seriously consider this as an option. (A) and all her children engaged positively with the children's father on the phone that day, telling him of where they had been. With pride (A1) told AONL of the practical skills that her father had taught her and her mother. Her mother told AONL later that 'I just loved going on Country,' 'It made the difference' and 'I feel better inside.'

The following months saw (A) seek housing security and this was supported through CTCF. This meant that (A) was able to care for her children without the threat of homelessness and increased risk of child removal as a result. Housing security further empowered (A) to prioritise the best interests of her children when negotiating obligations to visiting family that were staying in the home. Throughout the latter half of the Pilot, (A) sought help in resume building, and employment pathways. (A) initiated engagement in counselling sessions that she said were useful to her. CTCF explored more champion options for the family and identified further possibilities of strong Cultural support available to this family. Eldest sibling (A1) settled well into the new school and began to participate in a variety of extracurricular activities. Sibling (A2) enrolled into the same school. The champion and AONL continued to support all children in the family to engage in education.

4.3.4 End of the Pilot

This family have stayed together through the multiple challenges they face including potential threat of child removal, negotiation of relationships with government and non-government organisations, and managing the family's social and emotional wellbeing through adversity. In the past year, mother (A) experienced increased access to social inclusion through community events where more kinship connections were made. Participation in community activities meant that her skills were on display and celebrated. The sibling leader shows resilience and persistence in her efforts to obtain an education. Through internal school struggles and homesickness, the two oldest siblings in the group returned to their town and the family home. At the instigation of mother (A) CTCF was asked to support them to enrol back into their local high school. The family participated in a 2nd CTCF day on Country in August 2021 as a space of celebration and rejuvenation for their next phase. Kinship mapping has been completed and will be provided to the family. All the family have strengthened their relationship with AONL through CTCF and these doors of Cultural support remain wide open at the end of the Pilot.

CTCF was able to provide a range of support to Family One that was made possible through yarning and relationship development. CTCF support for Family One included:

- ✓ Kinship mapping
- ✓ Kinship connection
- ✓ Champion recruitment
- ✓ Cultural empowerment through yarning
- ✓ Support for security of family connection
- ✓ Housing support
- ✓ Education engagement support
- ✓ On Country access
- ✓ Social inclusion

4.4 FAMILY SEVEN

4.4.1 The Family

The four siblings in Family Seven have been living apart from each other and away from parents and family for over five years. The two oldest siblings live in a group-home and the two younger siblings live with non-Indigenous carers 170km away. Family Seven receives the least Cultural support of all families in the Pilot.

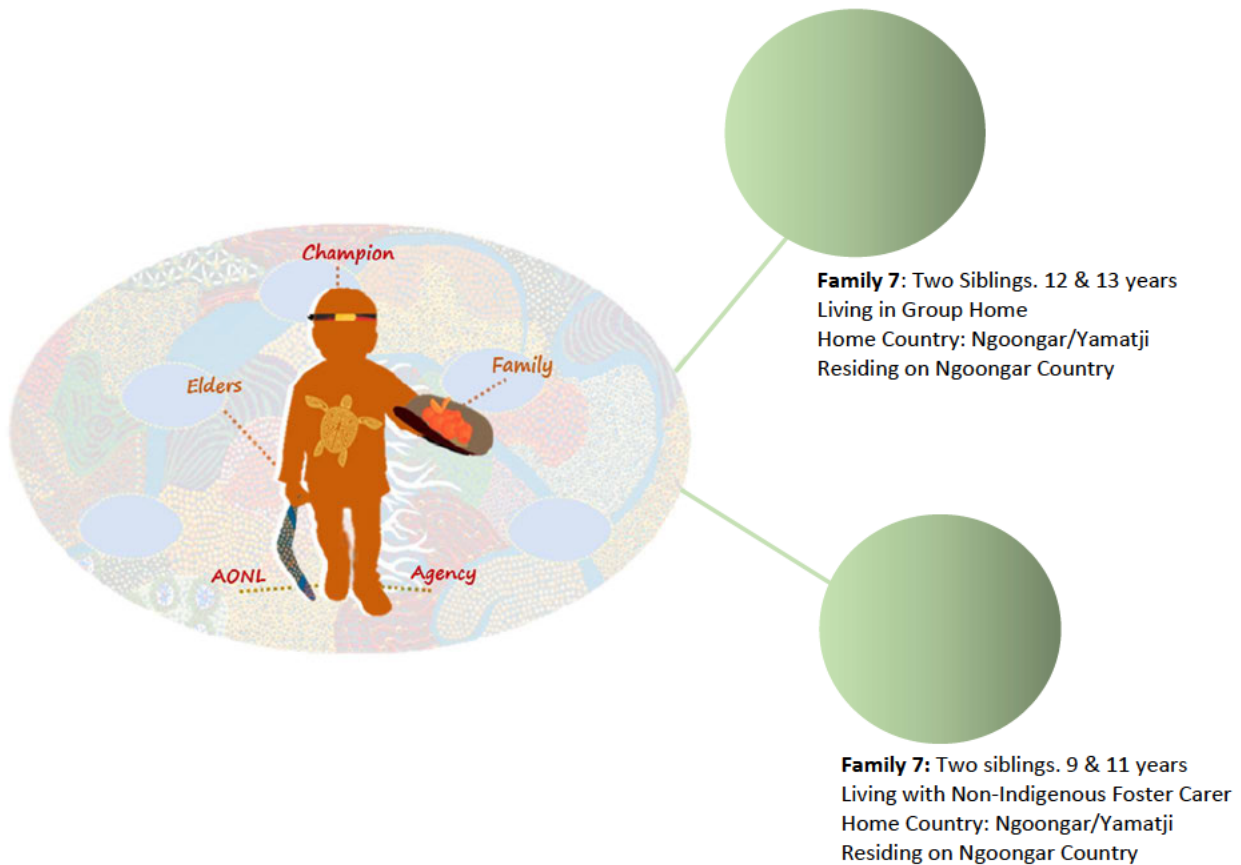


Figure 6 - Family Seven

4.4.2 Beginning of the Pilot

All four children in this family were removed by the Department when the eldest sibling was five years old. The four children were later sent by the Department to the home of a non-Indigenous foster carer who had originally accepted to care for two children as a temporary placement. This was the first time the carers had fostered any children. Months later at the request of the carers who experienced difficulties coping with all four children, the Department removed the two oldest siblings from the placement and relocated them to a group-home in a town 170km away from their siblings, while the youngest siblings remained with the foster carer. The sibling group have not lived together as a family since that time. At the time of CTCF sign-up, the separated sibling groups had not seen each other in six months, had not seen their father in two years, and had not seen their mother in five years.

Mother (B) was in detention at the time of CTCF sign-up and regular face-to-face contact with her children was not in place. Father (C) had previously maintained regular contact with the older children, travelling 500km on a monthly basis to visit the group-home. The group-home staff stated they were supportive of the father continuing to visit the children at the home however, the Department eventually formed a different view and face-to-face visits stopped at the request of the Department. At the time of CTCF sign-up (two years later), Father (C) was again initiating phone calls to his children in the group-home.

CTCF staff met with the group-home staff and the foster carer in separate meetings in October and November 2020. On being asked about the importance of connection to Culture and family, both staff and carer wrote that connection was 'extremely important'. In conversation, the First Nations group-home staff exhibited insight into Cultural connection that arises from lived experience. Both siblings who they support have some access to Culture through the family relationships of the support workers, however the staff belong to a different language region to the young people and these experiences cannot substitute for Cultural connection with members of the sibling's own family and kinship group. Both support workers emphasised that connection to family is Culturally necessary and essential to the wellbeing of these children.

The non-Indigenous foster carers have attempted to connect the younger siblings to Culture, however the carers are not embedded in the First Nations community and as such have limited understanding of Ngoongar families, community, and Culture. A First Nations male mentor was in place for a brief period but did not last. Other efforts to support the children included finding appropriate resources and participating in NAIDOC (National Aboriginal and Islanders Day of Celebration) events. Phone calls had recently been taking place with the older siblings, however it had been six months since the children had seen each other face-to-face.

Group home staff singled out the eldest sibling (H1) as being a highly spiritual child, with a deep yearning for Cultural information and knowledge. He was praised for his intelligence, creativity, and practical abilities with his hands, developing, amending, and fixing things around him. The foster carer also spoke of witnessing (H1)'s heightened senses on Country. The very strong bond between the two oldest siblings (H1) and (H2) was remarked upon by the group-home workers. (H2) was praised for her friendly nature, her academic achievements, and her social abilities. The carer of the younger siblings described the boys (H3) and (H4) as capable and curious, with a tendency to roam the landscape together for hours, discovering places and animals and bringing a variety of different animals back to the house. (H3) was identified as being a talented football player, and (H4) as having a love of dance, and a very close affinity with animals. AONL was asked about appropriately supported boarding school options, and provided advice on institutions that offer high-quality education, structured support, and extra-curricular activities for First Nations youth.

On entry to CTCF, AONL assessed that the sibling group suffered from the absence of family and Cultural connection. It appeared that this had been the status quo for a number of years. No DCP plan was evident for the reunification of the fractured sibling group or for potential placement with a family carer. At the time of CTCF sign-up the sibling group had experienced a constant turnover of caseworkers (up to five caseworkers in five years). There did not appear to be any detailed DCP Cultural Support Plan in place that could authentically progress and monitor connection of these children to Culture.

4.4.3 Journey through the Pilot

AONL met with four children in December 2020, picking them up from the group-home and the carers house to bring them together with another kinship family for a day on Country. The separated siblings immediately gravitated to each other as they came together onsite and remained physically close and constantly interacting throughout the day. Being on Country together meant they were able to explore their family relationships with each other in a space where Culture holds precedence. The presence of Elders on the day and the Cultural activities that took place, opened up a safe place for the children to begin to understand what the possibilities of connection can bring. Elders noted the absence of basic knowledge, and confusion around belonging and identity demonstrated by the youngest children in particular. The same children exhibited eagerness in discussion and activities relating to Culture.

The younger children's friendly and boisterous curiosity was tempered by the more considered interactions of their older siblings. The oldest sibling assumed his Cultural responsibilities as guide and protector of the sibling group, acutely aware of all that was going on around him and gently permitting the physical challenges of his younger brother. The day provided an opportunity for (H2) to shine, through sharing her knowledge of animals and plants in the land she walked upon. All four children stayed as close as possible to each other at

all times and were demonstrably sad at parting with each other at the end of the day. On the return journey, the youngest child practised Ngoongar language non-stop all the way to the house and the carer informed AONL that his brother refused to remove his AONL backpack until later in the night.

AONL assessed that all four children are suffering from a lack of connection to family and Culture that has begun at an early age and is continuing throughout their childhoods. The work of CTCF focussed on creating opportunities to bring the four children together face-to-face as often as possible in recognition of the primary need to reunify this sibling group. CTCF articulated a number of proposed solutions to DCP to support increased face-to-face meetings for the four children. These recommendations remained unfulfilled at the time of this report. AONL staff worked to connect with Elders in the family and this work is ongoing. Efforts were made to connect with the father and offer support through AONL wellness pathways with a view to supporting reunification with his children if and when he is ready.

4.4.4 End of the Pilot

Communication between siblings increased via digital link in the past year but began to tail off with the oldest sibling who responds differently when meetings are face-to-face. While one further sibling meeting initiated and facilitated by the carers was successful, no focussed plan to build momentum through increased meetings or weekends sleepovers is in place. Connection between the siblings and their mother increased through phone contact and occasional face-to-face contact. No communication has taken place with any Elders or any other family member. The DCP caseworker did not visit any of the children face-to-face during the Pilot period.

A package of resources including Cultural items, a language map, and a group photo of the sibling group (taken on-Country) was forwarded to the children by CTCF. Feedback from the group home and carer was that the children were excited and happy to receive the package. AONL are committed to supporting this family beyond the Pilot. CTCF will provide a kinship map to the four siblings and invite them for a second day on Country. CTCF will continue to seek an appropriate champion for these children through building relationships with the right family members. To date, CTCF has not connected with the father's family and this pathway continues to be open. This search for family support for these children will continue beyond the life of the Pilot in line with AONL's responsibilities to our people.

CTCF provided support for this family in the following ways:

- ✓ Kinship mapping
- ✓ Kinship connection
- ✓ Support for security of family connection
- ✓ Education advice
- ✓ On Country Access

5 IMPACT OF THE CTCF PILOT

AONL is committed to ongoing analysis of the impact of CTCF to assess the difference we make for our people and to use this information as a tool to help us create long-term positive change. The impacts described in this section have been categorised under CTCF participant groups. In assessing the impact of the Pilot, AONL used a range of methods in accordance with what best works for each group. Discussion relating to the impact of the CTCF Pilot took place during multiple yarning sessions with families and Elders, and through meetings with the DCP Reference Group.

5.1 Youth and Families

5.1.1 CTCF Initiates Cultural Support Pathways for Families

Prior to the Pilot beginning, no family received support from a First Nations organisation. By the time the Pilot activity had wound down, Cultural pathways via a First Nations organisation had opened for youth, parents, extended family and Elders.

A CTCF champion recruited through the Pilot provided holistic support for one family over a period of months, acting as a support for both children and parent. Engagement with the CTCF champion was established quickly and the support provided by the champion and AONL was welcomed by the family.

“I am glad that you mob are there to help us because we think we are on our own in that little circle with DCP. No-one else cares and understands us like you do.”

(CTCF Parent)

5.1.2 Families are Empowered Through Stronger Connection to Culture

Through CTCF, some children have been reintroduced to their Culture and others have continued their Cultural Journey. The ongoing connection offered through AONL pathways means that all children and families have future opportunities for Cultural growth through participation in a range of programs.

Kinship connections were mapped for all the families by Elders. This kinship information constitutes a significant resource for the seven families. High-level kinship information was provided to some families and the detailed map will be continually available via the CTCF software. The map allows all twenty-two children in the Pilot to have knowledge of their kinship connections that is a life-long bond they will in turn, pass on to their own children.

Families that had no opportunity for going on Country were supported to do so resulting in the opportunity for families to come together and connect with each other and Country in ways that are rejuvenating and healing for young and old. Some parents in the Pilot have exhibited a sense of Cultural pride through increased community engagement where their strengths and talents are recognised, and their family and Cultural connections are honoured.

The ability of CTCF to empower families was recognised by the Department who subsequently adjusted decision making around the potential removal of children in one family which meant that children could stay at home and this tight-knit and loving family group could stay together.

5.2 Elders

5.2.1 Cultural Authority of Elders is Re-established

The Framework privileges traditional knowledge transfer from those with lived experience. Through the process of convening the Elders panel and acknowledging and respecting the position of Elders, CTCF became a forum for re-establishing the Cultural authority of Elders in the community who subsequently took leadership in the facilitation of panel meetings and business. Implementation of the Pilot has lit a beacon of hope for our Elders who envision possibilities of real reform through CTCF:

“I have been coming to meetings for forty years and this is the best thing I have heard. This can really work. Nothing else has.”

(CTCF Elder)

5.2.2 Creation of a Place of Safety and Healing

Establishment of the CTCF Elders panel opened up a confidential space for deep reflection and healing. Throughout the course of the Pilot, it became apparent that the panel created a safe yarning space where experiences of child removal could be shared in safety. Through the process of mapping kinship for youth in OOHC, Elders began yarning about their own experience of child removal with some stories being told aloud for the first time. In this way the panel functioned as a powerful space where our Elders could share and heal with each other.

5.3 The Department

This section details the views of the DCP group. On conclusion of the pilot, a series of written questions were put to the group. Nine of the ten members of the group provided highly detailed answers. One group member provided no feedback. A range of observations were articulated, mostly in relation to opportunities the Pilot offered for the Department to understand First Nations families in a different way. In particular the group pointed to the more inclusive and family-focussed way of working that CTCF offers. While the majority of the DCP group stated that CTCF had a positive impact on their professional practice, one caseworker did not report any change in thinking, perceptions, or work practice. However, the same caseworker stated that CTCF is a ‘vital program’ for young people, families, and carers. Written responses to questions put to the DCP group are summarised below.

5.3.1 Impact on the Child/Children

Q. What impact do you believe CTCF has had on the child/children involved in the Pilot?

DCP senior management identified that CTCF ‘offered an alternative way of connecting with the family and the children, especially when the children were living with the family and not trusting of the caseworker.’ One team leader stated that ‘families involved have been positive about a mentor/champion.’ One caseworker stated, ‘It helped me to put CULTURE at the front of practice and to... be inclusive rather than excluding.’ The same caseworker said children benefited by the caseworker being able to ‘hold the risk and go with family fluidity.’ A second caseworker said they had observed an ‘improved sense of belonging and identity... [the children] feel safer and more supported.’ A third caseworker said CTCF ‘provided [the child] with a message that culture is there for him and how to connect with his culture if he needs to - to feel connected and to belong.’ A fourth caseworker said, ‘feedback I received from the young people was all positive.’ The CTCF family day on Country received several mentions from staff members including that the day was ‘exceptional input’ for the children and that children ‘were wanting more.’ One caseworker said that it was ‘vital that further experiences were put in place’.

5.3.2 Relationships Between DCP and the Child/Children

Q. What impact do you believe CTCF has had on the relationship between yourself and the child/children?

When asked about the impact of CTCF on relationships between DCP staff and the children in the Pilot, one caseworker said it helped her 'bring myself [and] my character more to the relationship [with the child].' A second caseworker said they now have a 'better relationship with the children such as positive rapport and trust...all children seem to have settled well and are able to engage with me in order to address their needs,' Senior leadership noted that 'caseworkers may not have seen or valued the importance of the child's family and with this project, they might view this differently now.' One caseworker said they were unsure how the relationship with the child may have changed and another caseworker said that the 'relationship did not change.'

5.3.3 Relationships Between DCP and Families

Q. What impact do you believe CTCF has had on the relationship between yourself and the families?

One caseworker said 'the family is more open to me, more engaging with me towards supporting the family and children' while another caseworker said CTCF 'helped create trust – family can see the Dept is trying to improve their practice to be more culturally safe and to not repeat or trigger intergenerational trauma – while there is still a high level of distrust – this is a step in the right direction.' A third caseworker stated CTCF 'gave me a better understanding of the roles of family, elders and champions within a young person's life.' One group member said 'there was already a reasonable relationship but I do feel that this may have been strengthened.' One caseworker stated her relationship with the families 'did not alter.'

5.3.4 Relationships Between DCP and Carers

Q. What impact do you believe CTCF has had on the relationship between yourself and carers?

This question did not relate to all members in the DCP group as a number of young people in the Pilot live with family. For the remainder of the group, responses were as follows: 'I had no children with non-relative carers, but the program helped me to challenge carers who were non-Aboriginal to meet the needs of the Aboriginal child to ensure their culture and connections were put first'; 'The carers involved in the Pilot I believe were positive with CTCF. I don't believe there has been any important change in the relationship'. One caseworker said they were 'unsure', and another caseworker stated, 'the program had no impact on my relationship with carers.'

5.3.5 Impact on DCP Professional Practice

Q. What impact do you believe CTCF has had on your professional practice?

Responses to this question were highly detailed and overwhelmingly positive. The senior manager stated 'my practice changed significantly by being more confident in giving permission for [staff] to work in a different way... focus on relationships with family, find the family, bring them to the table, listen, and include them in decision making.' One team leader said, 'I am looking at more varied ways to work with Indigenous families and understand the complexities and challenges and how history has impacted on individuals and how this makes successful engagement and relationship building more difficult.' This team leader went on to say:

'gaining knowledge about going to Elders first if possible and allowing time for those Elders to make decisions (agreeing or not) prior to DCCPFS moving in a particular direction. I would like for this project to continue in relation to work with children and parents as well as having an element whereby we [DCP staff], can join or attend the camp/activities. I believe one of the most important aspects to building relationships is for families to see and believe that I (as a DCP worker and human), value and acknowledge their practices, wisdom and relationships.'

One caseworker answered that CTCF taught the 'importance of working in the cultural space and what that really means to outcomes of families.' A second caseworker said they learned to 'focus on the bigger picture, and place culture and connection to family at the centre of working with the children.' The same caseworker continued that they work towards 'looking out for and working with key family members who are able to play positive role models in the life of the young ones [and] being open with, and open to, engaging with the larger Aboriginal community such as Elders in a safe and appropriate way to pursue the wellbeing of the children.' Another caseworker said that CTCF 'helped me understand the Aboriginal culture better and consequently understand better how to communicate with family to show respect; I would like ongoing CTCF involvement with more of my cases.' A fourth caseworker expressed they had 'become more mindful of roles that different people play in the life of the young person in care [and used the] idea about family, elders and champions to identify different family members who play these roles in the life of young people in care.'

A team leader expressed 'I found it challenging to have Elders involved in the past but will persevere in the future and try to identify the right elders that should be involved – this is not always easy. Not sure if this will change in the future.' One caseworker stated that they believed CTCF had 'undermined' her casework and that this 'did impede [her] role at times' in relation to making decisions with the [young person] and (families/carers) without 'running it past' the caseworker first. The same caseworker also mentioned she 'did enjoy working with the champion and learnt a lot from her.' A different caseworker said 'CTCF has continually ensured that my practice becomes culturally focussed. Unfortunately, this gets lost at times when crisis and operational requirements become high. I have enjoyed having CTCF hold me and DCCPFS accountable for our cultural practice / thinking / decision making.'

6 FINDINGS OF THE CTCF PILOT

There are a number of key observations that AONL tracked throughout the Pilot which inform the findings of this report. Themes that emerged were distinct to each of the participant groups within the Pilot and as with previous sections of this report, have been categorised under separate participant groups to better reflect which findings emanate from each group.

6.1 YOUTH & FAMILIES

6.1.1 Stronger Connection to Family Means Stronger Connection to Culture

Children with strong connections to their families have access to the wide range of Cultural knowledge the family has to offer. Children in six of the seven families in the Pilot have benefited from living with or being close to their grandparent's generation who are the knowledge holders in our communities. When First Nations children are immersed within our families, interaction with cousins, aunts, uncles, Nans, and Pops is the norm, exponentially expanding the Cultural knowledge base for the child. Constant interaction with family and regular connection with our Elders increases the sharing of stories, kinship connection and Cultural knowledge that is crucial to forming our identity. Family One have had the benefit of connection to family members on the maternal and paternal sides of the family including regular access to an Elder. Consequently, the children in this family have the strongest connection to Culture. Other children in the Pilot have varying levels of access to family with some children benefiting strongly from one side of the family but not the other, and others having limited access to multiple family members. Family Seven experience an absence of Cultural connection that is of great concern. They are the sibling group who have experienced very limited face-to-face contact with each other and rarely have face-to-face contact with any other family member. As a result, their connection to Culture requires significant strengthening.

6.1.2 Being on Country Heals and Renews our People

Days on Country made a significant impact on the families attending. Our people do not often have the opportunity to be on Country either because they are preoccupied with the business of everyday life, or they do not have the transport and finances to come together to practice Culture as a family on Country. In 2020 two families came on Country with AONL. This was the first time that each family had the opportunity to be together on Country on an experience of this kind. Children who were reluctant to participate at the beginning of the day were encouraged by all to attend and by mid-morning they were immersed in activities with the rest of the group. The visible happiness of each family member was on display throughout. Culture permeated every aspect of the day with stories told by Elders, Cultural activities for all the family, and a landscape in which children can play and interact with each other in a loving family environment. Families later expressed a wish to be on Country together more regularly. Feedback from carers for Family Seven was that the children were very positive after the experience with the youngest siblings sharing the things they had learnt with their mother over the phone and with their carer in conversation.

The day also provided a space where Cultural relationships between families are celebrated and validated. The eldest sibling in one family group assumed his responsibility as leader and protector of his younger siblings. Ongoing separation of the siblings has meant this role has become confused for the youngest siblings and must be re-set when the four children come together again. The Cultural safety provided by being on Country allowed space for the oldest child to guide and watch over his other three siblings. One mother said that being on Country helped her to 'think things through' in relation to the challenges she faced. When the second day on Country was announced, the same mother said that 'she had been getting herself ready' and this made her 'feel good in myself.' Being on Country she said, means 'we are all learning together.'

“Connection to Country involves a person’s spirit, which comes from Country, becoming the central identity of that person, and as they grow, the protector and guardian of his or her Country. When a person passes, the spirit returns to its Dreaming place to become a child spirit again, awaiting another spiritual rebirth, thus connecting Country with people, their Dreaming place, language, kinship systems, and law and culture.” (Dwyer 2012 cited in Salmon 2019, 5)

6.1.3 CTCF Family Champions Provide Positive Cultural Support for Families

Family champions are essential to the full realisation of CTCF. Throughout the Pilot, CTCF continued to seek the right champion for each family. The recruitment of champions was something that DCP was particularly interested in achieving, having expressed the difficulty of finding Department mentors for First Nations children. One champion sourced by AONL through the CTCF Pilot is a respected member of the local community, works with children and is connected through kinship to the family. The differences the champion made were considerable; supporting the children to re-engage with education and providing Cultural support for the mother of the family. The work of this champion was tireless and committed and many hours were devoted to supporting the family. This made a significant difference for the family and helped DCP to consider alternative options to child removal.

CTCF champions will be employed directly by AONL in future iterations of CTCF to ensure that champions operate in a Culturally safe space and are led by First Nations imperatives. This does not preclude CTCF collaborating with DCP mentors, rather it ensures that the principle of self-determination remains firmly in place.

6.1.4 Greater support is needed for our young people who find their way home

The Pilot found that young people from all seven families gravitated towards their families and sibling groups even after being separated for many years. This innate pull towards our families is a strength in our people. As our young people grow, they frequently choose to return home to family members with or without approval of the Department. This indicates that family is viewed as a place of permanence in the young person’s life.

Challenges arise if the family carer is not formally approved by the Department. Without formal Departmental approval of the placement, financial support available to carers is withheld, even if the child continues to live in the home on a permanent basis. In one case in the Pilot, the full suite of financial support available to carers was not provided to the family carer as they were unable to obtain a Working with Children (WWC) check. Current legislation demands that all foster carers receive a WWC. This hampered the Departments ability to provide full financial support despite the caseworker and team leader recognising that this home was the best home for the child and previous youth justice issues associated with the carer were long past.

Section 9(b) of the Act states that the *‘preferred way of safeguarding and promoting a child’s wellbeing is to support the child’s parents, family and community in the care of the child’*. CTCF facilitates this aim through the provision of holistic support for family groups wherever the child in OOHC resides. CTCF acts as a conduit between family and the Department, working with both to achieve the common aim to keep children safe at home. Through offering Cultural support that focusses on the needs of the child and family, the healthy stable placement is validated.

6.1.5 When Trust is Formed, Families Reach Out for Help

First Nation’s intergenerational experience of government and non-government organisation (NGO) chronic intervention in our lives means that trust by the community is hard-earned for those entities. The power of the Department to remove (and re-place) our children creates a power imbalance between caseworker and

family that is very difficult to overcome, particularly when a caseworker does not understand our families, our history, or our Culture.

One family came under criticism by the Department for not engaging with their caseworker or the NGO referred to them by the Department. At each point of conversation regarding this non-engagement, the caseworker laid responsibility upon the family rather than reflecting on other issues in play, including the lack of ability within the Department and the NGO to communicate effectively with the family. As a result of this practice, non-engagement was viewed as a factor contributing to potential child removal. When a First Nations family champion was introduced through CTCF the situation began to change. CTCF operates in the space between families and DCP to facilitate a clearer vision for DCP in relation to what is occurring in our families, and to empower our families to have a voice and help address the imbalance of power between families and caseworkers.

Relationships of trust take time to establish and grow; while the Department has the power to compel some families to commit to engagement through threat of removal of children, other agencies must be able to demonstrate that they have something meaningful to provide the family. Many services are funded to provide support to our people but if our people do not trust them, very little if any engagement will take place. CTCF was able to establish relationships that meant the majority of families felt comfortable to reach out to AONL for support in their times of need. Of the seven families, apart from the many engagements (home visits, phone, and email) between AONL and each family, four family groups contacted AONL at various points throughout the Pilot requesting holistic support for issues they faced. All requests were met.

6.1.6 The Cultural Lens of First Nations People Validates our Young Leaders

There are many young leaders in our community who demonstrate enormous potential, dignity, talent, and wisdom. It is our role to nurture these qualities so that our youth can continue to grow along their journey with Cultural pride. The CTCF Pilot demonstrated the differing lens in operation when First Nations people are observing our own community. One youth was identified by AONL early in the Pilot as an emerging leader through the confidence she projected, her interest and commitment to her Culture, her self-assurance in assuming her role as leader of the sibling group, as well as her maturity in supporting her mother. This young person continues to make mature choices for herself and her family. Her role as a family leader has been validated by her mother, aunty, and grandmother, and is further demonstrated by the respect paid to her by her younger siblings. In contrast, at the beginning of the Pilot the youth was portrayed by the caseworker as a person on a downward trajectory of addiction and disengagement who was unlikely to reach her aspirations. No positive qualities were mentioned at all.

The role older siblings play within our Culture is frequently misread by non-Indigenous people. Our Culture strongly encourages group responsibility; it is the role of older children to take care of and look after their younger siblings. This is instilled in our children at a very young age. The non-Indigenous lens frequently viewing parental authority as absolute and non-divisible, wrongly perceives our Cultural practices as parental neglect. The assumption of sibling leadership by one child was perceived negatively by a carer who viewed this behaviour as an unwarranted and unnecessary imposition on the younger children. In contrast, AONL's observation of the children when together was that this leadership role was performed well by the oldest sibling despite his young age, with his quiet authority facilitating a space for safe family reconnection. A First Nations lens is essential to understanding the strengths of our children.

6.1.7 Yarning is Our Preferred Way of Communication and a Pathway to Healing

Yarning enables children and families to speak and be listened to by creating a place of safety that operates away from the pressure of organisational expectations and time constraints. CTCF privileges yarning time over scheduled time, *creating* time for people. Trust established through CTCF relationships can open up yarning spaces where young people and family can discuss their lived experience in safety. Through these safe spaces, trauma can be spoken aloud, sometimes for the first time. For some Elders and youth in the

Pilot, immense grief and suffering was brought out into the open. Stories emerged of removal from family, experiences of trauma and fear in a long-term placement, and acknowledgement of collective pain and sadness. In these spaces healing and growth may be contemplated for the first time. Yarning can help release our pain and re-energise us to face challenges with renewed strength and hope. CTCF provides a profound opportunity to create these pathways of healing for our people.

6.2 CARERS

6.2.1 Non-Family Carers Cannot Connect Children to Culture Without Being Led by Family and Community

“We were blessed with our children to raise and cherish, love and nurture. Our torch burns bright with Cultural pride. We light the way for our children to walk in our footprints as our Elders have before us.”

(Family Member)

Children in the Pilot who are least aligned to Culture are those living with non-family carers. Non-Indigenous foster carers are legally the last resort of placement according to the Aboriginal and Torres Strait Islander Child Placement Principle but are frequently the place where our children end up, often for many years at a time. According to recent state government data, over 20% of First Nations children in WA live with a non-Indigenous carer (Department of Communities 2020, 22).

The *Foster Care Handbook*, developed in consultation with the Department states:

“Non-Aboriginal carers and staff who are caring for an Aboriginal child have a responsibility to make sure that the child does not lose connection with his/her family, community, culture and country... If a non-Aboriginal carer has an Aboriginal child placed in his/her care, the Department will provide support, information and resources to help meet the needs of the child, including his/ her cultural needs. The carer will also have a direct link with an APL [Aboriginal Practice Leader] and will be included in the development of a cultural plan for the child.” (FCA 2019, 20)

All non-family carers must be led by First Nations families and communities to ensure our children do not lose connection with family, community, Culture and Country. Children from one family in the Pilot have been living with their non-Indigenous carers for more than six years. The carer stated that no support or training was provided by any staff member in the Department regarding how to connect the children to Culture throughout that time. The carer is not connected to the First Nations community, has limited knowledge of Culture, and does not fully understand what is required despite making efforts to undertake the task. Lack of effective support by the Department has meant the carer has been operating in isolation with limited feedback so that *any* action the carer chooses in relation to Cultural connection appears to be viewed by the Department as providing *sufficient* effort to connect that child to their Culture. This confusion about Culture means that as the children grow, they do not really understand who they are and where they belong. The observation of AONL is that children in OOHC in this situation often find themselves as teenagers with a dislocated identity in comparison to their First Nations peers embedded in family and community.

An Elder from another family in the Pilot struggled for years to reunite with their child against the wishes of the child’s non-family carers who continuously raised objections to family reunification. The objections from the carers meant that no continuous Cultural connection was in place and reunification took much longer than it may otherwise have been. This situation changed when the child was reunited with their family and immediately connected to a strong continuous Cultural tradition in which his place is clear and secure.

Authentic connection to Culture must be led by family and community, not carers or the Department. CTCF is based on this principle and is able to bring this connection into being and include all parties in the process so that we work together under the right leadership and in accordance with Cultural protocols. The voice of parents, Elders, family, and kin must always be privileged by the Department and foster carers if Cultural connection is to be achieved. Neither the Department nor non-family carers can achieve authentic and sustained Cultural connection without family and kin leading the process.

6.3 THE DEPARTMENT

6.3.1 Ways of Speaking About Family can Disempower the Actual Family of the Child

Family is a term that means belonging to and belonging of. Family relates to a common ancestor. When someone speaks of 'my family' or 'our family' it invokes privileges that are implicit in being a family member. From the beginning of the Pilot, it was noticeable that non-Indigenous DCP staff freely spoke of the children in OOHC as 'our families' and 'my children.' This way of speaking was repeated regularly throughout the Pilot through three tiers of DCP management. It was also utilised by a carer to support the privileging of the carers constructed family unit over the Cultural needs of the children. Regardless of the intent of the speaker, this colonisation of the family space points to fundamental misunderstandings that Departmental staff and carers have of their roles. The insertion of themselves into the space of family reflects the diminished power of the *actual family* of the child. While written Departmental policy and practise frameworks articulate family as primary, this way of speaking reinforces the historical experience of First Nations people where family is displaced by the institution. A heightened awareness in the way that family is articulated by caseworkers and non-family carers, may help refocus a deeper attention on the child's connection to their First Nations birth family.

6.3.2 CTCF Offers a Means for DCP to Support Genuine and Authentic Cultural Connection

The majority of members of the DCP group have limited understandings of First Nations Culture. This was corroborated by the ten members of the DCP group who on entry to CTCF were asked to self-rate themselves regarding their understanding of Ngoongar Culture. The average score of the group was four out of ten. DCP caseworkers are required to implement a tailored Cultural Support Plan (CSP) in the individual care plans of First Nations youth in OOHC in recognition of their Cultural needs. Prompt-lists are provided to the caseworker by the Department to help them navigate what connection may mean. The 'identity and cultural plan' subsection of the CSP should detail steps taken by the caseworker to support the child in this area, and the plan to progress connection for each child. CSP's are required to involve an Aboriginal Practice Leader (APL) in their creation and annual review however this did not occur for a number of youths in the Pilot.

Documented CSP's for the youth in the Pilot often appeared to be a cut and paste exercise where intent to support the child's connection was frequently mentioned without concrete detail on how this could be achieved. Practical support articulated in the CSP's was mostly reliant on obtaining genograms from the Department, establishing potential links to Native Title, and repeated expressions of intention to consult with family. Tracking of Cultural connection, progress of engagement, and detailed and tailored explorations of what successful connection looks like for each child did not feature in these plans. Regardless of the aims of individual staff members, the CSP's appear as an 'add-on' to the general care plan rather than pivotal to the spiritual, social, and emotional wellbeing of the child.

Department staff in the Pilot consistently listed connection to Culture and family as 'extremely important' and the overwhelming majority of the group consistently expressed enthusiasm for increasing their skills to offer better support in this area. Collaboration within CTCF was seen as a means in improving their learning. The Framework offers the opportunity to harness the interest and enthusiasm of caseworkers wanting to make a difference and guide them in how this can be authentically done. Through collaboration in CTCF

caseworkers can be better informed regarding the individual Cultural situation of each child, encouraged to avoid generic understandings that support tokenistic identification, and instead buy into real change through active participation in a framework created, informed, and led by First Nations People.

6.3.3 CTCF Helps DCP Improve Communication with Families

Frustrations that caseworkers experience when trying to engage with families were discussed in DCP Reference Group meetings. At the beginning of the Pilot, it was said in meetings that caseworkers ‘can’t get in the door’ and found ‘no common ways to communicate.’ After participation in CTCF, one caseworker noticed a ‘subtle difference’ with the families she worked with, stating the family seemed ‘more open.’ Lack of communication between another caseworker and family contributed to an assessment by the Department that removal of children should be considered. Once CTCF was in operation, a champion was identified for the family who became a communication conduit between the family and the Department. This helped the Department reframe decision making for this family and led to a change in the position of the caseworker regarding potential child removal. A third caseworker fed back that since the inception of CTCF the family ‘engage better with me [and] are able to call and make requests knowing that I am more of a partner than a caseworker.’

CTCF is able to identify language used by caseworkers that contributes to a deficit view of our people that negatively impacts on communication with and about First Nations families. Through insistence on strengths-based language at all times, CTCF helps caseworkers reframe their view of families. The necessity for documentation within CTCF software helps guide and shape language through example and via discussions with caseworkers and Department managers. Through leading in this space, CTCF actualises a way of working that reflects our Cultural lens and encourages consistent respectful language when speaking with and about First Nations people.

6.3.4 CTCF Can Find Family Connections More Effectively Than the Department

A number of Department staff recognised the potential of CTCF to connect the child to family in ways that are unavailable to the Department. The Care Team Approach Practice Framework states ‘A child’s care team should be mostly people who are part of their family and community working together to meet the child’s needs’ (DCPFS 2016, 7) recognising that family and community are key in providing the right support for a child. From the moment a child comes into care it is vital to incorporate family into care planning to minimise the prospect of a child undergoing a permanent protection order through the Children’s Court. If the Department is unable to find or engage productively with family and kinship relatives, this increases the likelihood of the child being permanently removed from family. The Department utilises the United States ‘Family Finding’ model to offer a means of connecting children in OOHC with family. In feedback from the DCP Reference Group it was stated that CTCF ‘provides more scope to find family members who are connected [to the child].’ One team leader believed that this was because CTCF has ‘a better understanding of the linkages’ between First Nations families. A caseworker identified that while the Department may be able to find some members of the family, they may not have the resources or experience to establish a trusting relationship with the family or to decide which person is right for the child. The DCP Reference Group discussed the lack of trust between the Department and First Nations communities that meant when caseworkers reach out to extended families, the families are often fearful their own family may be placed under Departmental scrutiny with potential consequences being removal of their own children.

CTCF was seen as a way of independently establishing relationships based on trust that could help walk through the steps toward reconnection of children with their families in ways that are Culturally safe and productive for everyone.

6.3.5 CTCF Supports Caseworkers to Encompass a Cultural Understanding of Risk That is Child-Centred Rather than Institutionally Focussed

The issue of risk was discussed in DCP Reference Group meetings in January and again in June 2021. The topic was raised in reference to the opportunity for CTCF to facilitate greater family connections for children in OOHC. Some DCP staff expressed concern at the potential for increased risk to children through significantly expanding family connections. Risk in this setting was contextualised by the exposure of the caseworker to legal liability rather than a holistic view of risk that focusses on the best interests of the child.

When assessing risk to the child in conjunction with the risk of legal liability, Department staff must have a heightened awareness of the harm inflicted on First Nations children by prolonged separation from family and Culture. When our children are removed from family, they are exposed to significant and ongoing harm through loss of identity and a sense of belonging, which are strengths that help keep us safe throughout our childhood, teenage, and adult lives. The risk to our children needs to be elevated above individual liability.

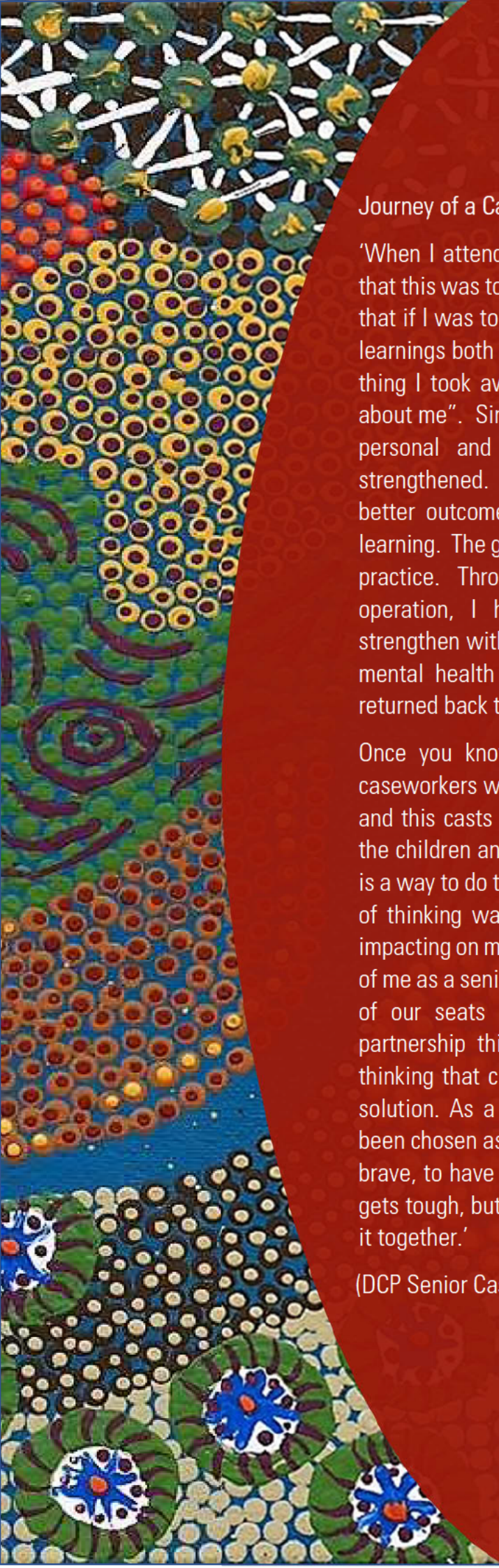
In the January meeting, one team leader raised that removal of children was considered for one family in the Pilot. The team leader discussed her reservations about CTCF being a 'different way of working' yet indicated that, *'CTCF gave me the hope to stand back and allow some of that risk [for the family] ... [I could] see enough movement and strength building occurring'*. The children were not removed from the family.

Work undertaken in the Pilot has meant that CTCF supported Department staff to increase their confidence in managing risk so that connection to Culture and extended family is elevated when considering the best interests of the child. CTCF provided a place of safety for some. As one caseworker described in CTCF Impact feedback; CTCF supports caseworkers to *'hold the risk'*. In the June Reference Group meeting it was noted by one caseworker that the Department would benefit from looking at safety more holistically.

When individual liability becomes an overriding concern for Department decisions, the wellbeing and best interests of First Nations children are diminished and opportunities that exist through family connection can be missed. CTCF offers the opportunity to support caseworkers to actively commit to seeking further family connection, even if the child is considered by the Department to be in a stable placement. In this way, CTCF helps caseworkers to avoid complacency in case management, and instead seek alternative ways of working with our families.

6.3.6 When a Caseworker Understands How to Work in a Cultural Way, Positive Opportunities Open up for Families

One caseworker from the DCP Group exhibited a solid understanding of how to work in a Cultural way. The same caseworker had previously collaborated with AONL during early testing of CTCF principles in the same Department district in 2018. An increased ability to work effectively with families was self-reported by the caseworker and validated by AONL and Department leadership. The core practice of the caseworker now relies upon families leading the way in decision making regarding their children. Work practice changes included aligning with a First Nations Department colleague to facilitate further expansion of understandings about Cultural ways of working. The caseworker made time in their professional role to yarn with multiple members of the family in the effort to build relationships of trust and to understand more fully the situation of both the family and the child. As a result of participation in CTCF, the caseworker expressed that their professional practice with First Nations children and families had been revolutionised.



Journey of a Caseworker through CTCF

'When I attended the first meeting with AONL little did I know that this was to be the start of my own journey. I was soon shown that if I was to be part of this, I had to be prepared to begin new learnings both personally and professionally. The most important thing I took away from that meeting, was that my role is "not about me". Since being involved with the work of CTCF I feel my personal and professional relationships have changed and strengthened. Most important of all there have been significantly better outcomes for the youth I work with as a result of my learning. The guidance provided by CTCF is now at the front of my practice. Through putting the principles of the Framework into operation, I have witnessed the koorlangka's relationships strengthen with their family, their Cultural identity growing, their mental health and wellbeing improving and even them being returned back to Country.

Once you know something you cannot un-know it: Often as caseworkers we may fail the children and families we work with, and this casts a long shadow. We need to step away and bring the children and their family into the light. The CTCF Framework is a way to do this. Stepping back, I can see that my previous way of thinking was institutionalised, and this had been negatively impacting on my ability to provide the meaningful support required of me as a senior caseworker. Until we are all prepared to get out of our seats and start getting amongst families in genuine partnership things won't change, primarily because the same thinking that created the problem cannot be used to create the solution. As a non-Aboriginal woman, I feel privileged to have been chosen as part of this CTCF Pilot. AONL has taught me to be brave, to have courage, to hang in there with the family when it gets tough, but most importantly, it is about 'We' We need to do it together.'

(DCP Senior Caseworker)

7 THE REASONS WHY WE NEED CHANGE

This section provides the latest data available for First Nations children in OOHC sourced primarily from The Family Matters Report and Data Snapshot 2020. Family Matters is a national campaign led by SNAICC – National Voice for Our Children. Since 2019 all states and territories have excluded children on third-party parental responsibility orders (permanent care) from OOHC data counts. The Family Matters Report (produced annually) has reinstated these children back into the data count on the basis that the current government methodology ‘seriously undermines the transparency and accountability [of national data], making these children who have been removed from their families effectively invisible in the system’ (SNAICC 2020a, 56). AONL references data from the Family Matters Report to ensure that children on permanent protection orders remain visible. Where WA government data has been referenced, this is also acknowledged in this section.

The following information of First Nations children in OOHC demonstrates an urgent need for change to realise the best interests and wellbeing of our children.

7.1 National Data on First Nations Children in OOHC

The below data has been reproduced from SNAICC (2020b).

FIRST NATIONS AUSTRALIA 2020 20,000 OUT OF HOME CARE

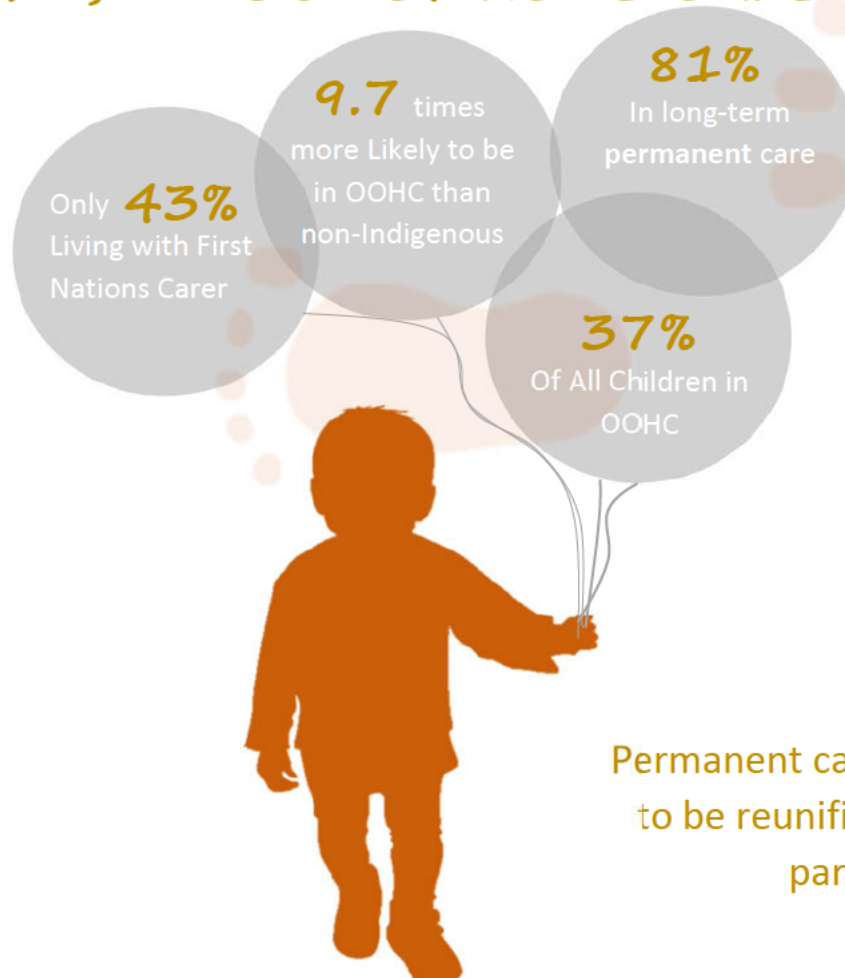


Figure 7 - National Data on First Nations Children in OOHC

7.2 Western Australian Data on First Nations Children in OOHC

The below data has been reproduced from SNAICC (2020b) and *Department of Communities (2020).

FIRST NATIONS–WESTERN AUSTRALIA 2020 3,082* OUT OF HOME CARE

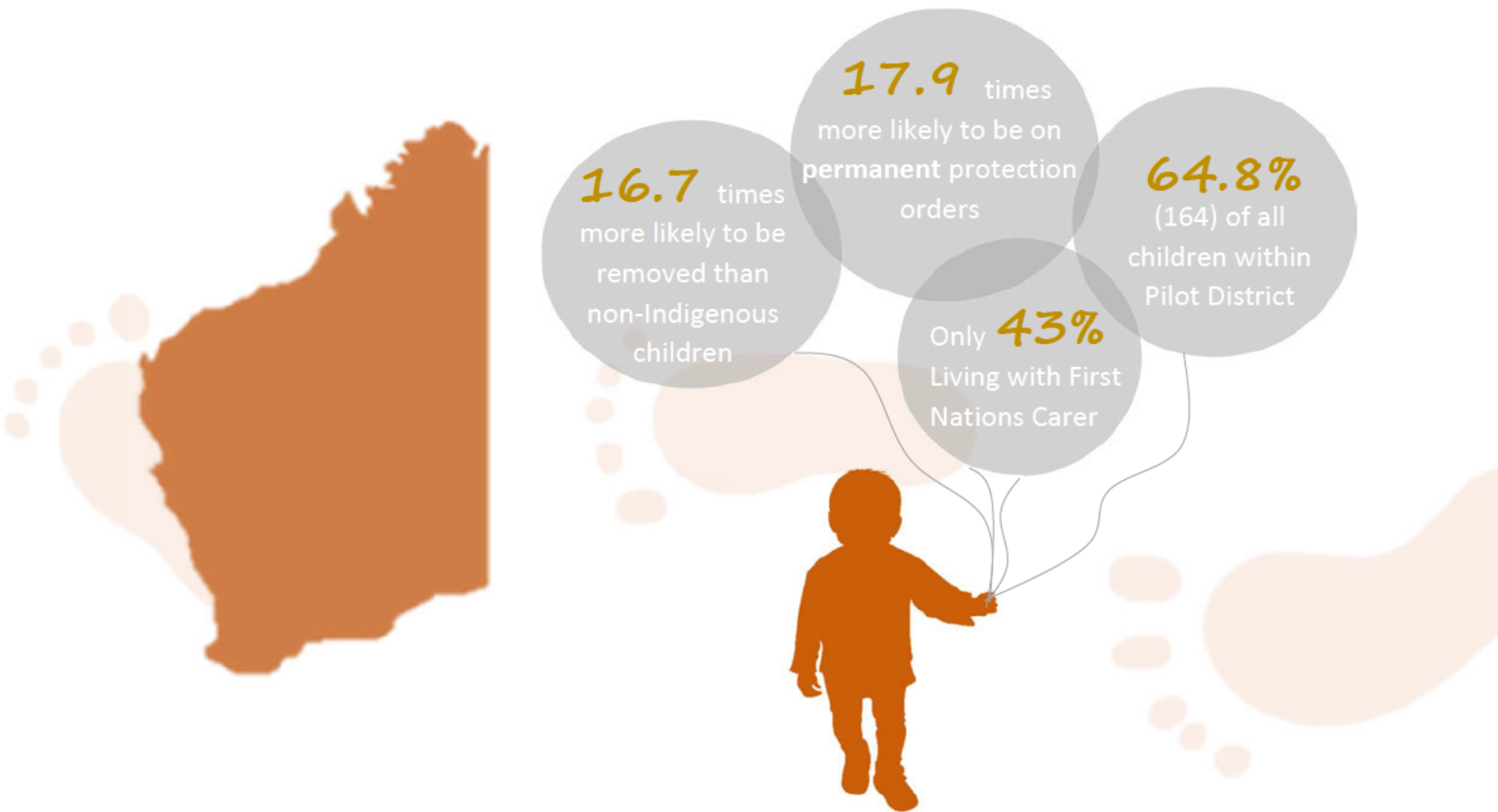


Figure 8 - Western Australia Data on First Nations Children in OOHC

'If there is no change to child removal practice, the number of children in OOHC is projected to double in ten years'

(SNAICC 2020b)

8 KEY CHALLENGES IN CHILD PROTECTION & CTCF SOLUTIONS

The same key challenges have remained in the Australian child protection system for decades. First Nations self-determination is the solid ground that fills the chasm between government policy and meaningful change for our people. CTCF is self-determination in action: the Framework establishes a foundation that will lead the way in securing long-term solutions to challenges that profoundly impact upon our people.

8.1.1 Statutory Obligations versus Cultural Authority in Cultural Support Plans

Cultural support plans (CSP's) have been integrated into child protection systems across Australia for a number of years. The WA government recently tabled the *Child and Community Services Amendment Bill 2021* (WA) that will make CSP's mandatory for First Nations children in OOHC. The challenge for DCP is that neither the Department nor the courts are equipped to create, develop, track, or assess a First Nations cultural plan, so while the aim is right the method is missing. The Australian Institute of Health and Welfare (AIHW) state that 77% of Aboriginal children have 'current, documented and approved cultural support plans' (AIHW 2020, para. 8), however in 2018 a national study of children in OOHC in which 394 First Nations children were asked about CSP's, 95% of respondents thought a CSP was relevant to them yet only 17.9% were aware of their own plan (McDowall 2018, 65). Another national study identified that connection to family, Culture and community was one of the key challenges for First Nations youth leaving OOHC. The study identified that despite the documented importance of CSP's in government policy, the plans were generally of poor quality, often lacking detail, relevance, and appropriate action planning, and frequently not implemented at all (P; Mendes et al. 2021).

'Knowing one's family and being a part of one's community are both vital aspects of the child/young person's cultural identity and both need support if the child or young person is going to be culturally cared for. Cultural care/support plans need to be living documents, rather than records which are updated from time to time, because cultural identity is formed out of ongoing experiences' (Libesman 2011, 12)

CTCF embeds a First Nations understanding of Cultural connection led by families and Elders. CTCF software tracks Cultural connection, ensuring transparency and accountability. Through working alongside a First Nations organisation, new horizons open for the caseworker where the status quo is no longer viewed as 'good enough' and where the best interests of the child can be realised through a Cultural lens.

8.1.2 Implementing the Aboriginal and Torres Strait Islander Placement Principle According to the Best Interests of the Child

The Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) is legislated across states and territories with the aim of reducing the disproportionate representation of our children in the child protection system. ATSICPP underscores the devastating traumatic impact that previous child removal practices have wrought on our families and communities. ATSICPP is 'about self-determination' (Kee and Tilbury 1999) and is informed by the understanding that our children are best supported by their family and have the right to grow up within their Culture and community.

ATSICPP operates on a hierarchy where the placement of First Nations children with their family is at the top, followed by placement with an Aboriginal community member of the child; placement with any Aboriginal person and lastly, placement with a person who is not Aboriginal. According to SNAICC (2020b), 57% of all our children in OOHC across the nation are living with non-Aboriginal carers suggesting a lack of capacity by governments to truly implement the ATSICPP.

In Australian child protection legislation, the 'best interests of the child are paramount' and the top priority determining the best interests of the child is 'the need to protect the child from harm' (the Act, S.7 & S.8). The position of CTCF is that removing the child from family and the family's community constitutes irrevocable *Cultural harm*.

'Cultural identity is not just an add-on to approaches that focus on the best interests of the child. We would all agree that the safety of the child is paramount. No child should live in fear. No child should starve. No child should live in situations of neglect. No child should be abused. But if a child's identity is denied or denigrated, they are not being looked after. Denying cultural identity is detrimental to their attachment needs, their emotional development, their education and their health. Every area of human development which defines the child's best interests has a cultural component. Your culture helps define HOW you attach, HOW you express emotion, HOW you learn and HOW you stay healthy.'
(Bamblett 2007, 49)

CTCF supports full implementation of ATSICPP according to the five core elements agreed on by all state and territory governments under the *National Framework for Protecting Australia's Children 2009-2020*. These are: **Prevention, Partnership, Placement, Participation, and Connection** (SNAICC 2017, 3).

CTCF realises the core elements of the ATSICPP as described below:

- 1. Prevention:** CTCF works in a Cultural way meaning that we are always working with families not just individuals. The Framework supports families to access and negotiate a range of support services that they identify as useful to them and includes all members of the family in Cultural activities that are facilitated through CTCF. The Framework works to build identity, strength, and Cultural support for families.
- 2. Partnership:** CTCF is a collaborative Framework bringing family, Elders, champions, carers, the Department and AONL together to work in a united way under the Baldja Model of support. The structure of CTCF facilitates an authentic partnership between First Nations people and government.
- 3. Placement:** CTCF provides an opportunity to connect with an increased number of family and kin. The focus on a First Nations definition of family, inclusion of Elders, and the sourcing of family champions shines a light on people in the family and kinship group who may be able to offer a home for the child.
- 4. Participation:** CTCF supports family members to be included in decision making at all points of the child's trajectory through OOHC. Champions ensure that each child and family have a voice when decisions are made, and work to empower the child and family to exercise their rights to ensure their voice is heard.
- 5. Connection:** Culture informs all that we do. Cultural connection is identified, nurtured and supported, with each child benefiting from the Cultural safety of the Framework, and the community empowered by the knowledge that Culture continues through our children.

The Framework is created and led by First Nations people, continually informed by First Nations people, guided by our Elders and is accountable to our communities. CTCF cannot work outside these Cultural parameters and the Department cannot work within them. CTCF fulfills the self-determination and community participation principles embedded in the *Act* while collaborating with the Department to achieve the aims of ATSICPP. Through collaboration, the change we all seek is within our reach.

8.1.3 Giving the Silenced Children a Voice – Empowering Children on Permanent Care Orders

Our children are at increased risk not only of removal, but of permanent removal until they are 18 years old (SNAICC 2020b). Our children are most often removed from our families as babies and toddlers; 61.7% of First Nations children entering the system in WA during the 2019-2020 financial year were aged 4 years and younger (Department of Communities 2020, 23). Our children stay in the system longer and are less likely to be reunified with our birth parents. Nationally, less than half of our children are living with Aboriginal and Torres Strait Islander Carers (SNAICC 2020a). The increasing removal of children represents a continuation of the Stolen Generations in another guise where connections to Culture, family and community are severed. Narrow definitions of attachment theory which underpin Department decision-making around placement stability for children in OOHC do not consider the truths of our people. For us, continuation of Cultural identity is essential to stability, and permanence is 'identified by a broader communal sense of belonging; a stable sense of identity, where [we] are from, and [our] place in relation to family, mob, community, land and culture' (SNAICC 2016, 7).

CTCF highlights the negative impact of current permanency planning on First Nations children. One family involved in the Pilot provides an example to consider. The four young children have been separated into two groups for six years with no current plans for reunification with each other or with other family members. In the meantime, the siblings grow further apart from each other, from family, and from their Culture. There appears to be limited insight or urgency by the Department into the overwhelming need these children have for greatly increased family and Cultural connection. CTCF remains determined that connections can be made, support can be provided, and children and family can come together in a way that puts the Cultural needs of the children at the forefront. Ongoing participation in CTCF would see recruitment of a family champion for the sibling group that could act as a voice for the children; ongoing relationship building with Elders in the family to collaborate on a plan of reunification with the family, and Cultural wellbeing support offered to both parents through AONL pathways.

The purpose of CTCF is to permanently bring our children home where they can experience continuous connection. All work of CTCF is focussed upon this aim. The Framework gives a voice to those children who have been removed from families into a situation of Cultural dislocation; it will seek out and engage with family to facilitate reunification with the child, recruit family champions to connect with and walk alongside the child and provide holistic support for families seeking to regain legal parental authority over their children.

8.1.4 Young People Leaving Care Require More Support to Thrive – CTCF offers ways to Help

The story of CTCF began in conversations around how to support our children to be resilient and connected to Culture to avoid a trajectory of homelessness and damaged wellbeing; this is common experience of our children who pass through the child protection system and transition into adulthood. National data collection on the number of young people leaving care each year is contested as 'state and territory governments do not necessarily know the number of Indigenous children leaving care, where they go, or what happens to them;' with First Nations youth frequently choosing to leave care at a young age experiencing a 'rushed, unplanned and unsupported transition' to independence (P Mendes, Walsh, and Turnbull 2020, para. 8 & 12.). We know First Nations young people who have lived in OOHC experience challenges after leaving care including disengagement from education, risk of homelessness, unemployment, unplanned pregnancy, and trajectories through to the youth and criminal justice systems (P; Mendes et al. 2021). Several months into the Pilot it became clear that support for young people leaving care is an area of need that CTCF must address.

Eleven of the twenty-two youth in the CTCF Pilot are aged between 15 and 25 years of an age where they are entitled to leaving care support from the Department. Under s.89 of the Act, planning must begin once a

child reaches the age of 15. Article 11 in The *Charter of Rights for Children and Young People in Care* states that all children 'have the right to proper planning before leaving care' yet the CTCF Pilot identified significant gaps in the knowledge of youth regarding their rights and entitlements and a lack of effective planning to ensure that all young people receive the maximum support they require to achieve a stable transition into independent adulthood. CTCF discovered that most of the focus around leaving care was on the provision of identification, public housing referral and financial support for driving lessons.

Over reliance on the DCP leaving care document to articulate all that a young person requires to support them in the transition into adulthood can seriously disadvantage youth in OOHC if they are unsure of their path forward, or do not fully understand the breadth of what they may be entitled to. This is compounded if planning takes place without the child's full participation and without support from family. If seeking help after the age of 18, a young person must access support from the Department by either approaching a district office in person to request their entitlements or self-referring to one of the leaving care services funded by the state government. The waiting list to obtain leaving care support from these services was two years in Perth and one year in the south-west of WA when enquiring in early 2021. If a young person is placed onto the waiting list and subsequently loses contact with the service during the waiting period, they are removed from the waiting list altogether. In WA there are currently no First Nations organisations funded to provide leaving care services.

Work in the Pilot confirmed research findings that point to the struggles that youth have when leaving OOHC. A number of youths in the Pilot did not fully understand their entitlements and were either unaware of their plan or unaware of what was in it and what this meant for their future. In addition, the life experience of some young people in the Pilot support research that found that:

'Indigenous care-leavers may be leaving care with diagnoses or undiagnosed mental and physical health concerns. They may be experiencing difficulties with family relationships, and yet also be caring for siblings or extended family. They frequently have not been adequately taught independent living skills while in cares, so struggle to care for themselves and others.'

'In some cases, they're having children early, and then experiencing increased government surveillance due to their own history, meaning they have a higher risk of their own children being removed.' (P Mendes, Walsh, and Turnbull 2020)

The collaborative practice of the Framework offers First Nations youth the opportunity to be supported by a range of people including DCP, to ensure that leaving care plans reflect their changing needs and full entitlements. CTCF can empower young people to have a stronger voice in the participation and documentation of leaving care plans and mapping out individualised pathways to stability.

Maintaining continuity of Cultural connection can be very challenging for young people who are struggling with the challenges of transitioning from OOHC to independence. The Cultural experience embedded in the Framework and the ethos of working with the whole family, provides the opportunity for family members to fully understand what support is available to their children leaving OOHC. In this way multiple people can support the young person through the process. Working together for a common aim, all participants in CTCF can ensure that each young person leaving care fully understands and has contributed to a detailed plan relevant to their unique journey. In this way the young person can take ownership of the plan and use it to maximum benefit in the years following departure from OOHC.

All First Nations youth travelling along their Cultural Journey through CTCF will be encouraged to access all support available to them so that they can forge ahead and realise in full everything they can become.

9 CREATING A NEW STORY

A child does not exist in isolation and cannot be Culturally safe unless their family, kin, and community are Culturally safe. CTCF validates both collective and individual worth, recognising and understanding family relationships and celebrating their unique place in Culture where we shine through and stand strong for each other. Created by our people, for our people, CTCF shows what we need to do, and how to do it. CTCF is able to reflect a truth that resonates and is trusted by our people, elevating Culture as the ultimate and only guide back to home, family, and Country.

The Framework offers a different way of seeing; new pathways become visible, opening up ways to keep or return our children home where they are *Culturally* safe and nurtured within our community. New pathways also open up for those working in the child protection system, offering opportunities for worldviews to shift and new practice to emerge where the support in place for our people becomes welcoming, focussed, and effective.

Our children are our future Elders. They are our pride and our beautiful offering to the world. When our children enter the journey into Culture they are loved, guided, and encouraged. Our children are the continuation of our story since the creation times of the Nyitting, carrying the light and wisdom of our Culture onward to give back again to the new generation. This is the way it has been for us, and this is the way it will be again.



*We are walking this Journey with our People
Come With Us*

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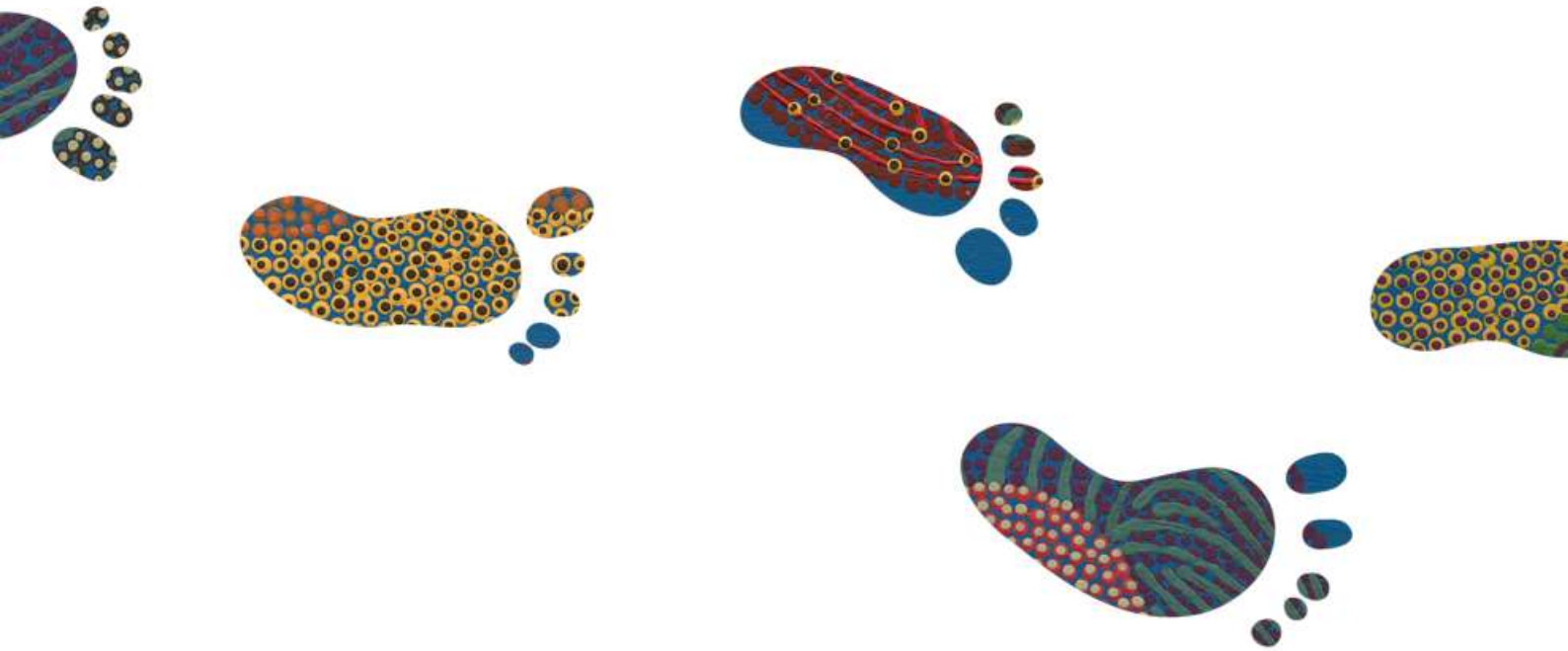
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THE JON & CARO STEWART
FAMILY FOUNDATION

The Jon & Caro Stewart Family Foundation was established in 2014 with a view to identifying opportunities, particularly in WA to support a range of qualifying charitable endeavours. Our board is principally family, and we seek broad board consensus in decision-making regarding our commitments. We look at each giving opportunity as an investment, albeit without expectation of a financial return, and we consider the merits of the particular scenario against many typical business considerations. We are particularly interested in venture philanthropy. Management, track record in execution of plans, sustainability of the venture and potential impact are some of the criteria we consider. In many of the positions we have taken a common thread in support of those attempting to improve the lives of children and youth. We typically offer multi-year support subject to performance against agreed objectives.

Our Foundation had been looking for a scenario involving local First Nation issues that was consistent with our objectives as outlined above. We heard indirectly of the work of As One Nyitting Ltd and a chance meeting in late 2018 was the beginning of our journey together. People are the key factor in successful ventures. AONL is committed, focused, caring, determined, ambitious, open, honest, efficient, and family supportive because its Founders Rob and Zoe Davis are all of these things. We were attracted to the AONL vision of local First Nations people addressing the issues which contribute to their youth being at risk. We believe First Nation people need and want to take control of their destiny with a strong connection to their history and should do so with the support and understanding of the broader community. Better outcomes for First Nations youth will generate optimism and improved long-term outcomes for their communities and for Western Australia.





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