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Who? Am I

Making Records Meaningful

Research to support archiving and record-keeping
in Victorian Out of Home Care

Cultural Competence: issues in developing Cultural Support Plans

Report of workshop 3

28 August, 2009
Aboriginal Advancement League, Thornbury

Introduction

*Without our culture, we have no identity.
(Lance James, Link Up)*

This paper summarises the proceedings of the third *Who am I?* current practice workshop held in 2009, entitled *Who Am I in my Cultural Tradition and Community Context?*

The first *Who am I?* current practice workshop concluded that current records for children and young people 'in care' are fragmented, have an incoherent narrative of the child's life and identity, and often fail to adequately represent the voice and experience of the child or young person.

The second workshop examined two types of 'personal record' within the 'care file' – *Looking After Children* and life story work. Participants at this workshop reaffirmed their commitment to child-centred practice and record keeping. Findings included that child-inclusive, collaborative recording practices in the Victorian out of home care sector are variable in incidence and quality.

The aim of this current practice workshop - *Who am I in my cultural tradition?* - was to build on these findings with respect to Cultural Support Plans, by exploring how workers might help children and young people of Aboriginal or Torres Strait Islander background connect with their cultural identity and background.

Workshop aims and method

Core Research Questions for the current practice strand of the Who am I? Project:

A. What principles should underpin record-keeping and archival programs for children and young people currently in out of home care to support their on-going construction of identity?

B. What are the factors which enable or create barriers to effective practice in record keeping and archival programs for front line workers, managers and organisations providing out of home care?

Following on from these overarching research questions, the questions specifically to be addressed by workshop 3 were:

- How can we ensure that children and young people remain connected to, or are given the opportunity to become connected to, their cultural identity and background?
- How can we use Cultural Support Plans as a practice tool for this purpose?

Rather than preparing a discussion paper for circulation prior to the workshop, partner organisations who provide out of home care for Aboriginal children and young people were invited to complete a worksheet about the cultural practice regarding an Aboriginal child or young person who had been in care during the last year. Worksheets for five case examples were returned, and the information in these was used as a basis of discussion at the workshop.

The workshop took the form of a series of presentations to which participants made written and verbal responses individually, in action learning groups and in plenary discussions. Presentations included:

- Muriel Bamblett – CEO, Victorian Aboriginal Child Care Agency
Who Am I in my cultural tradition?: Some opening reflections
- Cathy Humphreys
Aboriginal children in care – the current situation
- Simon Flagg – Public Records Office Victoria
Record making and accessing practices which enhance or limit children and young people's sense of social and cultural identity and participation
- Lance James – Link Up
How Aboriginal people see themselves reflected in their files
- VACCA – Julie Toohey
My Culture is Me: Recording and Strengthening Cultural Identity
- *Cathy Humphreys*
Learnings about Cultural Practice and how we can apply them

During the workshop, participants were asked to make notes from group discussions as well as individual thoughts and responses. These notes were collected after the workshop, and along with the case example preparation sheets, transcribed and analysed for themes and directions. The results of that analysis are presented below.

Findings: Themes from workshop sessions

Aboriginal Children in care – the current situation

It is important to remind ourselves of the reasons for focussing on the situation of Aboriginal children in care - their circumstances represent the crisis in the out of home care system and demonstrate the limitations of the forensic approach to child protection.

Thirteen per cent of the 5056 children in care in Victoria are Aboriginal. They are placed in care at the rate of 50 for every 1000 Aboriginal children (much higher than the rate of 4 per 1000 for all Victorian children). Thus, Aboriginal children are 13.7 times more likely to be in care than non-Aboriginal Children.¹

Looking to the future, the number of Aboriginal Victorians aged 15-24 is expected to double. How many of these young Aboriginal Victorians will need out of home care and, if the rate of placement does not reduce, what will this mean for the out of home care system?²

Despite the Aboriginal placement principle^{*}, a third of Aboriginal children in Victorian out of home care are NOT placed with kin or with other Indigenous people.³ Observations by Community Visitors in Queensland in 2007 found that, of the Aboriginal and Torres Strait Islander children in out of home care,

- 20% had regular contact with their mother;
- 6% had regular contact with their father;
- 6.5% had regular contact with at least one sibling
- 13% had regular contact with extended family.

There is, therefore, an urgent and vital need to maintain connections or re-connect young people with kin and with their cultural background.

Culture and Aboriginal Identity

Muriel Bamblett, CEO of VACCA, presented some opening reflections on culture and Aboriginal identity⁴. These are some key points.

“For children in out of home care, identity is central and for all people, it is culture which frames identity and provides meaning, particularly for the marginalised.”

Identity for an Aboriginal child is not just a connection with a nuclear birth family, but “the whole child in relationship to their family and community and the narrative of meaning that surrounds those relationships”.

^{*} The Aboriginal placement principle is explained at the following link:
http://www.vacca.org/03_about_us/the_aboriginal_child_placement_principle.html .

Further, we need to recognise that the Aboriginal approach to looking after children is culturally specific and different in many respects from European and other approaches. “So in our recording of children’s lives and our promotion of their voice in how they tell their own life story we must pay due regard to cultural identity.”

Muriel went on to speak about cultural abuse. “When the culture of a people is ignored, denigrated, or worse, intentionally attacked, it is cultural abuse. It is abuse because it strikes at the very identity and soul of the people it is aimed at; it attacks their sense of self-esteem, it attacks their connectedness to their family and community.” If children are truly to be protected, their culture must be protected.

Safety includes safety from cultural abuse, and Aboriginal people connect where they feel safest – through, for example:

- cultural expression and events
- understanding the history of Australia
- kinship networks
- Country
- language, cultural beliefs, lore, beliefs and practices
- symbols, such as the Aboriginal and Torres Strait Islander flags.

Responses from workshop participants to these opening reflections included thoughts on the relationship between culture and recording.

- “The importance and centrality of culture and the need for everyone working with Aboriginal families and children for understanding, protecting, educating, and communicating the culture. What about prevention? Where does culture fit?”
- “Culture – it is something that is ‘continuously emergent’, so it is something we create / are involved in co-creating throughout our lives. [Therefore] we have a responsibility for culture – it has a present and a past that is determined by the communities and clusters of people alive – drawing on those that have been and their connections to the past. As time passes the role of archives and records becomes increasingly important in maintaining continuity of cultural understanding.”
- “Good record keeping is vital – holds “clues” to a person’s identity”
- “Particularly for Aboriginal people, record keeping can be the only thing making reconnection possible – to identity, family, community, culture.”
- The strong message that came out of this session was that children need connections both social and physical to their culture not just information about it.

Aboriginal records in the past – access issues

Simon Flagg, the coordinator of the Koorie Records Unit at the Public Records Office Victoria (PROV), made a presentation about the pre-1970s records and the work of the Koorie Records Unit. PROV holds records that are connected to a government agency, including Aboriginal records. The Aboriginal records

holdings at PROV date from before the 1970s and include family trees, photos, letters, newspaper clippings, births/death/marriage certificates.

Simon spoke of the importance to identity of these records being available to Aboriginal people – “knowing your history gives you an identity” – but also notes the limitations of existing records – brief, basic information and language that is often derogatory and or racist. He also spoke about the difficulties of locating records, due to them being scattered in many different locations, and due to destruction or damage.

The Koorie Index of Names project, which started in 2006, has been working to help Aboriginal people locate their records. Some people have been given a number of different names at different times in their lives, leading to difficulties in tracing their histories.

Discussion following Simon’s presentation focussed on whether we should aim for a central recording place for records to be linked to. The cultural plan was seen as helping people to clarify and record their origins.

Participant responses to Simon’s presentation included considerable concern about the destruction, dispersal and fragmentary nature of earlier records, and about the importance of current practices and policies to ensure this no longer happens.

The fact that PROV is a repository for government records only, and not for records of community organisations, means that records from before the 1970s are necessarily dispersed. The importance of bringing together records from a variety of sources was discussed, or of creating a central place to which records could be linked, in order to make it easier for people to locate their records. The importance of support for those accessing records was also noted.

- “It’s obvious from this morning’s discussions that good, well-kept, sensitive records can enhance a person’s life when eventually out of care. However, records can also be painful, or untruthful, and so when the time comes for a careleaver to access such records, systems of support should be in place.”

And the importance of a context for the records.

- “Good record-keeping is vital, not just on the case files, but also in the records (organisational and other) that sit around the case files and give more ‘clues’ and context eg. about the person / organisation who ‘created’ the file or, policies around the collection of information and creation of files. This is important, key information that needs to be linked to the file, and that organisations should be collecting and preserving along with the case file.”

How Cultural Support Plans are currently working

The case example worksheets circulated prior to the workshop, were designed to provide an indication of how well the sector is developing in their work on cultural plans for Aboriginal children and young people in out of home care.

There follows a summary of the results from the five worksheets that were returned.

- All five children / young people had a cultural support plan.
- Staff from Child Protection, VACCA and care providers were variously involved in providing information for the Cultural Plans – there were different combinations for different cases. The birth mother was involved in four out of five cases. The young person and the caregivers were involved in one case.
- Plans were seen as living documents needing regular review – three were undergoing review, one was still in the initial information gathering process.
- Cultural plans were prepared at two months (IAO), nineteen months, four years, six years, and eight years into placement. In the last example, the child was not known to be of Aboriginal or TSI origin until some years into their placement.
- Cultural plans were kept on the client’s file, in one case also on the DHS file, in another case also at the young person’s place of residence. Access to the Cultural Support Plan or a copy of it is summarised in the following table.

	Case 1	Case 2	Case 3	Case 4	Case 5
Child Protection	√	√	√	√	√
VACCA	√		√		√
CSO worker	√	√	√	√	√
Caregiver	√				√
Young person	√				√
Birth mother	√	√			

- An Indigenous worker or a VACCA was involved in all cases.
- The Cultural Support Plan was used by organisations to:
 - Locate young people within the Indigenous community
 - Support and care for the child daily and to inform staff
 - As part of LAC and of the young person’s Best Interests planning.
- Respondents saw LAC and the Cultural Support Plan as similar – responses ranged from seeing this as duplication to seeing it as running in parallel, each informing the other.
- Above all, the Cultural Support Plan should be seen as a tool, to assist carers and workers to expose young people to the positive aspects of their culture, as well as to ensure that this information is recorded. Engaging young people in cultural activities can be achieved through matching interests and hobbies, whether this is religion or dancing. It is important to include what is not known as well as what is known.

Issues arising in workshop discussions and in the case example notes about concerns and barriers to good cultural practice included the following:

- A lack of cultural knowledge among different staff groups and limited training. “A lot of the information for the Cultural Support Plans is highly specific and requires specialised knowledge, thus it needs to be provided by VACCA or other Indigenous services.”;

- The lack of supports and value placed on culture in the wider links of the young person – eg. education
- Children’s lack of knowledge of culture and not identifying with a cultural group
- The young person’s voice is often lost in the plan as workers complete it
- A lack of resources

Factors enabling good cultural practice and suggestions for improvement include:

- VACCA’s role in supporting child and providing input into plan
- Culturally specific training for relevant staff
- Input from carers and young people
- Up to date LAC information
- Web-based resources – eg. Books, music, toys, events etc.

VACCA’s “My Cultural Support Plan”

JulieToohey introduced “My Cultural Support Plan”, developed by VACCA as a child-friendly planning tool to be done *with* children, not *for* children. An important first step is to establish the child’s genealogy. Promoting informal opportunities for the child to talk to kin, for example at cultural events, helps children to connect with their relatives. It also encourages all year round cultural engagement (not just in NAIDOC week). The Plan includes a section on “My Story So Far” which creates an opportunity for the carer or worker to work with the child on topics such as placement history, significant events, achievements and the birth of family members.

VACCA’s “My Cultural Support Plan” gained a positive reception from all participants who commented on it – it was seen as a useful practice tool for passing information on to the child.

The emphasis of the tool on accessibility to children was seen as a great strength. By focussing on the child and involving the child in the process, the plan has greater relevance to the child.

The session inspired some thinking about good recording practice.

- “Non-judgemental, respectful tone and language – this is still worth reinforcing for current practitioners.
Accuracy and consistency in recording (eg. names, alternate names, spellings) – this is a respect issue also, as well as an aid to access where several names / records apply to a single person, and a link to family connections.
Linking / coordination of records created and held by different agencies about one client or sibling group.”

With the announcement that DHS has developed its own form of the Cultural Support Plan, concerns were raised that this would lead to further duplication of

recording, and that resourcing is inadequate to record and implement the Cultural Support Plan properly.

- “The lack of resources of Indigenous staff inevitably reduces the capacity to provide expert advice to others working with young people of indigenous birth / background.”

How Aboriginality is recorded

Many comments reflected an immediate engagement by participants with the tool as they thought through practice implications. One concern expressed by a number of participants was about identifying children as Aboriginal or Torres Strait Islander, both in historical records and in current practice.

- “It is important that all CSOs that are creating records today for children in OHC clearly identify if they are Aboriginal or Torres Strait Islander, that CSOs that hold historical records make an effort to record this in any database that they create.”
- “We are getting it better than in the past but how do we move forward to make it better? Are we still missing the cultural needs of Aboriginal children in OHC especially if Aboriginality is not identified?”

Some participants also noted the problem of connecting children to a culture they or their families do not identify with.

- “What do you do if the children or parents of the children ask that Aboriginality not be recorded?”
- “How much effort should be made to connect children to their culture when they explicitly deny or do not want to acknowledge this experience? Need to put reference points in the file – so that they can connect if and when they want to.”
- “It is not the child’s responsibility to know about their culture – the CSO’s job is to enculturate the child.”

Issues of how to connect with culture were also raised.

- “Aboriginal identification, culture is not ‘one size fits all’. Some people [are] not interested in accessing [the] local co-op for example. CSOs need to be sensitive to Aboriginal identity, as well as respect that identity is flexible, dynamic, fluid.”
- “Traditional ways of passing on stories should be taken into account when “documenting” cultural support plans.”

Universal applicability of the “My Cultural Support Plan” model

“My Cultural Support Plan” was seen as such a good practice model, that there were many comments about the applicability of the model to children of all cultures. In this context, the current ‘crisis’ in out of home care for children of Aboriginal or Torres Strait Islander backgrounds should be kept in mind. Two classes of comment were made.

1. The importance for all children in care to have a cultural plan”
“We can all learn a lot from Aboriginal people and organisations about culture and about identity. Aboriginal culture is unique and there needs to be

separate organisations, policies, etc. – but identity and culture are vital for all of us – particularly if we’ve been removed from our family”

2. A response to this view, emphasising the difference between dominant and minority cultures.
“The need to distinguish between the ‘everybody has a culture’ comment and the position of members of a minority culture, which needs affirmation, positive role models, etc in order to live and grow within the majority culture.”

Ownership and access to personal information

As in previous workshops, the issues of ownership and access to information created considerable discussion, and highlighted the need for more work in this area. “My Cultural Support Plan” was developed as a practice tool focussed on facilitating work with children and young people while they are in care. Issues of storage and later access when these young people were grown up had not been considered.

While people connected to a young person may give consent for personal information about them to be included in the Cultural Support Plan, Freedom of Information legislation nevertheless requires renewed consent at a later time when access is requested. Many participants expressed a strong view that life story books and cultural support plans belong to the child – their purpose is to enable the child (and future adult) to develop a positive identity and place in the world - and should therefore be exempt from access restrictions. This is also the view of many adults wishing to access their childhood files from the past.

However, the need to treat sensitively personal information about people other than the child is also important.

- “I understand the passion and commitment by agencies, workers and the ‘Who am I’ project but legislative requirements must be considered, as should storage arrangements and ownership of the record. If not there will be repercussions in years down the track when there are issues for release of the information.”
- “You cannot just dismiss Privacy and FOI legislation as bureaucracy – they exist and we have to work within their constraints. Cultural and life story plans will inevitably contain personal information about other than the young person, and this will have to govern their treatment in terms of access, particularly after a long period of time has elapsed. We could think about filing and storing this part of the ‘record’ differently from the ‘official’ and ‘compliance’ parts. Or we could lobby for a separate piece of legislation to cover the personal records of children in care?”

Further work is necessary to examine possibilities for flexibility in current legislative frameworks or to consider revising the legislation. There are always multiple stakeholders in any personal information. An event in a mother’s life, personal to her, may also be crucial in her son’s understanding of his identity. The concept of ownership of information becomes fraught – whether it is

'ownership' by the child, the agency, DHS or third parties – depending on whether it is a matter of access to information, accountability or compliance with the legislative requirements of the Freedom of Information or Privacy Acts.

Conclusion

*The challenge is to take the oral history and turn it into records - creating files is like storytelling - the aim is to capture the richness.
(Muriel Bamblett, CEO, VACCA)*

The over-representation of Aboriginal children in the out of home care system and the degree of cultural disconnection they experience reinforces the urgency and significance of Cultural Plan work and the importance of cultural competence for workers and carers. The Cultural Support Plan materials, and VACCA's version of it, were seen as excellent practice tools for this purpose.

Indeed, they are examples of the kind of practice that should be seen as routine for all children. If the out of home care sector can develop the skills needed to connect Aboriginal children and young people with their culture, then these skills are transferable to other children in other minority cultures, in fact, to all children.

The complexity of the personal, family and cultural information recorded in Cultural Support Plans, and the question of who 'owns' or 'has custody of' this information, needs further examination.

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¹ Table 4.8, 30 June 2008, Australian Institute of Health and Welfare 2009. Child protection Australia 2007–08. Child welfare series no.45 Cat. no. CWS 33. Canberra: AIHW.

² Victorian Aboriginal Community Services Association Ltd; (2009) A vision for the future: Participants not recipients; Executive Summary, pp14-15.

³ Table 4.9, 30 June 2008, Australian Institute of Health and Welfare 2009. Child protection Australia 2007–08. Child welfare series no.45 Cat. no. CWS 33. Canberra: AIHW.

⁴ Quotations are taken from the powerpoint slides used for Muriel Bamblett's presentation.