

# TRANSCRIPT

## LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

### **Inquiry into Children Affected by Parental Incarceration**

Melbourne—Wednesday, 30 March 2022

#### **MEMBERS**

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Mr Lee Tarlamis

Ms Sheena Watt

**WITNESS** (*via videoconference*)

Adjunct Professor Muriel Bamblett AO, Chief Executive Officer, Victorian Aboriginal Child Care Agency.

**The CHAIR:** Good afternoon, everyone, and welcome back. As I am sure you are aware, this is a public hearing of the Legal and Social Issues Committee for our Inquiry into Children Affected by Parental Incarceration. Thank you all for joining us.

We are really privileged and delighted to be joined by Adjunct Professor Aunty Muriel Bamblett from VACCA. She is the CEO of that organisation. I am Fiona Patten, the Chair of the Legal and Social Issues Committee. I am joined here today by Ms Tania Maxwell, Ms Cathrine Burnett-Wake, Mr Lee Tarlamis and Mr Rod Barton.

Aunty Muriel, just to explain: all evidence taken today is protected by parliamentary privilege, and that is under our *Constitution Act* but also under the Legislative Council's own standing orders. Therefore the information you provide during this hearing is protected by law. You are protected against any action for what you say during this hearing. However, if you were to repeat the same things outside the confines of this Zoom hearing, you may not have the same protection. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

Everything is being recorded today, as you can imagine. We have got Hansard and our tech team in the background. They will provide you with a transcript at the end of this hearing—well, you know, in a few days. Please have a look at it. Make sure we just did not mishear you or misrepresent anything that you said. Ultimately those transcripts will be made public via the committee's website.

Again, thank you for joining us today. I would also just like to, on behalf of the committee, thank you for all the work that you and the Victorian Aboriginal Child Care Agency have been doing—and given we have just had recently the inquiry into the criminal justice system, your input into that was absolutely crucial. So thank you again.

If you would like to make some opening remarks, we will then open it up for the committee's discussion.

**Adjunct Prof. BAMBLETT:** Yes. You are going to have to with me. I have only just been diagnosed with COVID. The worst of it is over, I hope. But anyway I do want to thank you for the opportunity to speak to you today. As you have mentioned, my name is Muriel Bamblett, but more importantly I am a Yorta Yorta, Dja Dja Wurrung, Taungurung and Bunurong woman from Victoria, with rich connections across many of the Aboriginal traditional owner groups within Victoria. Today I would like to acknowledge the traditional owners of all the lands where we are today. I acknowledge their elders past, present and emerging. I am on the lands of the Wurundjeri people, and I pay my respects to their elders past, present and emerging.

I guess starting from who VACCA is, as the lead Aboriginal child welfare organisation we are probably the biggest in Australia. VACCA has over 40 years of experience in promoting, advocating for and hopefully demonstrating in achieving positive changes in the lives of Aboriginal children, families and communities. We are an Aboriginal community-controlled organisation, and it is important that we aspire to and live by our values and principles. We believe in the right of Aboriginal peoples to self-determination and the rights of our children, and we commit to upholding Victorian cultural protocols.

I found preparing for today really challenging. At VACCA we have over 700 staff, and we operate in excess of 70 programs and services. To me, I see every day the effects and impact of past removal, institutional abuses and systemic bias and how these play out in the lives of our Aboriginal people. And to consider the framing of our presentation today, there is no doubt that there are elements of the system that often work against Aboriginal children and their parents, whether it is legislation, policy, western constructs of programs and services, responses to policing, child protection, family violence, justice or education. I guess what we propose is that we will put in a formal submission, because it is really impossible to address all these areas in the time allocated.

But really as a background to our services, we provide services to over 3000 Aboriginal children. We have over 400 Aboriginal children within our care system, and we provide services to over 500 families. We not only

deliver services but we have unparalleled connections to our clients and across our community. We are the largest employer of Aboriginal staff outside of the Victorian government and in Victoria the largest service provider across child protection, family violence, justice and homelessness. Our services to children and incarcerated parents are across all of our programs and services but more particularly through our men's prison programs, our Koori women's diversion program and through many of our family support and foster care programs. This places, I believe, VACCA in a unique position to provide evidence to your inquiry today as the terms of reference for this inquiry align to critical issues remaining absent from public policy and practice in this space, especially the voice of the child or young person.

Today I will talk through some of the issues and some of our programs at VACCA. We work with parents before and after their release from prison. I will give you a case study just very briefly, which I think sums up why we need to make changes to a system that is failing Aboriginal children, their parents and families.

The first gap I would like to highlight is the lack of data. We know VACRO collects really good data. The 2021 data tells us that more than 20 per cent of Aboriginal and Torres Strait Islander children will experience their parents' incarceration, compared to 5 per cent for the rest of the population, and that 31 per cent of Aboriginal and Torres Strait Islanders compared to 11 per cent of non-Indigenous people experience intergenerational imprisonment. With Aboriginal children being 27 per cent of the child protection system but only 3 per cent of the total Australian population, these must be surely severely alarming figures.

We know that this affects the children and families that VACCA serve, but I cannot tell you exactly how many children and families that is, because it is not a question that is required through child protection, through our justice system or through our family services intake system. Capturing the data is not the only issue that I think it is important to ask about. It takes accountability to act on the data.

When I outline some of the impacts of parental incarceration you will see how much we need to do as a system to capture this data. But we also need to understand the implications for children, and we need to drive accountability for actions. Otherwise children of parents in prison are invisible, and without treatment and culturally safe responses healing will not happen.

If we look at the impacts on parents, when a parent is imprisoned it affects that whole family and their whole community and their extended family. It creates for both the child and parent experiences of stigma, shame, grief and hopelessness. It creates feelings of anger, anxiety, loss and low self-esteem. For Aboriginal children, it often means disconnection from culture, identity and extended family, given the high rates of Aboriginal children that are placed with non-Aboriginal carers, especially where the Aboriginal parent is the one in the prison. We know that contact with the criminal justice system causes additional disadvantage and exacerbates the vulnerability of children and families that are struggling and are falling behind. At VACCA we see these children through our family services programs or, more often, in child protection when the child is being placed into foster or kinship care or caring for their younger siblings.

Also children of incarcerated parents and children whose parents have been in prison are much more at risk of poor development across all developmental domains. They educationally do worse. We see this through behavioural issues like emotional dysregulation, anger and violence, and disengagement with school or social activities like sport that they used to love. They withdraw from peer interactions and show signs of anxiety, depression. For our older kids, there is substance abuse, poor anger management and risk-taking behaviours.

When we do not ask the question, it is harder to provide the right therapeutic supports. If we do not have the programs that reach out and support the affected children and support the remaining parent or carer, we are, I believe, failing our children. It speaks so much to society and government viewing Aboriginal children, young people and their families as their offending behaviour—not as a parent and not as a person, but as a number in an often uncaring system. It also means that we need to build our understanding of what is needed in working with those who are at risk or imprisoned or in addressing recidivism—what works and what is needed in intervention and prevention, understanding the factors contributing to recidivism and other outcomes.

At VACCA we run two of the state's four Koori women's diversion programs that support women when they are released from prison. Odyssey House runs a program dedicated to drug and alcohol, and Mildura runs the other. The data is clear that our Aboriginal women are being incarcerated at ever-increasing high rates. What our programs tell us is that for women with an offending history, when they choose to call the police and report

family violence they know that often it is a prison sentence for them if they have outstanding fines. Their children, they know, will be placed in out-of-home care. That is the choice many make, often without knowing the full consequences. But should they not report family violence because of this? Because we know they want the violence to stop.

In terms of our programs and all Koori women's diversion programs, they are all oversubscribed. We have got much more need than we are able to deliver. But regardless of exceeding targets and the outcomes we achieve, we only receive a short-term commitment from government for many of our programs—and worse is the way these essential programs are funded. At the end of each funding cycle we have to retender regardless of outcomes we achieve, and we are forced often to re-compete with other Aboriginal organisations or, worse, mainstream, to continue our programs. This really goes to the fact of: how do you keep staff? How do you maintain trust in the community? Some of this just does not make sense when you are getting really good outcomes.

As an example, years ago VACCA ran a really strong program that went into schools and supported at-risk young children, seven to 13 years of age, many of which had parents who were involved with the justice system. That program was defunded. But what the program did was look at the key ages and stages of development of children and tailor solutions to the needs and circumstances of those children. We know a seven-year-old is grade 1. A 13-year-old covers that critical transition time to high school. That program covered other key risk stages, like nine-year-olds. That is the age that evidence tells us children can start to disengage with school and social activities if not supported. It covered the 11- to 13-year old group, which is a common age where puberty is likely to begin and where emotion regulation changes. It is about getting to the children before they become incarcerated themselves, especially if we rightfully raise the age of criminalisation to 14. This was an investment, from our point of view, this program, in prevention. And that is what we need more of, not defunding.

We have waited until this year to have our own Aboriginal youth justice strategy, and I compliment the government on that, and for government to start the process of investing in solutions for offenders aged 10 to 13 so that intensive holistic supports can be given to children and young people. But 10 years old is obviously not early enough. The investment in 10-year-olds is because that is when our outdated laws say a child can be sent to prison, and I believe that is when there is a cost to government and that is when policymakers care, because it hits their bottom line.

The other part of policy and practice space that requires action is that it is clear that children are not taken into account by the adult justice system from the time of their parent's arrest through to their parent's release from prison and everything in between. There are no processes or protocols to consider to support children, to think about the needs of the children. There are no professional staff that are guided or obliged to respond. To get a judge to consider your role as a parent, especially as the primary caregiver, in sentencing only occurs where there are exceptional circumstances. I think intergenerational offending and incarceration is exceptionally high. I think asking a child to lose contact with their culture, community and identity is also an exceptional risk. Courts argue that the human rights of children and their best interests should always be a significant consideration when sentencing an offender who is the parent of dependent children, especially where the offender is the sole or primary carer. But we do not see that for Aboriginal children, given our high rates of incarceration of parents.

We also know that prisons are not designed for children or parenting while incarcerated. There is no opportunity for these parents to practise their parenting skills and learn and understand the impacts of their incarceration on their children. For me it has an impact on family connectedness and affects the parent's ability to parent or remain involved in their child's life during and after prison.

It should come as no surprise that many children do not see their parents once they are in prison. For the ones that do, they are then confronted with an environment that is often hostile and intimidating, cold, and lacking appropriate child-friendly facilities, especially where a child has a disability. Where the child is placed into out-of-home care, I must say we have amazing foster carers and kinship carers, that probably do not want to take the children in their care into the prison system, but they do keep the children's connection as much as they can.

Let me tell you about one of the families that we support. The mum has two children and grew up herself in foster care. Since the children were little, mum was in and out of prison, so visiting mum was in many ways a

normal part of these children's lives. But the more mum went in and came out, she always ended up going back in, and visiting became harder. But I cannot tell you about the impacts on the children before I tell you about mum.

This mum for a long period was trapped in a never-ending incarceration cycle, and therefore so were her children. I can say that she, now in her mid-40s, is doing better. But let me also talk to you about the carers' experience. The carers for both these children are both Aboriginal but not relatives. These carers understood how important it is to keep the children connected to their mother, to their culture. These carers would take the children monthly for visitation with their mother in the hopes that the mother would change her behaviour and at some stage take up the care of her children, always keeping the door open. Some visits were good. Other times the children did not want to go. Mum for long periods was not doing well, and the children and the visits would give them hope that one day mum would get out and take care. With no pre- and post-release support, mum was often back in prison with trauma felt by promises made and promises broken.

Back to mum's story. When mum was four, she and her sister were removed from their mum's custody. She never really knew her dad. At 10 she and her sister were placed in a group home. Although the sexual abuse her sister experienced went on for longer, this mum started to be sexually abused around 14 years old. This is when her offending behaviour started: drugs and alcohol, petty offences, running away from her placement. What we all call 'red flags', she had them all. But if you read her file, as I have, it was put down to being a teenager, to being naughty. Nothing more was expected of her, which is tragic—a life, often determined by the fact that you are Aboriginal, set out for you.

She, like too many of our young women in out-of-home care now and in the past, graduated to be a victim of significant family violence with a life of drug abuse, alcohol abuse, homelessness and committing offences to pay for substances that were helping to mask her pain and suffering, with the instances of reporting family violence meaning getting arrested, [inaudible] being charged and sent back to prison. For her, this was often her safe place. But prison does not rehabilitate you, does not help you to be a parent; it is just often a holding place.

So the cycle of this mum continues. Mum's daughter now has two children. She too has been in prison, been on drugs, been incarcerated, and is currently in detox. Yes, there have been challenges, but mum and her children and grandchildren still have the love and care of the Aboriginal foster carers in their lives, who are a connection with mum. Mum's son is now 19 and lives still with the Aboriginal carers, living in a Kids Under Cover unit, and has just started employment. That is one life changed. Mum recently pursued civil litigation, and her life and the lives of her family have changed. For me they are breaking the cycle, but it should not take civil litigation or just one set of carers; it should take all of us to right the wrongs of the past. We must do better now.

For other children, where there are strained family relationships and hostility between ex-partners, especially where there was family violence, it is not surprising that a parent or carers are not willing to bring children to visit in the prison. For these families, imprisonment of a family member may provide some relief from difficult circumstances, a chance to rebuild their family in a different way—or in many situations we see parents not bonding with their children or of the belief that their children would be better off without them, carrying the guilt and the shame for their offending.

If I focus on the system for a minute, if we look at prevention again, over the last 10 years the Department of Families, Fairness and Housing through its child welfare early help funding stream has continued to prioritise funding for parenting programs and supports to mainstream providers. Aboriginal providers receive 3 per cent of early help funding, yet Aboriginal children represent 21 per cent of the child protection system and 27 per cent of the care system. This systemic perpetuation of disadvantage for Aboriginal families means that our families do not get the early help. There is not a real understanding of the history and the trauma and how that has impacted. We have advocated for many years for parenting programs, but funding for parenting programs is worse. No Aboriginal-led provider like VACCA is funded to deliver Aboriginal parenting programs.

If we go to funding and skilled workforce—

**The CHAIR:** Sorry. Aunty Muriel, we are so pleased that you could join us despite having COVID. I am just wondering if you could speak a little bit closer to the microphone. I am just struggling to hear you a little bit there.

**Adjunct Prof. BAMBLETT:** Sorry. Can you hear me now?

**The CHAIR:** Yes, that is great. Thank you.

**Adjunct Prof. BAMBLETT:** So I think we are really keen—I can send a copy of what I have written to you. Perhaps that would help pick up some of the gaps. Sorry. We did about three practices, I think. Anyway, I think funding for a skilled workforce is critical around family counselling and parenting strategies. We do think that it is important to connect with the justice system, and previous contact with the child protection system is the largest driver of unborn reports and removal of children. I think all of these indicate that the data was really bad.

We have also seen huge changes in men's parenting by running our Koorie FACeS program. Koorie FACeS is an Aboriginal parenting program that we have developed. It is not prescriptive, but it is heavily focused on the impacts of colonisation on parenting today. And one of the things that really stuck out is how Aboriginal men do not realise how colonisation has impacted on them, how institutionalisation has impacted on them, and we have been able to do some really significant work in having Aboriginal men engaged in those programs.

I believe the investment in Aboriginal programs is the solution. The key drivers of over-representation cannot be addressed by a single initiative or program; however, there are a range of programs and interventions—different models, different practices, therapeutic approaches.

At VACCA we know that the Yoorrook truth and justice commission that has been set up will start to explore the whole system and look at how the intersects between different systems of education, health, human services, housing and drugs need to change to be able to bring about better outcomes by being for Aboriginals.

If we look at interventions when working with our children of incarcerated parents, interventions or programs, I believe, must focus on four areas. Around communities, we need long-term investment in Aboriginal communities to support our families. We need evidence. We need to build greater evidence to improve our understanding of the effectiveness of responses and inform new strategies. It is important to have coordination. We need systems that talk to each other and work for community, not against it, a system of policy and law reform efforts to build authorising environments for change. And the fourth area is voice. I think it is important that we create opportunities to hear the voices of children and young people and consider their experiences and understand their lives in order to support professional practice.

I just want to touch briefly on legal and justice. Legal and justice reform includes consideration of changes to laws, policing and legal policy settings, which do contribute to the over-representation of Indigenous people in prison. We need a centre for excellence in the justice system for innovative Indigenous justice programs developed by Indigenous people for Indigenous people, innovative future investment and public awareness. I think we do need—I am going to rush through it bit now, because we are running out of time—a model that is embedded in culture, that is well researched and evaluated and that focuses really on self-determination.

I know your timeline is to report back in July, making your job difficult. We will provide a written submission, but if we had more time today, we would offer to give you—we are keen to give you—some names of adults 18 and over who experienced parental imprisonment during childhood, so we are offering that. We are also offering the names of a couple of professionals that work with both children and imprisoned parents, like in our Koori women's diversion program: Aunty Zeta Thomson, from the department of justice, who delivers the Aboriginal visitor programs, so I urge you to talk to her because she rings me all the time with regard to issues with children of women in prison; and then there is Aunty Lynne Killeen, who has worked for 20 years with Aboriginal women in the Deer Park prison system. And I guess if you need we can ask carers and parents and other supporters particularly to give evidence, because I think it is critical.

I do want to thank you for taking on this critical piece of work. I think you have raised more questions for us. In closing I ask you today to look at the adult justice system through the eyes of a child and the many aspects to it and to look at the child protection system through the eyes of incarcerated parents, often with their own story of child protection. If you are a parent, look at the child protection system and the way it intersects with justice and court. Lastly, look at our legislation and how you can influence the way the department is run and coordinated. I urge you to please drive change and make it better for children of incarcerated Aboriginal parents and for their parents. Thank you for the opportunity to listen.

**The CHAIR:** Thank you so much. Again, we just very much appreciate you making your way from your sickbed to provide evidence for us today as well. We know that we have only just been in contact with you, so

we really appreciate that offer of a written submission. But also the secretariat will get in touch about some of those names, because, as we all know, it is the people with lived experience that will help guide us in finding the right path and the right recommendations for this inquiry.

Just going back, you mentioned right at the start this lack of data. Please say no or take it on notice: have you thought about what data we should be collecting and where or when we should be collecting it? We were just talking about: when someone is brought into custody, do we ever ask the question, 'Are you a parent?'?"

**Adjunct Prof. BAMBLETT:** I think it is going to be really hard because there are so many systems involved in this, because you have got homelessness, you have got drug and alcohol, you have got policing and the justice system. VACCA has really good data. I do not know that we ask all the right questions. I am currently on the Aboriginal Justice Forum, and I have not heard anybody talk about the issues. I think what you will raise through this inquiry will actually get us to challenge what systems and what data we need to capture and, I think, ultimately who will have accountability. I think that is where there is not a level of accountability for outcomes. In child protection we know of the families, but no-one has ever come to us to say, 'How many children of incarcerated parents do you have?'. We have not asked that of our own data systems. So if we have not asked it, and we are dealing with it every day, how big an issue is it, what counselling and support and what programs and services are needed, and where should the investment be? Should it be in the prisons themselves? Should it be pre- or post-release? Where do you invest? How do you get the best outcome for children? Is it understanding what are the contributors to both men and women in all the justice system and their role in parenting?

The biggest challenge I find in child protection is the absence of understanding the role of Aboriginal men—or men generally—in parenting. Particularly in the poverty cycle you see the absence of really understanding the importance. We see much better outcomes when there are two parents involved in the raising of children. So I think it is really important to understand—and there are too many Aboriginal men in prison and absent from parenting children, and despite mum doing her best, quite often we can see in the data that where dad is involved in the parenting you get better outcomes.

**The CHAIR:** Of course. Now I am going to go to Tania—

**Adjunct Prof. BAMBLETT:** I think Tania looks worse than me at the moment.

**The CHAIR:** I know, poor thing.

**Adjunct Prof. BAMBLETT:** Sorry, Tania.

**Ms MAXWELL:** Aunty Muriel, I am in the midst of renovating a house and having slate all ground down and concrete, so my house is just full of dust. I keep taking COVID tests. It is not COVID, but it feels just disgusting, and I think as the day goes on you just deteriorate. Hence my keeping on going in and out, but I can still hear you, so I do not mean to be disrespectful.

**Adjunct Prof. BAMBLETT:** I believe you. As an old-fashioned cure I do steaming every half-hour.

**The CHAIR:** Very nice.

**Adjunct Prof. BAMBLETT:** Old-fashioned but the best.

**The CHAIR:** Tania, if you are ready, you do have time.

**Ms MAXWELL:** I am actually going to let somebody else take the question at the moment, if that is okay. Thank you.

**The CHAIR:** Yes. I will go to Cathrine, then Rod and then Lee, and then we will come back to you, Tania, depending on how you are feeling.

**Ms BURNETT-WAKE:** Thank you. Hi, Aunty Muriel. Thank you so much for coming along and providing evidence today. I have just been listening to everything and learning so much, so thank you. One of the things I wanted to explore a little bit more was around the funding models that you talked about. I was trying to write notes furiously. I think you said that your organisation only gets 3 per cent of the overall

funding, yet the representation within the—was it 21 per cent for representation of incarcerated people in the prison system? And then I think I got 27 per cent of Aboriginal children actually make up the children in care. I am not sure if those statistics were quite—

**Adjunct Prof. BAMBLETT:** No, they are not quite right. We get 3 per cent of the investment in the whole of child protection, so this is all child protection, not incarceration. So 21 per cent of the child protection and then 27 per cent of the out-of-home care. So out of 100 per cent that is not a lot. I mean 97 per cent of funding particularly for early intervention and prevention goes to mainstream. So we cannot do the work around parenting, we cannot do the work around working with parents intensively to keep the parents out of drug and alcohol, family violence—all of those. I mean, mental health, all of those are really big issues. The biggest issue that contributes—88 per cent of children come into care because of family violence.

**Ms BURNETT-WAKE:** Yes. It sounds like there are some equitableness issues around the funding models. Just going back to something else you said—it is on the process of obtaining the funding. You said that it is always only short-term, so I was wondering how short term it is and also the challenges that you face—I suppose it is very resource intensive—to re-tender? I am also interested to know how you think that the red tape can be cut and if you have got any recommendations around how to make it more streamlined for your organisation to access funding?

**Adjunct Prof. BAMBLETT:** I think because the government has a commitment to close the gap, and the commonwealth is looking at a grant-connected policy framework, so it actually looks at all funding for Aboriginal must go to Aboriginal—so looking at Aboriginal having first right of refusal. I think DFFH—they call them DFFH, so Department of Families, Fairness and Housing—have got a policy. At the moment they are looking at system transformation, and they are starting to look at how you actually make that policy alive across all programs and services. But it is only at DFFH at the moment, it is not for other parts of government. So how does government develop a grants-connected policy aligned to Close the Gap? Because Close the Gap has a number of targets. It has justice targets and family violence; it has a lot of targets and a number of commitments. But within that they have got four reform priorities. The first one is shared decision-making, the second one is investment in Aboriginal community control, the third one is mainstream accountability and the fourth one is data. I think all of those four priorities could be put across the whole of government to say: how do you actually honour those commitments to Aboriginal people? Because I think at the moment we often have to compete with the mainstream.

Particularly the department of justice funding is so unjust and inequitable. We did a Koori women's diversion program—every two years we are up for review; whereas when government give themselves funding for the Koori Courts, for sheriffs, for policing, they do not have to re-tender. They just get a bucket of money and go off. So some of it is about inequity. We have got cultural safety workers, and our workers get \$70 000, and the department's recently rolled out cultural safety workers are at \$120 000. So guess where they are getting their staff from? They are taking our \$70 000 staff that we have trained up and skilled up and then taking them over to government and offering them \$120 000. So I just think there are so many inequities in the way that we are treated. We develop our workforce. There is no investment in our workforce. Even if you give us all the funding, if there is not a dedicated workforce strategy we will fail Aboriginal people, because we need to have skilled people around parenting and around how we actually bring about training—it is about therapeutic. So everything is dependent on a workforce strategy. Sorry, Cathrine, a lot of answers in one there.

**Ms BURNETT-WAKE:** Thank you. That was really useful. Thank you very much.

**The CHAIR:** Yes. And alarming. Rod.

**Adjunct Prof. BAMBLETT:** Hi, Rod.

**Mr BARTON:** Aunty Muriel, you spoke about accountability. How do we create a chain of responsibility where we all hold that chain so we all become responsible to that young person?

**Adjunct Prof. BAMBLETT:** Look, I think this is where we start to look at system levers. What is the child's journey? What is the parents' journey? And how do we do a bit of journey mapping around understanding the system? I just worry that we are sort of saying, 'We're going to have an inquiry and we're going to look at it', but we don't actually then hold anybody to account. It is really good to put actions up, but then we do not actually know who the accountability lies with. Does it lie with the department or is it across?

We have been doing work between DFFH and the department of justice called ‘the common client’. Imagine if the common client just did not look at child protection but actually looked at the whole—for parents and the children—and how we create a common client and an accountability framework. Just last night, when I was sort of putting together the notes, I put: ‘Our ask is about doing more around data and all of that’. But nobody’s going to hold it. Who’s going to actually drive it, and where’s the accountability? What part of government would sign for it? Is it everybody, or is it back to the sector to sort of take responsibility and obligations?’

We all need to be challenged. I mean, you have raised issues for us, and we have looked at our data. We have never had to look at children of incarcerated parents or our parenting—we have never put it together. We have got a rich source of data, but no-one has ever asked us for it. And then if we start to sort of uncover that there are issues, who takes accountability for it? Who is responsible for implementing or even changing the system?

**Mr BARTON:** Thank you. One more, Chair?

**The CHAIR:** Yes, a quick one, Rod.

**Mr BARTON:** Three of our presenters today have all mentioned shame and the impact that has. For the committee, could you give just a little bit more about the harm that causes?

**Adjunct Prof. BAMBLETT:** I think for Aboriginal people that is a big thing. Even though we have got an over-representation, we have got a higher threshold, I believe, for accepting—we accept criminality. It is a part of our lives. It is a part of our societies. But I think with their children, they do not want their children to grow up ashamed of them. They do not want their children inside. Quite often it really challenges us: how do we break down that and make sure that children can go to the prisons to visit with mum and dad? I still think the shame factor in Aboriginal communities is big—I guess because we have got so much imprisonment—but it is more about the shame of children when they are going to school and they have to tell their friends that their mum and dad are in prison. It is dealing with it. How do we tell kids why they are in foster care and ashamed? So to me, it is more like children understanding and parents understanding and being ashamed and not asking for help. I think for a lot of Aboriginal people they believe they have less rights in asking the service system for help. A lot of our Aboriginal families believe that if they go and ask the system for help their children will be taken away. A non-Aboriginal woman who works for VACCA said to me, ‘If something happens and I am not coping with my parenting, I know I have a right and I will go and row with people to get a service’. Aboriginal people do not do that because they are frightened that if they do go and get help they are going to hurt their kids or they are going to end up in justice or something. They see the system as punitive, not as a supporting and helping [inaudible] space.

**The CHAIR:** Thank you. Lee.

**Mr TARLAMIS:** Thank you, Chair. Thank you, Aunty Muriel, for coming along today, especially given that you are dealing with COVID, and for your presentation and the answers that you have provided us with. It has been very informative. I know you said you were going to be putting together a written submission as well. You spoke today about some of the work that is being done with DFFH about the funding models going forward and some of that good work that is happening in that space. I wonder if you could touch on some of that in that submission so that the committee could be aware of that work that is going on with those departments that is not necessarily going on with other departments so that when we are considering what we might make recommendations about we could have a look at what could be happening in other areas that we could be mindful of when considering those recommendations around what possibilities could be there to look at and those sorts of things as well.

**Adjunct Prof. BAMBLETT:** Yes. I think because I am chair of SNAICC, the national voice for children—so I am on the coalition of peaks and the working group and I see all of the work that we are doing to try to get government to align their policies. I think it is exciting because particularly at the commonwealth level you understand perhaps the proportion of Aboriginal funding that goes to mainstream and there is a lack of accountability and evidence of outcomes. So I think with a serious commitment to self-determination by these governments, particularly the Victorian government through the treaty making and the assembly, there is going to be, I believe, greater pressure on government to understand and get a better model of contracting Aboriginal services out—better policy, better legislation and better practice. I think we are seeing some of it, but unless you have a parallel process to capacity build the Aboriginal sector, a workforce strategy, we will not have the

skill match. The education system is not churning out Aboriginal social workers. We are not churning out Aboriginal lawyers, and so as government pushes us to take on—not pushes but, you know, supports us to move into areas we do not know, we need to work out how we develop and have an Aboriginal workforce to be able to deliver better outcomes, because we need Aboriginal people that know Aboriginal values, have lived with Aboriginal and can engage with Aboriginal families.

I think in the current system we have, right, I grow up Aboriginal, then I go to school, then I learn about Western constructs, I learn about everything non-Aboriginal, and then when I come back to the Aboriginal community I have got to remember to take what I have learned in Western learnings and then try to put an Aboriginal context over it and apply it to my people. So I think it is quite challenging for Aboriginal people to be able to apply Western education to an Aboriginal practice framework. But unless we train Aboriginal people to challenge social practices and Western constructs and Western practice frameworks that do not work, we cannot keep doing this, because it is not working. Our experience is unless we really address the impact of the past, we cannot really move forward.

**Mr TARLAMIS:** Thank you. Yes.

**The CHAIR:** Thank you. Tania, how are you feeling?

**Ms MAXWELL:** I think between everybody some of my questions have definitely been answered that I had for Aunty Muriel, and I just want to say thank you so much for being with us. I look forward to the submission and going through the transcript. And I am just wondering whether, Aunty Muriel, you might be happy to take some questions on notice once perhaps the committee has had a little more time to digest that incredible introduction that you gave to us.

**Adjunct Prof. BAMBLETT:** Thank you, Tania. Thanks very much.

**The CHAIR:** We might finish this session. We very much appreciate your time today, Aunty Muriel. And certainly I think we might want to flesh things out once we see the submission, because if we had the data, there seem to be some opportunities for that intervention, opportunity for ensuring that those services that are required by a child or by a parent can be provided, but we have to know. We have to know when and we have to know where, and I think that seems like it is going to be a very fundamental part of this inquiry.

**Adjunct Prof. BAMBLETT:** Yes. Thank you.

**The CHAIR:** Thank you very much again. The committee will just take a short recess and come back at 2 o'clock.

**Witness withdrew.**