



WITNESS STATEMENT OF MURIEL BAMBLETT

I, Muriel Pauline Bamblett of [REDACTED] Chief Executive Officer (CEO) of the Victorian Aboriginal Child Care Agency (VACCA), [REDACTED] do solemnly and sincerely declare that:

- 1 I am authorised by VACCA to make this statement on its behalf.
- 2 I make this statement on the basis of my own knowledge, save where otherwise stated. Where I make statements based on information provided by others, I believe such information to be true.

BACKGROUND AND QUALIFICATIONS

- 3 I am a Yorta Yorta, Dja Dja Wurrung, Taungurong and Bunnerong woman.
- 4 In 2017, I was awarded an honorary degree of Doctor of Letters in Social Work by the University of Sydney in recognition of my contribution to Aboriginal child and family welfare.
- 5 I am currently employed as the CEO of VACCA. I commenced this role with VACCA in 1999.
- 6 I am also currently the Chairperson for the Secretariat of National Aboriginal and Islander Child Care (**SNAICC**): National Voice for our Children. I was appointed to this role in 2021 after previously holding the position from 1998-2008.
- 7 Prior to my appointment as CEO of VACCA, I held various roles, including:
 - (a) Aboriginal and Torres Strait Islander Consultant at Telstra, 1991 to 1999; and
 - (b) Aboriginal Liaison Officer and Aboriginal Project Officer at the Department of Social Security, 1982 to 1991.
- 8 I have sat on various boards and committees, including:
 - (a) Therapeutic Residential Care Central Governance Group;
 - (b) Victorian Government Community Sector Reform Council;
 - (c) Coalition of Aboriginal Services Responding to the Royal Commission into Institutional Responses to Child Sexual Abuse;
 - (d) Victorian Aboriginal Justice Forum;

- (e) Protecting Victoria's Vulnerable Children Inquiry Reference Group;
- (f) Northern Territory Board of Inquiry into the Child Protection System;
- (g) Australian Centre for Child Protection (University of South Australia);
- (h) Stolen Generations Victoria;
- (i) Victorian Ministerial Advisory Council for Vulnerable Children;
- (j) Australian Centre for the Study of Sexual Assault;
- (k) Victorian Children's Council;
- (l) National Coalition of Peaks on Closing the Gap; and
- (m) Aboriginal and Torres Strait Islander Advisory Council on Family, Domestic and Sexual Violence

9 I am a member of the following organisations:

- (a) Victorian Aboriginal Legal Service;
- (b) Aborigines Advancement League;
- (c) Victorian Aboriginal Community Services Association Ltd;
- (d) Victorian Aboriginal Health Service; and
- (e) Victorian Aboriginal Education Association Inc.

10 I am also currently an elected member of the First People's Assembly to advance the work of Treaty in Victoria.

11 In 2009 I was appointed an Adjunct Professor in the School of Social Work and Social Policy at La Trobe University.

12 Attached to this statement and marked **MB-01** is a true copy of my curriculum vitae.

VACCA

Background

13 VACCA is an Aboriginal Community-Controlled Organisation (**ACCO**) that serves children, young people, families and vulnerable community members across Victoria by advocating for their rights and providing them with services premised on human rights, self-determination, cultural respect and safety.

- VACCA shows respect for, observance of and compliance with Aboriginal cultural protocols, practice and ceremony.
- 14 VACCA was established in the 1970s and emerged from a long and determined Aboriginal Civil Rights movement in Victoria. Today, VACCA operates in six regions across Victoria and has 27 offices. VACCA has become the lead Aboriginal child and family organisation in Victoria and employs over 800 staff, making it one of Victoria's biggest Aboriginal employers. Our Aboriginality distinguishes us from mainstream services and enables us to deliver the positive outcomes we achieve for our people.
- 15 There are 16 ACCOs in Victoria delivering a range of child and family welfare services. Among these, VACCA is considered a complex organisation due to the level of funding it receives, the complexity of programs and the large geographical area it services. VACCA's complexity comes from its work across a number of sectors including child protection, family violence, justice, education, homelessness, disability, alcohol and other drugs, and sexual assault. VACCA works across a number of government departments and with a range of different stakeholders with many partnerships, Memorandums of Understanding and agreements. We also have various arrangements with a number of Universities and TAFEs.
- 16 As Victoria's largest Aboriginal child welfare agency, VACCA plays a key role in the process of transitioning the care, case management and decision making of Aboriginal children from government and non-Aboriginal organisations to ACCOs, in line with Victorian government decisions and policies.
- 17 VACCA's experience and expertise in the delivery of therapeutic interventions is underpinned by culture, connection and healing. VACCA designs, develops and delivers programs underpinned by an understanding that the intergenerational trauma experienced by our community requires intergenerational and community healing.
- 18 Our vision is for our children, young people, families and communities to be thriving, culturally strong, empowered and safe. Our purpose is to strengthen the safety, wellbeing and cultural connectedness of Aboriginal children, individuals and families in their community.
- 19 VACCA is a registered Charity under the Australian Charities and Not-for-profits Commission and undertakes moderate fundraising activities.

Organisational structure

- 20 There are seven Aboriginal community members elected as Directors on the Board of Directors for VACCA. The Board works with me, as CEO, to oversee the longer term strategic goals, set aims and objectives and establish policies.
- 21 To become a member of VACCA, a person must be of Aboriginal descent, be over 18 years old and comply with our Code of Conduct.
- 22 VACCA's operational structure comprises of three Executives reporting to the CEO with defined responsibilities for Client Services, Corporate and Public Relations/Advocacy. Under the Client Services portfolio there are a further six Executive roles that make up VACCA's internal Leadership group.
- 23 Fifty percent of executive roles of the Leadership group are held by Aboriginal people.

Cultural Therapeutic Ways – whole-of-agency approach to our work

- 24 VACCA is currently implementing a whole-of-agency approach to guide and improve our responses to Aboriginal children, young people, families, community members and carers who come into contact with our services, as well as creating a safe and supportive workplace for staff. Cultural Therapeutic Ways (CTW) is the intersection of cultural practice with trauma and self-determination theories. The core premise is informed by an understanding of the trauma held by Aboriginal families, particularly as a result of ongoing processes of colonisation.
- 25 CTW focuses on the social determinants of Aboriginal wellbeing, provides regular opportunities for participation in cultural observances and practices, aims to strengthen Aboriginal identity and belonging, and facilitates access to culturally appropriate services.
- 26 CTW is based upon international human rights and United Nations Conventions, Victorian legislation and the practice wisdom of VACCA staff.
- 27 The CTW approach ensures the cultural needs of VACCA clients are centre and foremost in all service delivery.
- 28 Embedding CTW throughout VACCA builds capacity of staff and families in the areas of engagement and relationships, information provision, self-management, choice, decision making, problem solving, participation, having a say, leadership and advocacy.

VACCA'S SERVICES

Overview

29 VACCA provides a wide range of supports to a vulnerable cohort of clients. We offer over 70 programs assisting thousands of people each year. These programs broadly include:

- (a) cultural strengthening activities;
- (b) family services;
- (c) early intervention services;
- (d) Aboriginal family decision making;
- (e) family violence services;
- (f) out of home care services;
- (g) Koorie cultural support programs;
- (h) family mental health programs;
- (i) men's programs;
- (j) educational programs;
- (k) justice diversionary programs,
- (l) youth programs;
- (m) homelessness services; and
- (n) emergency relief.

30 Our notable cultural strengthening programs include:

- (a) **Case referral service:** VACCA operates Koorie Connect which is a drop-in service and acts as a referral and support service. Koorie Connect has computers for our community members and offers use of the Internet, email, photocopier, fax and phone. Koorie Connect also supports community through our Commonwealth emergency relief program which often acts as a soft referral to other VACCA programs and supports.
- (b) **Services to Stolen Generations:** VACCA provides services to Stolen Generations through our Link-Up program. Link-Up Victoria supports the Stolen Generations and their families who have been separated

from family, community and culture. We assist Stolen Generations to find and be reunited with family, culture and traditional country. At Link-Up Victoria we understand inter-generational trauma. We are able to access and provide clients with copies of records, organise reunions between Aboriginal people who were adopted, fostered or placed in an institution, with their families, and assist them to reconnect with their culture, communities and traditional country. Link-Up runs events to commemorate National Sorry Day and the Anniversary of the National Apology to the Stolen Generations. Through Link-Up we are able to organise counselling and run cultural healing programs and activities for Stolen Generations and their families.

- (c) **National Redress case support and counselling:** VACCA's Ngarra Jarra Noun (Aboriginal language of the Woiwurrung which means "remedy" or "heal") was established to support victims of child sexual abuse. We provide culturally safe support to Aboriginal people in applying for redress under the National Redress Scheme. Staff provide supports to clients to assist in every aspect of their redress journey and currently we have 54 active clients, and have supported 77 clients in total.

31 VACCA also trains organisations and government about how to work with and for Aboriginal people. We provide a significant number of training and awareness sessions to a broad range of stakeholders from both government and across sectors. We have a strong commitment to our staff where we have committed to a systemic approach to learning and development. We apply a cultural lens across learning and development and VACCA. We are exploring E-learning instructional design and increasing our practice-based training. We are a key policy advisor to the Victorian Department of Health and Human Services, Family Safety Victoria, Victorian Department of Justice and the Victorian Department of Premier and Cabinet on Closing the Gap in matters relating to Aboriginal community wellbeing, especially in child, young people and family matters. VACCA is also informing the Treaty process to understand the alignment of social services agreements with Treaty agreements.

32 Below I describe the VACCA services most relevant to the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings.

Family violence support services

- 33 Family violence support is one of VACCA's biggest growth areas. On average, VACCA receives 400 to 450 family violence referrals each month. At the start of 2021 our referrals averaged around 250 to 300 per month. This is a very high level of referrals and in many cases children are present.
- 34 VACCA's family violence support work is driven by "L17s" or Victoria Police (**Police**) family violence incident reports. Our VACCA March 2022 service data indicates that 85% of our referrals are through Police L17 notifications. Many of our L17 referrals come through the 10 Orange Door sites we operate from across Victoria, however we also receive referrals directly from Police. Consistency in Police use of L17 referrals differs between regions and police stations.
- 35 We meet quarterly with family violence command at Victoria Police to understand policing practice, to discuss how to generate referrals earlier, and to increase Police compliance in asking the standard identifiers question ("Do you Identify as Aboriginal/Torres Strait Islander or both") for all parties including children present. We also share data with each other to gain a better understanding of real world practice especially around L17 referrals and the misidentification of aggressors.
- 36 VACCA has a lead practitioner in ten sites of the Orange Door program. The Orange Door program is a series of Support and Safety Hubs. By connecting people directly to services, Orange Door provides a culturally appropriate coordinated response to a range of different needs and can refer people to various specialist services as well as culturally safe service options as needed.
- 37 Orange Door provides the following supports to women, children, men and young people experiencing any form of family violence:
- (a) a more visible contact point so that people know where to go for support and assistance;
 - (b) help for people to understand and identify family violence and child wellbeing issues;
 - (c) a better understanding of risk, and plans to manage risk;
 - (d) specialist expertise in working with women, children and men;

- (e) an approach across the spectrum of prevention, early intervention and response;
 - (f) connection and coordination as the hubs link people to access the appropriate services; and
 - (g) a referral intake point for other specialist services.
- 38 There are 17 Orange Door services estimated to be established by the end of 2022. VACCA currently operates from ten sites but we have received indications that this may increase by a further 4-6 sites by the end of 2022. In all Orange Door sites in Victoria, an ACCO will have staff on site and be a partner with the service.
- 39 Demand for VACCA's family violence support services remains extremely high, despite 100% of safety plans being in place. By way of example, VACCA receives approximately 30,000 outreach calls in a 12 month period. It is evident that there is a significant problem.
- 40 All Aboriginal organisations that are part of Victoria's Dhek Dja Partnership forum report that demand for services constantly outstrips supply with all services, including housing, legal, therapeutic having lengthy waitlists. Other than our therapeutic counselling services VACCA does not hold waitlists as we believe everyone should receive an immediate response. We utilise our fundraising efforts to do this through our emergency relief and brokerage programs; other Aboriginal organisations in Victoria do not have fundraising teams or the capacity to do this.
- 41 While we have not investigated this, we believe that our ability to act faster and more holistically across the lifespan (through our 70 support programs) than others across our six regions may mean that we are viewed by people experiencing family violence as a preferred provider. We know that our service model is unique in Victoria and nationally as there is no similar organisation.

Family violence and out of home care

- 42 Family violence is highly relevant to the out of home care sector. We know that 88% of children engaged with the Victorian Child Protection Service (**Child Protection**) and referred to VACCA are there because of family violence. As a result, both child protection and family violence work together. While we do not have statistics in other jurisdictions, we believe this this is likely to be the same across Australia.

- 43 I understand that Victoria is the first state to measure and look at family violence in relation to child protection and in responding to it. Child Protection track the primary and secondary reasons why children are notified to Child Protection and so have data on family violence rates that contribute to Child Protection reports. Child Protection and all children and family services are required as part of their assessment and planning processes to conduct a Family Violence Multi-Agency Risk Assessment and Management (**MARAM**) assessment and planning tool.

Out of home care services

- 44 VACCA supports and advocates for Aboriginal children to live with their families. However, where this is not possible, VACCA provides foster care, Kinship care and residential care homes for Aboriginal children.
- 45 We support seven residential care units and over 170 carers (including foster carers and Kinship carers).
- 46 VACCA currently supports around 600 children in out of home care. This has increased from November 2021 when we supported roughly 430 children. This increase, we believe, is due to the increase in family violence reports and the long term effects of COVID.
- 47 All children in our out of home care programs get access to a range of supports including therapeutic supports, cultural activities and camps that are age appropriate. This is underpinned by the child's unique cultural support plan that is linked specifically to that child's clan group, Country and developmental milestones. For example, in early childhood we run playgroups. For older children, we run camps where the children get to interact with Elders and Return to Country activities where they get to meet their Kin.
- 48 When I started at VACCA in 1991, VACCA was funded to provide out of home care supports for 26 children. In reality, we supported 200 children at that time. As I highlighted earlier, we are now funded per child we support, currently around 600.
- 49 VACCA still receives almost no early help, early intervention or parenting support funding to strengthen families and stop removals. Ninety-three percent of all early help funding goes to mainstream services creating a system where Aboriginal children are actively removed compared to non-Aboriginal children, and removal rates are increasing.

- 50 Funding for therapeutic supports, early disability and delay assessments are very low or non-existent. Victoria funds mental health and social and emotional programs primarily to designated Aboriginal Health organisations who provide primary care. This often results in funding for the mental health needs of vulnerable, traumatised children in out of home care being overlooked in favour of those children not in out of home care. VACCA receives some State and Federal funding for our therapeutic supports to children, however a significant proportion of support services are self-funded so that children in out of home care do not miss out or end up on waitlists.
- 51 In my view, VACCA's approach to out of home care services has specific benefits compared to the approach taken by the Department of Families, Fairness and Housing (**Department**). In particular:
- (a) VACCA's workers including case workers, family services support staff and therapeutic workers connect directly with families who have been engaged with Child Protection or are in out of home care. Families do not have to go through the multiple layers required by the Department to get approval, which I consider to be too onerous and to be creating unnecessary delays in care. At VACCA, services are provided in response to identified need and the approval process is actioned by regional managers and team leaders. Approval for additional or different supports is taken on face value, whereas in the Department each additional support triggers layered bureaucratic processes. Budget and funding targets are a key consideration for VACCA's approval processes, however we do not believe in denying services when there is a need, and will self-fund through fundraising if possible.
 - (b) The Department's overly risk-adverse approach means that it has lost sight of the children and families it is meant to be supporting. The Department does not talk to children or families, and that can be a significant risk. Their approach means that genuine needs are missed and places the onus on families to articulate needs when they are unable to identify what they need or how to navigate complex care systems.
 - (c) VACCA takes on a multi-visit observational approach to our safety and risk screening. We observe family dynamics, talk to families and the children, utilising our cultural elements framework to build a

family-centric understanding of the impact of intergenerational trauma on parenting. We use different methodologies such as narrative and play therapy to understand need.

- (d) VACCA's case management approach seeks to work together with mums, dads and the courts. This approach is supported by the establishment of the dedicated Aboriginal Children's Court at Broadmeadows Court, where the magistrate can sit down with families at a table and have a conversation with them.
- (e) During the pandemic and Victoria's lockdowns VACCA did not scale back visits to families in need unlike Child Protection workers. At every visit our first rule was to sight the child and conduct safety screening.

Foster care

- 52 Foster care is a type of out of home care placement that means that a child is placed with carers that are not related to them. For VACCA we have Aboriginal and non-Aboriginal foster carers. Foster carers are remunerated by the government for providing care through an allowance. The allowance has different levels depending upon the care needs of the child. This allowance is significantly higher than what Kinship (family) carers receive irrespective of the child's needs.
- 53 All foster carers undergo a rigorous vetting process and training program. The difference between foster carers linked to Aboriginal organisations compared to non-Aboriginal providers is the provision of cultural supports to carers.
- 54 VACCA actively recruits for foster carers, Aboriginal and non-Aboriginal, but cannot compete with larger organisations that have much larger budgets and recruitment campaigns. This means that currently in Victoria, mainstream providers support around 51% of Aboriginal children in out of home care. While Victoria has an agreement that mainstream providers will transfer 100% of Aboriginal children to Aboriginal care providers by the end of 2022, this has not significantly changed in over 10 years.
- 55 In relation to foster care, VACCA's priorities are:
- (a) ensuring Aboriginal and Torres Strait Islander children and young people have a positive and nurturing family life experience that will support their cultural, social and emotional development;

- (b) providing a culturally safe home for children who cannot live with their birth families;
- (c) maintaining the child or young persons' connections with their families and communities; and
- (d) recognising and maintaining the child or young persons' Aboriginal identity and place in the community.

Kinship care

- 56 VACCA's Kinship care program provides care and support for Aboriginal children who are unable to live with their parents. The children are cared for by a relative, close friend or a member of their community in the carer's own home.
- 57 Children may be in Kinship care because of concerns about their protection, or because their parents are experiencing difficulties and need a break.
- 58 To support children and families in Kinship care, VACCA offers:
- (a) placement support and case management;
 - (b) information and advice to Aboriginal and non-Aboriginal Kinship carers and permanent carers;
 - (c) support to Kinship care families;
 - (d) cultural connection support; and
 - (e) group support and activities.
- 59 Over 50% of our Kinship carers live below the poverty line. Around 70% of Kinship carers already have their own children whom they care for. The allowance provided to Kinship carers does not recognise that, regardless of relationship to the child, they are providing the same support as foster carers. The allowance is the equivalent to the lowest pay rate that foster carers receive. This approach means that families that take on caring responsibilities experience significant additional disadvantage while providing government significant costs savings.
- 60 Kinship carers are not required to undertake any mandatory training however there are a range of shared training opportunities available for free through the "Care Kafé" run through Foster Care Association of Victoria.

Nugel Program

- 61 VACCA runs the Nugel Program, which involves Aboriginal guardianship over Aboriginal children and young people on protection orders under section 18 of the *Children, Youth and Families Act 2005 (Vic)*.
- 62 Ordinarily, when a child is on a protection order, the Department Secretary has guardianship over that child and is able to make decisions for that child. Under the Nugel Program, the Department has transitioned control and guardianship over these children to an Aboriginal CEO of an Aboriginal organisation (ie, myself as CEO of VACCA). Under that program, VACCA is authorised to make decisions for certain Aboriginal children and young people on court orders.
- 63 The legislation permitting guardianship by an Aboriginal CEO of an Aboriginal organisation came into effect in 2017 after a trial period. VACCA was the first guardian in Victoria. There are now three other Aboriginal organisations at various stages of enacting guardianship for children in their care and other Aboriginal organisations exploring their capacity to undertake this role in the future.
- 64 VACCA lobbied government for ten years to be able to undertake guardianship. This required a two year trial where we acted “as if” we were undertaking guardianship.
- 65 Guardianship or the Nugel Program does not currently undertake investigations. The program requires the child to have been removed from their parents or have a child protection concern substantiated by government in order to be supported by VACCA.
- 66 Through the Nugel Program, VACCA offers:
- (a) case planning and cultural planning;
 - (b) support for the child’s out of home care arrangement;
 - (c) case management;
 - (d) relevant legal services and court supports;
 - (e) referral to and coordination with VACCA’s and other services; and
 - (f) support for children to remain with their families or be safely reunited.

- 67 Through the Nugel Program, VACCA remains responsible for the children and young people's best interests through placement changes, changes of protection orders, and involvement with other VACCA programs. If children or young people cannot be at home, VACCA will involve parents and family in planning and decision making for their future as much as possible.
- 68 The majority of children in the Nugel Program are in Aboriginal out of home care placements, largely kinship care placements and some foster care placements. A small number of Aboriginal children are in non-Aboriginal care placements.
- 69 In the northern Melbourne metropolitan area alone, I am (as CEO of VACCA) the guardian for between 100 and 110 children at any given time.
- 70 We started the Nugel Program in Gippsland for 13 children in March 2022. While it has only just been launched, we have already got large numbers which is always a concern and an example of need.
- 71 We have found that the Nugel Program has contributed to a higher rate of reunification of children with their families. The Department's rate of reunification for Aboriginal children is between 12% and 15%, whilst VACCA's is between 22% and 25% and more children are going home safely.
- 72 In addition, VACCA has a family preservation and reunification program that has just been funded which is aimed at early intervention. It is an intensive program that provides in-home support to Aboriginal families with children who are at risk of entering out of home care, or have entered care in the last three months. Primarily the response focuses on supporting families who are currently involved with Child Protection or Community-Based Child Protection, and who have children in the following cohorts:
- (a) women who are pregnant (unborn children);
 - (b) children from birth to five years of age; and
 - (c) children and young people from ten to 15 years of age.
- 73 VACCA has developed and signed off on 1000 cultural support plans since we started guardianship in 2017 and 92 of those plans are for children who are Tasmanian Aboriginals who live in Victoria. Most Tasmanian Aboriginal children were born in Victoria.

Training and supporting foster and kinship carers

- 74 Foster carers who care for a child through an ACCO must complete foster carer training package “Our Carers for our kids”. This package is mandatory and discusses different types of abuse including sexual abuse and uses a story of a child who has experienced sexual abuse and behaviours they may exhibit. It covers how to recognise behaviour change that may be a result of sexual abuse.
- 75 Kinship carer training is voluntary, however the Care Kafé has in person training on “Working with Problem Sexual Behaviour Through a Trauma Lens” and a range of online resources for carers including on online safety.
- 76 All Kinship carers are required to have a Working with Children Check however this is not always a requirement for all adults in the household, just the carer. We work to screen all adult family members in the household to ensure child safety and regularly check-in with families to maintain this.
- 77 VACCA has a program called Kinship Support which provides Kinship carers with essentials items to take on caring responsibilities such as bedding, furniture and case work support. When placing a child with Kin we assess the home so that the carers and the child are adequately supported. We also provide food vouchers, digital supports and other tangible supports particularly at the start of the placement to make the transition for the child seamless.
- 78 When the Department was the biggest provider of out of home care in Victoria, it had 800 Aboriginal children in its care. At that time, many children were placed in Kinship placements and the Department did not regularly visit a lot of those Aboriginal families. There were many complaints about Kinship carers because families did not get the support they needed and there were issues with Child Protection. Significantly, extended family such as grandparents were regularly not given appropriate access to children at this time. Children thrive with their grandparents as they remain involved and connected to the family network.
- 79 Since the Department started to transition guardianship over Aboriginal children to the Aboriginal community in 2017, there has been a greater focus on Kinship supports and efforts to support Kinship carers in a way that is more reflective of need and quality care provision.

Targeted care packages

- 80 A lot of VACCA's role is to try and make sure that children are placed back in their family and community. Even when children do go back home to their families, they may still require support.
- 81 To provide that support, VACCA has access to targeted care packages funded by the Department, which give VACCA the ability to provide resources and to keep children in families, and to be able to find carers and supports that normally the family would not be able to afford such as respite, disability assessments and supports, housing supports and more.
- 82 These targeted care packages also enable VACCA to get young people into independent living programs so that they are able to secure accommodation, instead of leaving care and becoming homeless.

Aboriginal Sexual Assault Support Service

- 83 Family Safety Victoria (**FSV**), a division of the Department, has funded three Aboriginal pilot sexual abuse services across Victoria. These are:
- (a) Aboriginal Sexual Assault Support Service (**ASASS**), run by VACCA, which I describe below from paragraph 85;
 - (b) a program run by the Victorian Aboriginal Health Services; and
 - (c) a program run by Yoowinna Wurnalung Aboriginal Healing Service.
- 84 Attached to this statement and marked **MB-02** are the slides of a presentation given at the Dhelk Dja Partnership Forum held on 13 and 14 April 2022, which provide an overview of the services offered by the three pilot programs, client throughput and activities that have been undertaken to support the pilots.
- 85 VACCA's ASASS is a specialist therapeutic service based in the southern Melbourne area, which is nested in VACCA's broader set of family violence services. The program will work closely with Gatehouse Centre (**Gatehouse**), being a provider of counselling and other services, and the South East Centre Against Sexual Assault (**SECASA**). The service will be accessible to Aboriginal children, young people and adults residing in the southern Melbourne area.

- 86 ASASS is a unique, therapeutic and healing service responsive to the diverse needs of Aboriginal and Torres Strait Islander children, young people, women and men who are victim survivors of sexual assault.
- 87 The distinctive feature of all the ASASS pilots is the integration of a specialist sexual assault service within an Aboriginal cultural healing context.
- 88 The ASASS pilots will apply culturally safe approaches and holistic healing principles to respond to diverse client needs. VACCA's model is supported by engagement with a Senior Aboriginal Cultural Healing Therapist and a Senior Sexual Assault Healing Therapist. Both roles require formal qualifications and experience in the provision of trauma therapy. Ongoing professional supervision to these roles is provided by a mental health social worker or psychologist that is also an expert in trauma and sexual abuse counselling. Those persons report to the Team Leader – Family Violence and the ASASS in VACCA's southern region.
- 89 The Therapists work seamlessly with other VACCA services, Gatehouse and SECASA, as well as other relevant services and organisations.
- 90 The service model also facilitates a method for building specialist therapeutic and sexual assault response capability across VACCA, and building Gatehouse's and SECASA's cultural safety knowledge.
- 91 The ASASS is underpinned by VACCA's CTW framework discussed from paragraph 24 above. Culture, connection and healing are central to the design and delivery of the ASASS. This practice will ensure the ASASS makes a critical contribution to research and building the evidence base for leading practice in working with Aboriginal families.

VACCA CHILD SAFE POLICIES AND PROCEDURES

VACCA as a child safe organisation

- 92 VACCA is a child-safe organisation and is committed to ensuring the safety and wellbeing of children and young people with zero tolerance for child abuse. Our recruitment process aligns with the Victorian Child Safe Standards.
- 93 All successful applicants are required to undertake a National Police Record Check and Working with Children Check prior to commencement of employment and periodically following commencement. Working with Children Checks must be renewed every five years which also includes a National

Police Record Check. Human Resources advises staff in advance that their check requires renewal. It is a condition of employment and of being a carer that these are current.

- 94 On 1 July 2022 Victoria are introducing new Child Safe Standards, increasing the number of standards from seven to 11. VACCA is audited every three years against these standards and must maintain compliance to remain a provider of care supports to children. Although similar to Victoria's current Child Safe Standards, key changes include new requirements to involve families and communities in organisations' efforts to keep children and young people safe; a greater focus on safety for Aboriginal children and young people; requiring organisations to manage the risk of child abuse in online environments; and new requirements for organisations around governance, systems and processes to keep children and young people safe.

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Responding to child sexual abuse

- 98 VACCA has many internal and external procedures concerning responses to child sexual abuse, including:
- (a) mandatory reporting (staff are required to report to Child Protection all allegations of abuse,;
 - (b) critical incident reporting;
 - (c) quality of care;
 - (d) reportable conduct;
 - (e) independent investigation and suitability oversight. This is provided by our independent investigations team within our Continuous Quality Improvement unit;

- (f) records management;
 - (g) registration and accreditation.
- 99 The child safety system in Victoria has a low threshold for risk, and we are audited on everything we do. While our formal audit/accreditation cycle is every three years against the Department standards and Child Safety Standards, any critical incident will be actively reviewed and audited by the Human Services regulator. We are also required to respond and participate in any review conducted by the Commissioner for Children and Young People (CCYP) and the Coroner's Court.
- 100 A copy of VACCA's critical incident reporting policy and procedure is provided in the confidential attachment to this statement marked **MB-06**. The policy and procedure outlines the different reporting requirements and procedures required depending on the type of abuse and who the alleged abuser is (for example, a carer, versus a staff member, versus another child, versus a community member).
- 101 VACCA undertakes investigations and mechanisms for responding to allegations of abuse through our investigations team as part of our Continuous Quality Improvement unit. VACCA has invested in investigator/case support roles to work solely on investigations, with a specific focus on reportable conduct under sections 81 and 82 of the *Children, Youth and Families Act 2005 (Vic)*. We do this function to ensure VACCA's compliance with legislative regulations is adequate and as an operational improvement/learning opportunity to improve our internal structures and systems to prevent abuse. VACCA has also made significant changes to its internal investigation templates to ensure information that is captured in interviews is reflected in investigation reports. We have a dedicated team to undertake this work.
- 102 In 2020-2021, VACCA submitted a total of 396 client incident reports state-wide (across multiple categories, not single episodes), including:
- a) **major impact incidents**: these include anticipated death of a client or severe physical, emotional or psychological injury or suffering which is likely to cause ongoing trauma such as sexual abuse or a pattern of incidents related to one client;
 - b) **non-major impact incidents**: these include incidents that cause physical, emotional or psychological injury or suffering, without resulting in a major impact or harm or impacts to the client that do not require

significant changes to care requirements, other than short-term interventions: for example, first aid, observation, talking interventions or short-term medical treatment.

- 103 Data from July 2020 to June 2021 for all categories regarding sexual behaviours show that there were:
- (a) 19 incidents of sexual abuse;
 - (b) seven incidents of sexual exploitation; and
 - (c) 16 incidents of inappropriate sexual behaviour.¹
- 104 VACCA currently has 61 case reviews open and is undertaking over 100 investigations. These can be from moderate to severe in nature as defined above. The majority of investigations relate to absconding, behavioural actions of child or young person and quality of care. VACCA has no current investigations of sexual abuse, sexual exploitation or inappropriate sexual behaviour.
- 105 The Department used to undertake investigations of incidents of abuse but stopped undertaking that work in 2018. As a result, VACCA has stepped in to do this work, at VACCA's own expense and without Departmental funding. This is frustrating because the Department has the money to do it, and then has placed the onus on VACCA but will not give the organisation any support for doing it.
- 106 While these changes apply to all organisations not just VACCA or ACCOs, and all of us (ACCOs and CSOs) have been struggling with the system and lack of funding. Our staff attend the Centre for Excellence Quality Learning Circle and the Department Client Information Management System (CIMS) Community of Practice Forums, and there is always discussion about the challenges.
- 107 The Department has just undertaken a survey to review CIMS and we are awaiting details of the survey, but verbal feedback at the last CIMS meeting still confirms the system is problematic.
- 108 The one benefit I see for ACCOs of undertaking their own investigations is that it supports self-determination. VACCA finally has the ability to have investigations conducted with a cultural lens and have a voice in the finding. There are still issues from time to time with CIMS Management and Oversight

¹ Please note that each incident report can involve more than one allegation/incident.

Team (**MOT**) at times, as they are very Department-focused and sometimes seek to impose a mainstream lens on VACCA. We have developed some good relationships with CIMS MOT staff and will meet to discuss positions and rationale for those positions, but sometimes we have to agree to disagree when applying professional judgement.

- 109 The CCYP introduced notification and investigation under the Reportable Conduct Scheme in 2017, and the two schemes do not align. In addition to the creation of regulatory burden through double handling of incidents, this means we can have an allegation of abuse substantiated under one framework and unsubstantiated under the other as they have different thresholds for risk and different definitions for what is reportable conduct.

CHILD SEXUAL ABUSE IN INSTITUTIONAL CONTEXTS

- 110 Below I discuss the key ways in which I consider an organisation can protect children from, and respond appropriately to incidents or allegations of, child sexual abuse in institutional settings.
- 111 I note that culturally appropriate responses and interventions are critical to the protection and response measures of an organisation. I address these separately from paragraph 131 below.

The application of child safe standards

- 112 It is essential that all the facilities our children use have Child Safe Standards and that all staff and volunteers have appropriate Working with Children Checks and suitability screening.
- 113 Victoria's new standards have a focus on the needs of Aboriginal children which is important not just to provide culturally safe care, but in recognition that Victoria is the worst performing State in removing Aboriginal children from their families historically, currently and in the near future. The new standards aim to move organisations beyond statements to tangible actions within the organisation. The CCYP has produced a guide on how compliance will be measured and enforced.

Training and education

- 114 VACCA provides a lot of training for schools, including training about respectful relationships. When the Child Safe Standards initially came out, we did a lot of training across the state with other ACCOs so that they would understand the

Child Safe Standards and apply them appropriately. This included a lot of training in cultural safety.

- 115 It is useful for people to properly understand grooming, what grooming behaviours in adults look like, understanding sexualised behaviours and the difference between sexualised behaviour for a child and paedophilia. The ability to identify changes in a child's behaviour that may indicate abuse is also essential. VACCA has regularly provided this training to staff in the past. The current training package is being reviewed to ensure it also complies with the new Child Safety Standards and obligations to protect child safety online.
- 116 A lot of people do not realise that there are treatment options and responses available for people, especially children who experience sexual abuse or use sexually abusive behaviours. Additionally, the services offered need to be culturally safe in order for people to access the help that is available.
- 117 It is critical that there is continued education, training and awareness on signs of sexual abuse and that schools have the ability to do that. Training for teachers on preventing and improving the response to child sexual abuse and children exhibiting sexually abusive behaviours should be compulsory, especially related to unusual behaviour changes and other signs.

Best practice incident reporting systems

- 118 To achieve best practice in the reporting of, and responding to reports or information about allegations, incidents or risks of child abuse, it is important to have a really good critical incident reporting system.
- 119 A best practice incident reporting system is one that believes the victim, that ensures the child that has experienced abuse has an Aboriginal support person with them when reporting and being interviewed, that there is an independent culturally safe investigation to establish facts, and that therapeutic supports are provided for at least two years regardless of whether the abuse is substantiated. Regardless of whether the abuse happens in out of home care or in the home or school; family should be involved in the healing process. Victoria's Intermediary program run by the Department of Justice is a good practice example.

Eliminating impediments to appropriate responses

- 120 In my view, it is critical for an organisation to take steps to address barriers or impediments to appropriately responding to child sexual abuse.
- 121 A lack of trust in Police can be one such impediment. Building trust in the Police response is important. It is important for Aboriginal people to feel that they can go to the Police and that the Police will assist them. Unfortunately for young people in residential care settings Police are less responsive to reports of sexual abuse or blatant grooming behaviours of older men for all children in care but we believe more so for Aboriginal children. We see that the response is less if there are drugs or alcohol involved at the time of the assault or the young person has been violent towards Police in the past.
- 122 The lack of trust in Police is also due to perceptions that no action will be taken or that the victim will be arrested on unrelated petty crimes. The burden of proof on the child victim is also too high, especially where the abuse is at the hands of a non-Aboriginal family member or perpetrator who is more likely to be believed by Police; or where grooming has occurred over many years and the abuse commences once the child turns of age.
- 123 A lack of access to responsive and culturally safe counselling and support services is another potential impediment. Many Aboriginal people would not know about the available resources and services, and would not know to talk to somebody about something that has happened. We know sadly that a lot of Aboriginal people do not put in a notification or do not disclose instances of abuse especially against family, carers or members of the community.
- 124 Cultural bias in responses can also be a barrier to appropriate responses. It is critical that clinicians screen evidence-based practices for cultural specificity to ensure that interventions are not culturally biased. At VACCA we believe in culturally grounded practice, and that it:
- (a) requires critical thinking and culturally informed assessment skills in order to meet the specific needs of Aboriginal people and in the utilisation of their culture in engagement and treatment;
 - (b) provides clinicians with individualised ways of helping that approach culture as a possible source of strength for the individual, starting at the intake and assessment points;

- (c) connects Aboriginal clients with their culture in terms of the past, the present, and aligns with their aspirations for the future; and
- (d) includes interventions that emphasise the importance of connections and views interactions systematically and structurally, inclusive of extended family and community and in which the nuclear and extended family are approached as support networks.

125 Child advocates are also important. There is a need for not just suitably trained and experienced trauma focused advocates but also for a culturally supportive person to sit with children, preferably an Aboriginal advocate to ensure cultural safety. Aboriginal advocate matching has to be managed very clearly and carefully, to ensure a perpetrator or family of the perpetrator is not involved.

Addressing the impact of sexual abuse

126 It is important to address, or alleviate the impact of, past and future child sexual abuse in institutional contexts, including, in particular, ensuring justice for victims through processes for referral for investigation and prosecution and support services. I consider that key features of addressing the impact of sexual abuse are as follows.

127 Funding should be directed towards sexual abuse education across the whole continuum, from early intervention and awareness through to identification, protection and treatment.

128 Emphasis should be placed on a direct personal response in the context of addressing sexual abuse. The learnings of VACCA through the National Redress Scheme are that a direct personal response is very powerful. In my view, it should be compulsory that an apology is given by the institution. This could be done either in person or in writing or both, but the victim-survivor must be given a choice.

129 Redress payments do help, but access to counselling for healing is equally important and needs to be funded longer, in a similar manner to the way veterans and their families get access to counselling services.

130 Investment must also be made long term in Aboriginal sexual assault services. There is a risk that the three pilot programs described above at paragraph 83 will not receive recurrent funding. If the programs are not evaluated well

enough, there will be little evidence to demonstrate the positive outcomes of the pilots. This will jeopardise current and future services across Victoria.

CULTURALLY APPROPRIATE RESPONSES

Cultural healing and therapeutic approaches

- 131 There is a difference between truly understanding the cultural context and merely having knowledge of the cultural context. For example, a particular family can come to me and I know their history, I understand the impact of stolen generations, I know these families have lived in poverty and that there has been family violence, drugs and alcohol.
- 132 An average case worker would not have that required knowledge and understanding. By engaging workers from Aboriginal communities, they come equipped with knowledge, in particular about our families and communities. This enables those workers to understand that and put that knowledge into a context, which is critical.
- 133 Understanding the issues of Aboriginal persons and communities is only part of the approach. VACCA is different in its approach, assessment process and engagement process. Often, the value can be more in how we connect, rather than direct conversations.
- 134 VACCA runs a lot of programs such as art mentoring, where we create possum skin clothing and so on, and we will have Elders in the room. With Elders in the room, children are more likely to talk about their concerns and it is possible to break down a lot of issues.
- 135 VACCA also offer other activities, for example music programs and camps with young people, and bring Elders along to those programs where there is yarning. Being able to provide those programs allows Aboriginal people to see and participate in their culture.
- 136 An example of another activity VACCA offers is the "Little Long Walk", which a lot of our kids from our playgroup attended. VACCA runs eight playgroups, so we took many of our young vulnerable mums to the Essendon Football Club and walked around the oval and some of the Essendon football players walked around with us and completed the Little Long Walk.
- 137 VACCA also participates in the National Aborigines and Islanders Day Observance Committee. We are constantly thinking about things that can be

done to bring culture to the children and families that do not have a strong cultural base.

- 138 These kinds of responses are important, but are not within the capacity of a mainstream system. In my view, the ACCO sector needs to take a greater role in focusing on culture and holding cultural events. VACCA is not funded for cultural events. However, if we did not run these events, those children may not have any opportunity to learn about their culture.

Culturally appropriate intervention in instances of child sexual abuse

- 139 To better protect children against sexual abuse in institutional contexts, it is important to have culturally appropriate intervention measures.
- 140 This intervention needs to address the past traumas, present situational problems and health disadvantages of children in communities. It is important for those involved in the intervention process to have the ability to explore what has happened in the child's past. All children are entitled to know their life story, the good and the circumstances of their placement in out of home care where their abuse occurred. All children should know that being removed is not their fault, and that being abused is not their fault.
- 141 To address the needs for culturally safe services, VACCA established the Aboriginal Child Specialist Advice and Support Service (**ACSASS**) in 2002. It is underpinned by a formal agreement with government that means Child Protection must consult with ACSASS. ACSASS provides cultural advice to Child Protection staff and Aboriginal children and families involved in child protection matters for the life of the clients' interaction with Child Protection. ACSASS attends all notifications for Aboriginal children with Child Protection which also includes children that have been sexually abused or who are displaying sexually abusive behaviours. In my view, better outcomes can be achieved by involving Aboriginal people in all parts of the system in this way.

Culturally appropriate responses to harmful sexual behaviours

- 142 Responding to harmful sexual behaviours is very hard. VACCA sees children that come in with sexualised behaviours and have dealt with some extreme cases.
- 143 For example, we had a case where three young people had been subjected to horrific sexual abuse by a parent and grandparent. VACCA assisted by setting

the children up in residential accommodation, however we found that the children were then exhibiting sexualised behaviour towards each other, including having sex. It was difficult to predict that level of behaviour or other related behaviours. The older child was put into a million dollar a year placement and the child caused significant damage to the property. However, because we are not able to restrain the child, the only response we could undertake is calling the Police. For those three young people, VACCA had to put the biggest and best team around them and worked closely with the Department. All children received intensive therapeutic supports.

- 144 VACCA has a significant therapeutic package which includes a healing team with psychiatrists, providing sophisticated testing and treatment responses. VACCA are constantly looking at how to build that package into our practice frameworks. In some cases this may involve multiple workers 24 hours a day supervising children, often at a significant cost.
- 145 VACCA involves children in cultural activities, which positively impact their behaviour. These activities are really quite therapeutic for them, as they learn how to dance, play didgeridoos and paint up. Often they have no connection with their culture of Aboriginal identity before coming to VACCA. We reintegrate them back into the community and their culture through individual and group activities including respectful relationships camps where safe to do so.
- 146 However, it is common that the community will have little knowledge of a child presenting problematic sexual behaviours. Children with sexualised behaviours could be in any room and you would not know. It is important to ensure that parents understand and not ostracise these children, while still ensuring other children are protected.
- 147 A source of frustration that I have raised with the Youth Justice Commissioner is that VACCA do not have access to the same assessment and screening. The juvenile justice system in Victoria has greater access to MAPPS (Male Adolescent Program for Positive Sexuality) and CAMHS (Child and Adolescent Mental Health Service), Orygen Clinical Programs and other sophisticated tools, however VACCA cannot access those tools until children are 16 and quite often not until they have committed a crime.
- 148 VACCA would benefit from good access to clinical assessments, as this would assist in understanding the triggers that lead to offending. I identified this

benefit when I was on the Youth Parole Board, where I observed the sophistication of the testing available, in particular understanding and measuring the functions of the brain. This testing is useful to determine whether a child has a cognitive disability, psychopathology etc, to ensure we can tailor supports and therapeutic solutions to individual needs.

PROTECTING ABORIGINAL CHILDREN IN OUT OF HOME CARE FROM EXPLOITATION

- 149 Protecting Aboriginal children in out of home care from exploitation is an ongoing struggle.
- 150 I believe VACCA's role is to do the one-on-one work with kids. It is important to talk to them about their rights, about respect for their body and empower them. VACCA has a range of programs under the umbrella of respectful relationships. For example for young people this covers consent, healthy relationships, identifying coercive behaviours and family violence red flags and where to get support. Carers are also given this information so that they can have these conversations with the children in their care.
- 151 The biggest issue we have is grooming of children in out of home care. What concerns us most is the inability of the Police to be able to take action to address this issue. There is no adequate legislation that covers intent to be abusive in the future. Even where we have legislation concerning matters such as providing drugs or alcohol to a minor, this does not take into account the intent behind that kind of offending. VACCA believes Police need to have a greater ability to be able to take action, as the "hands-off" role currently taken by Police is the opposite of best practice. For example, one of our residential units had reported several times that we knew a much older adult man was targeting young girls in our unit and grooming them through providing illicit drugs and alcohol. We reported his car and the frequency of which he would stalk the unit, but he had technically committed no crime so nothing happened.
- 152 Victoria has done significant work with Police and the Department to address exploitation of children in residential care. Paedophiles are extremely sophisticated and target children in out of home care. Robyn Miller led a lot of that work when she was in the Department.
- 153 At present, VACCA are reconfiguring all our residential care units. A new residential care manager has been appointed and there is a whole refresh and

different approach to our offering. All of our residential units will be classified as “therapeutic”. This means that we are adequately funded to have better staff to child ratios, that we can put in place more cultural and therapeutic supports for the children. It also means we can make the unit feel like more of a home, where staff build better one-on-one relationships of trust, have the rapport to talk more about respectful and healthy relationships, and can go with children on outings to improve safety.

- 154 Another big issue we have in Victoria is that children go missing, which is common among all residential care settings. When children go missing, after a period of time if the State cannot find them, there is nothing further it can do. Nobody actively looks for those children or ever finds out what they were doing or if they are safe.
- 155 In the Aboriginal community, what people do not realise is that we have better mechanisms to find our own kids. We often know where they are, because family and community will tell us. We can keep kids safer, but privacy and confidentiality was always an issue. When parental responsibility is transferred to the government, there is no obligation for the government to give any information to the parent due to confidentiality concerns. This is a difficult situation, as the community does not understand why they were not informed about issues concerning a child’s safety. The issue of parental rights is probably the one thing that could be improved by including parents more in information sharing and, where practical, decision making.
- 156 The ability of the community, Elders, aunts and uncles to stand up for and protect children is extremely important where there are no parents involved. Without this, we see greatest vulnerability for Aboriginal children.

REFLECTIONS ON THE VACCA MODEL

Significance of “one-stop shop” model

- 157 In my opinion, VACCA’s role as a provider of holistic support is an important feature of its operation and its success.
- 158 Because VACCA has multiple services and roles, it is able to build upon learnings in one area in order to come up with solutions to address issues in another area.

- 159 VACCA does a lot of lobbying and advocacy and has a great working relationship with the Department and across government. VACCA has been able to take advantage of the fact that where there are gaps, actions can be taken. We are very agile and innovative and change our way of operating and develop it further and receive support from the Commonwealth for emergency relief and fundraising.
- 160 It is clear that the emergency relief VACCA provides can operate as a “soft entry” point to VACCA’s other programs. As mentioned at paragraphs 47 and 135 to 136, VACCA runs a series of playgroups and camps. These playgroups can be, for example, an opportunity to watch parents interact with their children during access visits and provide them with feedback. Because a lot of VACCA’s therapeutic work involves getting parents to understand their behaviour and how that impacts their children, these kind of day-to-day interactions can provide a useful starting point for that work.
- 161 Importantly, VACCA does not lose the children it supports. A lot of these children stay involved in our programs and grow up with our ongoing support. This is different to earlier or other kinds of support services, where the services are offered for a particular point in time only.
- 162 We work closely with the CCYP in safeguarding children and conducting inquiries. However until the role of the Aboriginal Children’s Commissioner in Victoria is enshrined in legislation the role will remain subservient to the Children’s Commissioner. The two roles should be treated equally in the eyes of the law.

Potential to use VACCA’s model in the Tasmanian context

- 163 I acknowledge that Tasmania has its own particular contextual features that must be taken into account when considering the best approach for Aboriginal communities.
- 164 In my view, it is essential to set up regional organisations and invest in the local community. This includes obtaining support from the government to establish an authorising environment within that.
- 165 In Victoria we are starting to look at how we get Aboriginal people in government that can actually work with the Aboriginal community to get things done. We now have a range of programs where Aboriginal communities are actively engaged in addressing issues alongside the government.

- 166 The importance of Aboriginal voices is recognised by work done by all Australian governments to implement the new National Agreement on Closing the Gap. The purpose of that agreement is to overcome the inequality experienced by Aboriginal and Torres Strait Islander people in Australia by engaging in law reform on matters that affect those communities. There are four law reform priorities, which are:
- (e) strengthen and establish formal partnerships and shared decision-making;
 - (f) build the Aboriginal and Torres Strait Islander community-controlled sector;
 - (g) transform government organisations so they work better for Aboriginal and Torres Strait Islander people; and
 - (h) improve and share access to data and information to enable Aboriginal and Torres Strait Islander communities make informed decisions.
- 167 I do not know the status of the National Agreement on Closing the Gap in Tasmania.
- 168 Attached to this statement and marked **MB-07** is a copy of the National Agreement on Closing the Gap.
- 169 The wider community in Victoria is not afraid of investing in Aboriginal community control. At the Aboriginal Children's Forum we have all the major state-wide leaders and organisations in the room, for example Anglicare and Uniting Care. Important decisions are made at the Forum, and the consensus is that Aboriginal people do Aboriginal business better. There is a shared commitment to investing in the Aboriginal community.
- 170 In my view, this contextual background offers good opportunities to push for local decision-making to achieve better outcomes for Aboriginal and Torres Strait Islander communities.
- 171 The VACCA model is completely relevant and transferrable to the Tasmanian context and can be replicated in its entirety.
- 172 VACCA's leadership in the Victorian out of home care sector is our founding principle; that we needed to act for ourselves to achieve change because we know what works best for our own communities. It was a staged process driven in part through community demand but also by government funding. We did not receive meaningful funding to adequately support Aboriginal children

until the 1990s. Even then growth was slow until 2017 when we started guardianship. Now in 2022 government investment is significant and unparalleled by any other jurisdiction. Workforce funding has been the single most important funding source outside of service delivery as it enabled us to invest in the systems and infrastructure we needed to be a successful, sustainable organisation. However we still rely in small part on philanthropy and fundraising efforts. We are a lean organisation as every cent is reinvested so that we can continue to be an employer of choice and work with our communities to build social capital. We are yet to receive adequate early help or infrastructure funding but we will continue to lobby for this.

IMPORTANCE OF QUALITY AND GOVERNANCE

- 173 It is important to note that the regulatory and legal infrastructure around Aboriginal organisations like VACCA that deliver these kinds of services to Aboriginal communities can be complex. Jurisdictions seeking to implement these kinds of arrangements will need to ensure the appropriate infrastructure is in place, otherwise there is a risk of failure.
- 174 Organisations like VACCA are accredited against Quality Improvement Council Health and Community Services Standards (7th Edition), Human Services Standards and Rainbow Tick Standards. As part of our accreditation, we undergo regular audits by the Department. This involves scrutiny of all aspects of VACCA's governance, including the Board, our policies, targets and performance.
- 175 The Department also requires us to have a qualified workforce, so we need funding to have that workforce properly trained. This is a particular pressure point for VACCA, as having and retaining a quality team is an important and complex process.
- 176 There are multiple legal requirements that the Board has to inform itself about and they have to understand the complaints process, so there is a lot of high level reporting to the Board.
- 177 Business continuity is also important, both from the perspective of financial continuity as well as continuity in terms of guardianship. This means ensuring continuity in terms of guardianship in addition to financial continuity.

- 178 These legal, regulatory and practical features of VACCA's operation can be onerous. Naturally, the more initiatives that are put in place, the more regulatory and audit requirements apply.
- 179 If similar organisations or structures are to be adopted, it is critical that there is the necessary infrastructure in place to support those organisations, particularly where those organisations take over guardianship of Aboriginal children. The quality of an organisation's governance and service delivery, and its ability to meet its compliance burden, are fundamental features of the system.

I make this solemn declaration under the *Oaths Act 2001* (Tas).

Declared at Lorne, Victoria
on 10 June 2022



Muriel Bamblett

Before me:

