



## Cultural Identity, Community and Family Connections: Aboriginal Children and Young People in Out-of-Home Care

### Key messages

We acknowledge and honour Aboriginal peoples as the traditional custodians of Australia and pay our respects to their elders past, present and emerging. We remember the Stolen Generations – Aboriginal and Torres Strait Islander children forcibly removed from their families, communities and culture under past government practices. Aboriginal children and families continue to be over-represented in out-of-home care (OOHC) in NSW.

The report from the independent review of Aboriginal children and young people in OOHC *Family is Culture (2019)* contains a number of recommendations that support the Pathways of Care Longitudinal Study (POCLS) research findings in relation to cultural identity, community and family connections for Aboriginal children, and are reiterated in this Evidence to Action Note.

The POCLS shows encouraging trends in regards to cultural connections for Aboriginal children and young people in OOHC. There is some evidence that Aboriginal children and young people who maintain cultural connection by socialising with their birth communities 5-6 years after entering OOHC have healthy socio-emotional wellbeing.

The POCLS does not measure the quality of cultural connections. A qualitative study on how to measure the quality of cultural connections would improve our knowledge.

This Evidence to Action note describes the recent findings from the POCLS analyses that relate to cultural identity and family connections. The findings will inform OOHC policy and practice to improve the developmental outcomes of Aboriginal children and young people so they can reach their full potential.

## Why are cultural identity and connections important?

The Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) governs decision making relating to the placement of Aboriginal children and young people (hereafter referred to as children) in OOHC. The fundamental goal of the Principle is to enhance and preserve Aboriginal children's connection to family and community and sense of identity and culture. There are 5 principles including prevention, partnership, placement, participation and connection which are outlined in detail in the Secretariat of National Aboriginal and Islander Child Care (SNAICC) [Guide to Support Implementation](#) of the ATSICPP.<sup>1</sup>



Being connected to culture is of utmost importance for Aboriginal children's wellbeing (Arney, Iannos, Chong, McDougall & Parkinson, 2015). A national study on children in OOHC (n=1,275; Aboriginal children n=436; non-Aboriginal children n=839) found that approximately one-third (31%) of the Aboriginal children reported that they felt 'quite connected' to their culture and another third (30%) reported 'little or no connection' to their culture. Among the 90% of Indigenous respondents that thought a cultural support plan was relevant to them only 18% knew about their plan. Only 6% of those that commented expressed satisfaction with the process (McDowall, 2018).

The POCLS is a large scale quantitative longitudinal study on the factors that influence child developmental outcomes in terms of physical health, socio-emotional wellbeing and cognitive learning ability. The child, caregiver, caseworker and teacher surveys ask questions on cultural connections to provide a high level understanding. A qualitative study would provide an in-depth understanding of how Aboriginal child placements, case plans and activities connect children in OOHC to their culture, community, kin and family; and influence their socio-emotional wellbeing.

This note is based on analyses by Delfabbro (2018, 2020) which examine the outcomes of Aboriginal children in the POCLS. The focus of this note is on what the new evidence tells us about policy and practice to maintain Aboriginal connections to cultural identity, community and family while in OOHC. The note also draws on the learnings from the independent review of Aboriginal children in OOHC, *Family is Culture* (2019).

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<sup>1</sup> Secretariat of National Aboriginal and Islander Child Care, Aboriginal and Torres Strait Islander Child Placement Principle: A Guide to Support Implementation (2018).

# How are cultural identity and connections measured in the POCLS?

The POCLS data asset is made up of data collected from children, caregivers, caseworkers and teachers; as well as client administrative data on child protection, OOHC placements, health, education and offending held by government departments.

Caregivers are asked a series of questions in the face-to-face interview on the child's behaviour.<sup>2</sup> The POCLS questions do not measure the quality of cultural connections.

In this Note, children's socio-emotional wellbeing is reported as measured by the caregivers of children aged 3-17 years old completing the Child Behaviour Checklist (CBCL) to identify emotional and behaviour problems in children.

## Summary of key findings

### Collecting and recording a child's cultural background in the administrative records

It is important that Aboriginality is accurately recorded so that cultural best practice can be adopted for Aboriginal children and families. This includes finding culturally appropriate placements, case planning and providing services and supports. The POCLS found inconsistent recording of child's cultural identity when analysing data from the Department of Communities and Justice (DCJ) client administrative records, carer report, child report and caseworker report. Reporting of a child's cultural background from the same source also changed over time. To address the inconsistent reporting of a child's cultural background in the POCLS, a counting rule based on changes in the data reporting over time and the likely accuracy of the various data sources was developed (NSW Department of Communities and Justice, 2020). An important policy and practice issue is how children's and caregiver's cultural background information is collected from a person with cultural authority; and entered into ChildStory accurately.

### Aboriginal children's connection to culture

Delfabbro (2018) found significant increases on questions about cultural connections over the first 3 waves of the POCLS data collection.

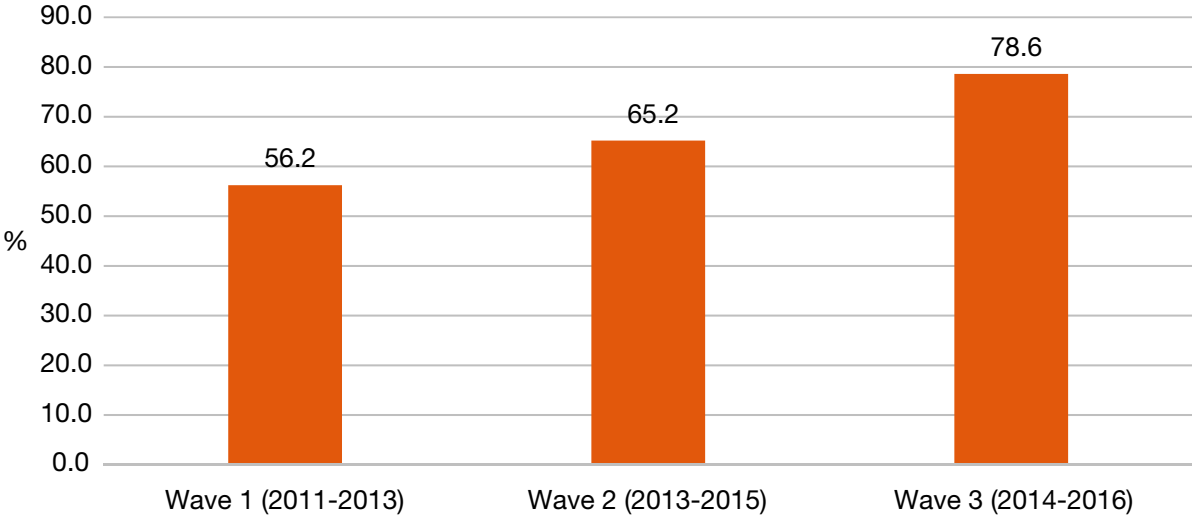
### Discussions about maintaining cultural connections

Figure 1 shows a steady and significant increase in the percentage of children who had been involved in discussions about their cultural identity and heritage (Wave 1 = 56.2%; Wave 3 = 78.6%). The quality of the discussions is not available from the data, however the trends may reflect that the importance of child's cultural identity is being acknowledged.

<sup>2</sup> Before every wave of data collection the questions are reviewed by stakeholders. These questions are from the Wave 5 questionnaires. See end of document for questions on cultural identity and connections.



**Figure 1: Proportion of Aboriginal children who had been involved in discussions about their cultural identity and heritage**

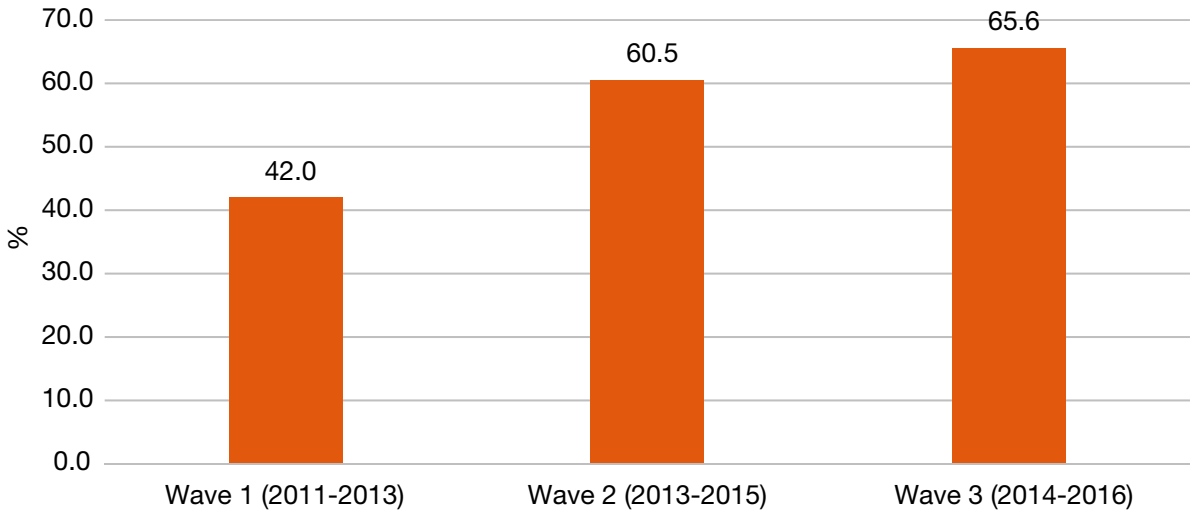


Source: POCLS caregiver longitudinal data. Question: Does study child have access to the following to help them maintain connection with their cultural background? Cultural identity and heritage is discussed. Delfabbro (2018).

**Contact with community of birth culture**

Figure 2 shows that while only 42.0% of children had socialised with their birth community at Wave 1, this had increased significantly to two-thirds by Wave 3.

**Figure 2: Proportion of Aboriginal children who had socialised with their birth community**

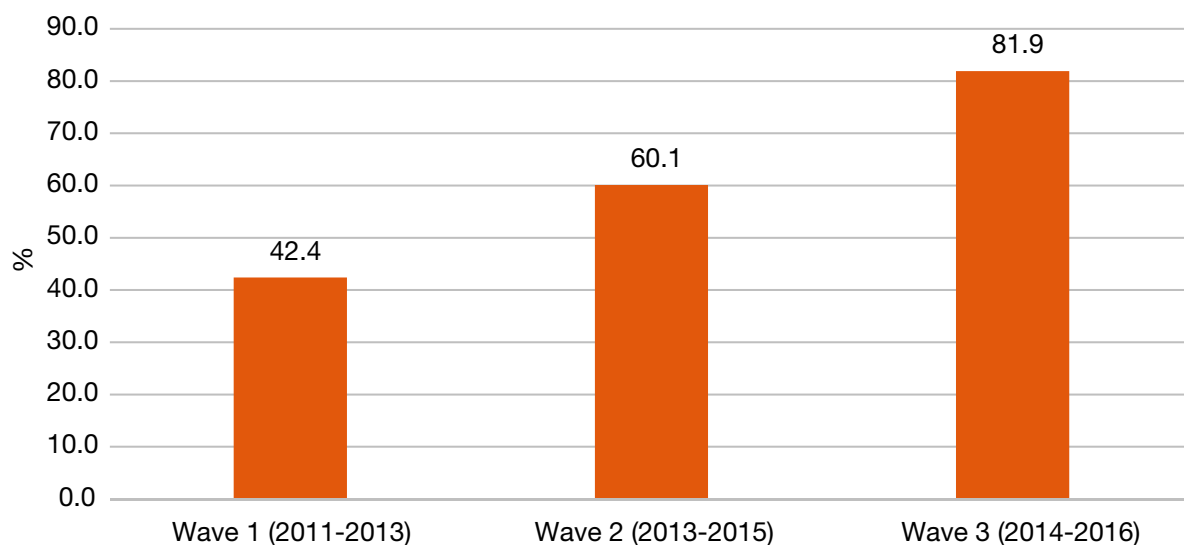


Source: POCLS caregiver longitudinal data. Question: Does study child have access to the following to help them maintain connection with their cultural background? Socialise with community of birth culture. Delfabbro (2018).

## Cultural activities

Figure 3 shows a significant increase in the proportion of children reporting to be engaged in cultural activities (Wave 1 = 42.4%; Wave 3 = 81.9%).

**Figure 3. Proportion of Aboriginal children engaged in cultural events or festivals**



Source: POCLS caregiver longitudinal data. Question: Does study child have access to the following to help them maintain connection with their cultural background? Attend key cultural and religious festivals and celebrations. Delfabbro (2018).

While the trends around improving cultural connections for Aboriginal children and their families are positive, there is still a percentage of children not engaged in cultural events and festivals.

Teachers were asked to rate how well education plans met the cultural needs of children. The ratings for Aboriginal children indicated: 38.4% of educators said 'very well'; 44.4% said 'moderately well'; and only 8.1% indicated 'not very well'.

## Culturally matched placements

Delfabbro (2018) found that under half (42.4%) of Aboriginal children at Wave 1 (1-3 years after entering care for the first time) were placed with households with at least 1 Aboriginal caregiver. Caregivers and caseworkers report that most Aboriginal children are connected to their culture and their placements are generally considered to be very good. On the whole, caseworkers expressed very positive views about the suitability of placements for Aboriginal and non-Aboriginal children. Around 90% of placements were rated by caseworkers to be meeting the child's needs in areas such as development, behavioural management, cultural connections, health, learning, and emotional wellbeing.

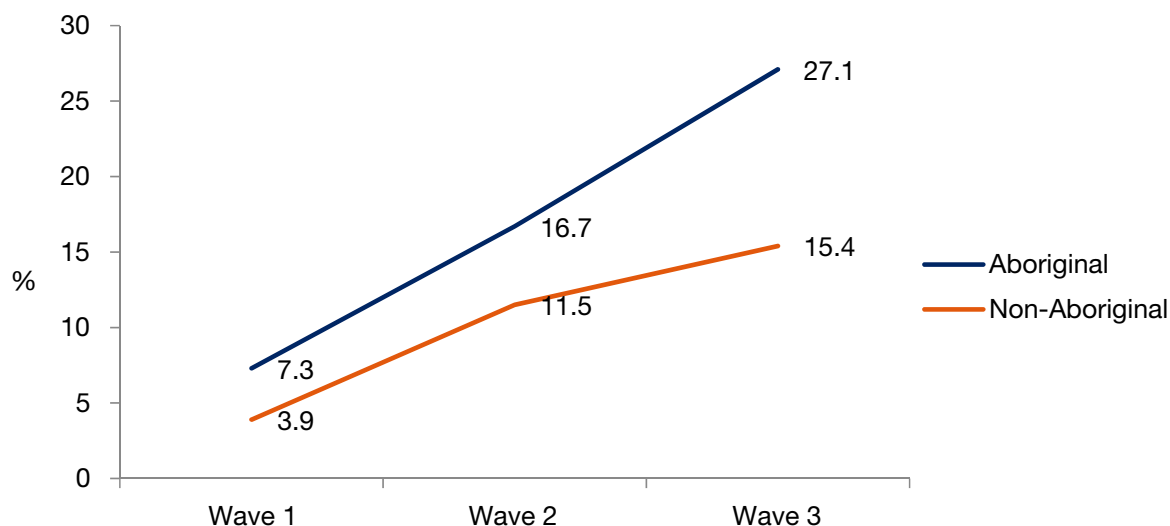
## Family contact

Delfabbro (2020) reported a gradual decrease in the percentage of children in contact with their birth parents over the first 5 years in care (for both kinship and foster carer placements).

Delfabbro (2018) found that most Aboriginal children had contact with their parent(s) and siblings living elsewhere but around 15% of Aboriginal children did not have this type of contact. There is some evidence of increasing rates of unsupervised and telephone contact with parents over time.

By Wave 3 (5-6 years after children first entered care), 63.5% of Aboriginal children had slightly less contact with their mothers compared with 72.1% for non-Aboriginal children (although not significant). Over 3 waves, the percentage of unsupervised contact with mothers increased, with greater increases observed for Aboriginal children (see Figure 4).

**Figure 4: Unsupervised contact with mothers over 5-6 years**



Source: POCLS caregiver Wave 1-3 longitudinal data. Delfabbro (2018).

Both groups had similar levels of contact with their fathers (41.1% for Aboriginal and 42.5% for non-Aboriginal children).

More detailed analysis of Aboriginal children placed with non-Aboriginal households showed that most had contact with their parents and other relatives. For example, 70.7% of these children had contact with their mothers and 76.2% with at least one parent. Of the 57 Aboriginal children who have no contact with their parents, 36 have contact with other relatives. A limitation with the data is that we do not know whether the cultural background of the relatives (a question was added at Wave 4 to address this data gap). Twenty Aboriginal children placed with non-Aboriginal carers had no contact with family members.

Caseworkers were asked to indicate whether the contact arrangements with siblings (not living with child) were working well. For 128 Aboriginal children in this situation, 80.5% of arrangements were working well with the remaining 19.5% not working well.

## Cultural connections and developmental outcomes

Delfabbro (2020) found evidence that Aboriginal children who had cultural connections by socialising with their birth communities 5-6 years after first entering OOHC were less likely to have behaviour problems. These children were less likely to score in the CBCL clinical range (indicating problems that potentially require professional support) for internalising behaviours (such as anxiety and depression symptoms), externalising behaviours (such as hyperactivity or aggression) and total problems.

The findings support the importance of cultural connections for Aboriginal children with their communities. However, it is not possible to infer causation from the current analyses. In particular, it is unclear whether socio-emotional wellbeing as measured by the CBCL is the result of the cultural connections per se, or whether they reflect other qualities of the carers who make the effort to maintain cultural connections.

## Placement stability for Aboriginal children in OOHC

Delfabbro (2020) reported that placement changes were slightly more common for Aboriginal children (24.5%) than for non-Aboriginal children (18.8%), but this difference was not significant.

Delfabbro (2018) reported that while caseworkers generally rated the placements for Aboriginal children positively, they reported it was often difficult to find culturally suitable placements in areas where children can remain in contact with their Aboriginal family and community.

Caseworkers rated how difficult it was to find long-term placements on a 4 point scale that ranged from 1 = Not at all challenging to 4 = Very challenging. Table 1 shows the percentage of cases for which the task had been identified as ‘fairly challenging’ or ‘very challenging’. Comparative data is provided to show which issues are more challenging for Aboriginal children compared to non-Aboriginal children.

**Table 1: Proportion of cases where it was ‘very’ or ‘fairly challenging’ for caseworkers to find new long term placements**

Factor	Aboriginal %	Non-Aboriginal %
Foster care	54.9	54.8
Kinship/relative placements	53.3	47.3
Placements with siblings	58.6	44.6
Behavioural issues	32.4	47.3
Health and developmental issues	31.0	30.9
Maintaining school/ childcare continuity	47.9	30.5
Culturally matched placements	57.8	10.8

Source: Caseworker on-line survey. Delfabbro (2018).

# Implications of the research to improve Aboriginal child outcomes

## Recommendations to improve legislation, data collection, policy, practice and reporting

### Greater compliance with the Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) and annual reporting

The following recommendations are from the *Family is Culture Review Report 2019* – Chapter 16 – Introduction to the Aboriginal Placement Principle. These are further supported by the POCLS research findings and are therefore reiterated here:

**Recommendation 71:** The NSW Government should amend the *Children and Young Persons (Care and Protection) Act 1998* (NSW) to ensure that its provisions adequately reflect the five elements of the ATSICPP: Prevention, Partnership, Participation, Placement and Connection.

**Recommendation 72:** DCJ should develop guidance for caseworkers on the purpose of the ATSICPP, the elements of the ATSICPP, and how to apply these elements during casework. This guide should be developed in partnership with Aboriginal community organisations and after consideration of existing ATSICPP resources, such as those already developed by SNAICC which the Review regards as best practice.

**Recommendation 73:** DCJ should implement an ongoing program of training to test and enhance staff knowledge of the ATSICPP. This program should be delivered in partnership with the NSW Child, Family and Community Peak Aboriginal Corporation (AbSec).

**Recommendation 74:** DCJ should engage with Aboriginal stakeholders and community members to design and implement a system of data collection around all elements of the ATSICPP. In particular, the data should address:

- a. Aboriginal children's contact with their Aboriginal birth parents, siblings (including half-siblings) and extended family, kin and community;
- b. Aboriginal children's placement with siblings (including half-siblings); and
- c. cultural planning for Aboriginal children in care, including information about who participated to develop the child's cultural plan, and what these cultural plans contain in relation to the five ATSICPP domains.

**Recommendation 75:** DCJ should publish data on its compliance with all elements of the ATSICPP on an annual basis.



## Regulations on identifying Aboriginal children in contact with the child protection system, mandatory data collection and annual reporting

**Recommendation 76:** The NSW Government should, in partnership with relevant Aboriginal community groups and members, develop regulations about identifying and 'de-identifying' children in contact with the child protection system as Aboriginal for inclusion *Children and Young Persons (Care and Protection) Regulation 2012* (NSW).

**Recommendation 77:** DCJ should develop a policy to assist in the implementation of the new regulation about the identification and 'de-identification' of children in contact with child protection as Aboriginal.

**Recommendation 78:** DCJ should ensure that it is mandatory for caseworkers to complete the Aboriginal and Torres Strait Islander status field on Child Story.

**Recommendation 79:** DCJ should collect and publish information about the number of children who are 'de-identified' as Aboriginal and the reasons for the de-identification on an annual basis.

## Policy guidance on family, kin and community contact for Aboriginal children in OOHC

The following recommendations are from the *Family is Culture* Review Report 2019 – Chapter 20 – Connection to family, community, culture and country, and are further supported by the POCLS research findings, therefore reiterated:

**Recommendation 103:** DCJ should develop policy guidance for caseworkers that addresses the desirability of promoting regular contact between Aboriginal children and their family, kin and community; how to promote this contact in practice; and when supervision is necessary in contact arrangements.

**Recommendation 104:** DCJ should develop policy guidance for caseworkers about the issue of contact with parents in custody. This guidance should include a discussion of the types of contact that can be facilitated between children and incarcerated parents, how to arrange the contact in practice, advice about methods of liaison with correctional services and information about facilities to enable contact in individual correctional centres.

## Policy guidelines and tools for carer assessments, practice guidelines on placement stability, improved data collection and reporting

The following recommendations from the *Family is Culture* Review Report 2019 – Chapter 18 – Placement, and are support the POCLS research findings, therefore reiterated:

**Recommendation 84:** DCJ should work with Aboriginal stakeholders and community to design a system for the collection and reporting of data about the placement stability of Aboriginal children in OOHC.

**Recommendation 85:** DCJ should develop a policy and guidelines that incorporate information about good-practice casework regarding the placement of a child immediately post removal and include guidance on parallel planning at the pre-entry into care stage of the child protection system.

**Recommendation 86:** DCJ should revise the FACS Information Guide Assessment and Full Authorisation of Relative and Kinship Carers to ensure that it reflects evidence-based knowledge about the protective benefits of a child's placement with family and kin.

**Recommendation 88:** DCJ should review the formal probity checks required for carers, and the process for obtaining these checks, to ensure that they are not unduly limiting the ability of potential carers to safely care for Aboriginal children in OOHC.

**Recommendation 93:** DCJ should partner with Aboriginal community organisations and representatives to develop and implement a culturally appropriate carer assessment tool to be used in all carer assessments involving Aboriginal carers.

**Recommendation 96:** DCJ should urgently engage with Aboriginal stakeholders and community to interpret findings from Wave 4 POCLS in relation to the support needs of Aboriginal carers and translate these findings into policy and practice.

## Practice strategies and resources on strong cultural connections for Aboriginal children in OOHC

The POCLS provides evidence that underpins the following strategies to develop tools, resources and casework best practice training:

- Develop best practice tools and resources to assist caseworkers and organisations in the development of quality cultural support plans.
- Ensure every Aboriginal child and young person in care has a cultural support plan that is developed with the child, their family and carer, and is reviewed on a regular basis. This should include consideration of who is defined as family for each child.
- Ensure all non-Aboriginal carers receive adequate training and support regarding their role in ensuring the child develops and/or maintains a strong connection to their Aboriginal culture, this includes connection to their Aboriginal family. Non-Aboriginal carers should be required to complete training prior to an Aboriginal child coming into their care.

## Further research on family, kin and community connections to improve evidence informed practice

DCJ research projects underway include:

- POCLS is funding expert researchers to conduct analysis to better understand how contact between children in care and their birth families change over time, how contact could be better supported as children age, and if contact is sustained once children exit OOHC to guardianship and adoption.
- DCJ is providing funding and in-kind support to the kContact study, a trial of an enhanced model of managing and supporting contact between children in care and their birth parents in four NSW sites. The aim is to reduce current and future distress related to contact, improve children's relationships with their birth parents and increase successful reunifications in the long term.<sup>3</sup>

Further research on family contact is needed to:

- Measure the quality of casework targeting cultural activities; family, kin and community connections; and whether cultural activity is sustained or meaningful for children.
- Examine whether current family contact practice is child-centred rather than an administrative/investigatory function with insights on how contact practice can be improved.
- Determine what conflicts of interest, if any, exist in the supervision of family contact arrangements by foster carers, particularly for foster carers who seek to be long-term, permanent carers.
- Pilot an intervention that increases the frequency of family contact, unsupervised contact and varies contact type with parents, siblings and extended family and kin (i.e. overnight stays, weekends, school holidays), where it is safe to do so; and assess the impact this has on child outcomes including restoration.

Further research on OOHC placements is needed to:

- Examine placement decision making; the location of placements relative to country; and the genealogy and family structure of Aboriginal families to provide more nuanced understanding of children's current placements and the extent to which they are meeting their needs both developmentally and culturally.
- Examine what is currently happening in practice when Aboriginal children change placements. Pilot an intervention to test if the involvement of Aboriginal agencies in the progress of placements is helpful for anticipating breakdowns and finding suitable alternative arrangements.

<sup>3</sup> <https://www.acu.edu.au/about-acu/institutes-academies-and-centres/institute-of-child-protection-studies/our-research/current-projects/kcontact-keeping-contact-between-parents-and-children-in-care>

## Practice guides and further reading

For additional information on the ATSICPP see the report released by SNAICC 'Understanding and applying the Aboriginal and Torres Strait Islander Child Placement Principle: A Resource for Legislation, Policy and Program Development'. [https://www.snaicc.org.au/wp-content/uploads/2017/07/Understanding\\_applying\\_ATSICCP.pdf](https://www.snaicc.org.au/wp-content/uploads/2017/07/Understanding_applying_ATSICCP.pdf)

Independent Review of Aboriginal Children and Young People in Out-of-Home Care in NSW in the Family is Culture Review Report 2019. <https://www.familyisculture.nsw.gov.au/>

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### **Pathways of Care Longitudinal Study**

The Pathways of Care Longitudinal Study (POCLS) is the first large-scale prospective longitudinal study of children and young people in out-of-home care (OOHC) in Australia. The study collects detailed information about the life course development of children who enter OOHC and the factors that influence their safety, permanency and wellbeing. The POCLS links data on children's child protection backgrounds, OOHC placements, health, education and offending held by multiple government agencies; and matches it to first-hand accounts from children, caregivers, caseworkers and teachers. The population cohort is a census of all children who entered OOHC for the first time in NSW over an 18-month period between May 2010 and October 2011 ( $n = 4,126$ ). A subset of those children who went on to receive final Children's Court care and protection orders by 30 April 2013 ( $n = 2,828$ ) were eligible to participate in the interview component of the study. Information about the study and publications can be found on the POCLS webpage.

The POCLS acknowledges and honours Aboriginal people as our First Peoples of NSW and is committed to working with the Department of Communities (DCJ) Aboriginal Outcomes team to ensure that Aboriginal children, young people, families and communities are supported and empowered to improve their life outcomes. The DCJ recognises the importance of Indigenous Data Sovereignty and Governance (IDS & IDG) in the design, collection, analysis, dissemination and management of all data related to Aboriginal Australians. The POCLS will continue to collaborate with Aboriginal Peoples and will apply the DCJ research governance principles once developed.

### **About this Evidence to Action Note**

The POCLS data asset will be used to improve how services and supports are designed and delivered in partnership with the policy and program areas to improve the outcomes for children and young people who experience out-of-home care, the support provided to caregivers and families, and the professional development of staff.

This Evidence to Action Note was prepared by the POCLS team at DCJ in collaboration with Aboriginal Outcomes team with input and endorsement from the Evidence to Action Working Group.

The findings presented in this Evidence to Action Note are primarily based on reports by Delfabbro, P. (2018) Aboriginal children in out-of-home care in NSW: Developmental outcomes and cultural and family connections. Pathways of Care Longitudinal Study: Outcomes of Children and Young People in Out-of-Home Care. Research Report Number 11. Sydney. NSW Department of Family and Community Services.

### **Recommended citation**

NSW Department of Communities and Justice. (2020). Cultural Identity, Community and Family Connections: Aboriginal Children and Young People in Out-of-Home Care. Pathways of Care Longitudinal Study: Outcomes of Children and Young People in Out-of-Home Care. Evidence-to-Action Note Number 6. Sydney. NSW Department of Communities and Justice.

### **Study design**

NSW Department of Communities and Justice; Australian Institute of Family Studies; Sax Institute, Professor Judy Cashmore, University of Sydney; Professor Paul Delfabbro, University of Adelaide; Professor Ilan Katz, University of NSW; Dr Fred Wulczyn, University of Chicago.

Data collection by I-view Social Research.

### **Ethics approvals**

- University of NSW Human Research Ethics Committee (Approval numbers HC 10335, HC 16542)
- Aboriginal Health & Medical Research Council of NSW Ethics Committee (Approval number 766/10)
- NSW Population and Health Services Research Ethics Committee (Approval number HREC/14/CIPHS/74; Cancer Institute NSW 2014/12/570).

POCLS webpage [www.facs.nsw.gov.au/resources/research/pathways-of-care](http://www.facs.nsw.gov.au/resources/research/pathways-of-care)

