

Press release 13th December 2017

At last - kinship carers are vindicated

“Today’s report from the Ombudsman detailing anomalies present in the treatment of kinship carers is vindication for those many carers who have complained many times over many years.

Many carers who read this report will be upset anew as they see their trials and tribulations in dealing with child protection services actually written down and acknowledged. This acknowledgement of the validity of their complaints is in itself a great service to them and they will thank the Ombudsman for it. Such acknowledgment will enable them to get past the self-doubts arising from dealing with what seemed like an uncaring bureaucracy.

The Ombudsman’s exposure of the problems and their alignment with clear sighted recommendations for the future, if implemented in their entirety by DHHS, will go a long way towards eradicating system wide mistakes in the future.

Some poor decisions in child protection will always be present, they are unavoidable in an area of high pressures where child protection staff are over stretched, where children and families are vulnerable, where resources are inadequate and where the stakes, that is the lives of children, are high. However, the level of poor decision making surrounding kinship care is wide spread and it is this spread that the Ombudsman’s recommendations should stem.

The Ombudsman’s recommendations will fix the procedures but will not inspire a change of attitude towards kinship care. Some grandparent kinship carers have had to battle past child protection officer’s beliefs that that the predicament the family finds itself - where the children are removed for the parents - is the fault of the grandparents who had a hand in shaping their family and creating fault lines. No partnership between child protection services and carers is possible in such an environment of misunderstanding.

The required change of culture is likely to arise from the appointment of kinship care specialist with child protection services announced on December 12th. Such a squad of people has the capacity to infect the system with deeper understandings and a more positive attitude as well as alleviating some of the pressures on child protection staff.

The Ombudsman’s intervention in some cases along the course of the investigations for this report are also acknowledged. It is already legend amongst the kinship care circles that the Ombudsman’s staff took the trouble to ask for DHHS for review of cases they encountered when talking to carers. Anomalies were thus fixed in short time, in some cases after years of the carer waiting for a solution.

This independent scrutiny by the Ombudsman, both the report tabled today and the intervention into individual cases has been powerful and indicates the need for ongoing independent scrutiny. Certainly, the carers have learned that how helpful the Ombudsman can be – a lesson that will not be forgotten.

Perhaps it is time to rethink the whole structure of child protection and to look at ongoing scrutiny in ways that are more positive than occasional investigations bought about by a litany of individual complaints. Perhaps, as one option, we could strengthen the resource capacity of the Children’s Commissioner to have a greater role in monitoring all that we do in regard to child protection and to issue regular reports to the wider community about how we are tracking in the full range of child protection matters, not the least of which is kinship care. The point is that no matter how we achieve it, more transparency is called for.

The recommendations of the Ombudsman, along with the government announcement on December 12th about 33 million new dollars to support kinship care and the governments announcement about new information sharing to ensure early identification of, and assistance to children at risk, present opportunities for grand changes in Victoria's kinship care system. These initiatives are sufficient to give kinship carers some faith in the government to deliver creative and responsive programs.

Kinship carers are mindful of the need for national leadership about the role of kinship care in creating healthy families and communities. For years, the Australian Government ignored its own Senate report (2014) into grandparents raising grandchildren for example. When a response was forthcoming after years of reminders from kinship carers, the Australian Government merely served washed its hands of responsibility by arguing that these matters were states matters. Nonsense, the care of children is in fact a matter of the gravest national significance.

If we view this point in our kinship care history as an opportunity for an innovative new start then Victoria is well placed to lead a much-needed national discussion on the role of kinship care within out of home care."

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The Report will be available on the Victorian Ombudsman's website and the KCV website