

# ***Nuther-mooyoop* to Yoorrook Justice Commission on systemic injustice experienced in the school system**

Victorian Aboriginal Child and Community Agency

February 2024



**VACCA**

Connected by culture

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VICTORIAN ABORIGINAL  
CHILD CARE AGENCY

## **Acknowledgment**

We acknowledge the Traditional Owners of the lands across Victoria that we work on, and pay our respects to their Elders, both past and present and to their children and young people, who are our future Elders and caretakers of this great land. We acknowledge the Stolen Generations, those who we have lost; those who generously share their stories with us; and those we are yet to bring home.

## **Note on Language**

We use the term 'Aboriginal' to describe the many Aboriginal and Torres Strait Islander Peoples, Clans and Traditional Owner Groups whose traditional lands comprise what is now called Australia.

We use the term 'Indigenous' as it relates to Indigenous peoples globally as well as in the human rights context.

The terms 'First Peoples' and 'First Nations' are employed in the Australian context, by recognising that Aboriginal and Torres Strait Islander peoples are the First Peoples/First Nations of this land, it directly relates to their inherent un-ceded sovereignty.

## **Note on case stories shared**

The names used in each case story are not the real names of the community members we support, all case stories shared have been de-identified, to protect their identity of community we provide services to.

## **Contact**

We welcome the chance to discuss this submission in more detail. For further information, please contact Sarah Gafforini, Director, Office of the CEO via [sarahg@vacca.org](mailto:sarahg@vacca.org).

## Table of contents

<b>About VACCA .....</b>	<b>4</b>
<b>Recommendations .....</b>	<b>5</b>
<b>Introduction .....</b>	<b>9</b>
<b>Background .....</b>	<b>9</b>
<b>Historical context.....</b>	<b>9</b>
<b>Current data trends in education for Aboriginal students .....</b>	<b>11</b>
<b>Community Yarns on Self Determination in Education.....</b>	<b>11</b>
<b>Addressing racism and improving cultural safety .....</b>	<b>12</b>
<b>Impact of trauma on engagement with education.....</b>	<b>17</b>
<b>Out-of-home care .....</b>	<b>18</b>
<b>Disability .....</b>	<b>19</b>
<b>Justice.....</b>	<b>21</b>
<b>Adapting a trauma-informed approach.....</b>	<b>22</b>
<b>Strengthening school engagement thorough prevention and early intervention ..</b>	<b>24</b>
<b>Meeting the learning needs of Aboriginal students .....</b>	<b>27</b>
<b>Effectiveness and utilisation of available learning tools.....</b>	<b>28</b>
<b>Challenging transitions .....</b>	<b>31</b>
<b>Zoning restrictions.....</b>	<b>33</b>

## About VACCA

The Victorian Aboriginal Child and Community Agency (VACCA) is the peak Voice for Aboriginal children in Victoria. We are the lead Aboriginal child and family support organisation in Australia and the largest provider of Aboriginal-led family violence supports, youth justice supports and homelessness services in Victoria.

We work holistically with children, young people, women, men, and families to ensure they have the necessary supports to heal and thrive. We do this by advocating for the rights of children and providing everyone who walks through our doors with services premised on human rights, self-determination, cultural respect and safety.

We provide support services to over 4,500 children and young people, and their families and carers each year. We are the peak Voice for Stolen Generations survivors and their families in Victoria, providing LinkUp services since 1990. Link-Up Victoria provides family research, family tracing and reunion services to the Stolen Generations survivors to reunite them with their families, communities, traditional country and culture.

VACCA shows respect for observance of and compliance with Aboriginal cultural protocols, practice and ceremony. VACCA was established in the 1976 and emerged from a long and determined Aboriginal Civil Rights movement in Victoria. Today, we continue to act, serve and lobby for the rights of Aboriginal Victorians, especially children, women and families.

While VACCA is a Statewide service provider, we operate primarily in metropolitan Melbourne, Inner Gippsland and the Ovens Murray regions. Across our six regions, VACCA has 27 offices delivering over 80 locally tailored programs including child and family services, child protection, family violence and sexual assault supports, youth and adult justice supports, early years, education, homelessness, disability, AOD, cultural programs and supports for Stolen Generations. We employ over 1000 staff, making it one of Victoria's biggest employers of Aboriginal people, building prosperity across generations. Our Aboriginality distinguishes us from mainstream services and enables us to deliver the positive outcomes we achieve for our people where they live.

VACCA is guided by Cultural Therapeutic Ways, our whole of agency approach to our practice of healing for Aboriginal children, young people, families, Community members and Carers who use our services, and to ensure that VACCA is a safe and supportive workplace for staff. It is the intersection of cultural practice with trauma and self-determination theories. Cultural Therapeutic Ways integrates Aboriginal culture and healing practices with trauma theories to guide an approach that is healing, protective and connective.



## Recommendations

**1. For the Yoorrook Justice Commission to call upon the Victorian Government to implement a Ministerial Order outlining the development of an Aboriginal-led School Cultural Safety and Anti-Racism Framework to be applied across all schools, that includes but is not limited to:**

- a) Mandated Cultural Awareness Competency Training for all school staff delivered by Aboriginal Community Controlled Organisations about the impacts of colonisation, importance of Aboriginal culture and knowledge, strengths of Aboriginal communities and leaders, and the significant contribution of Aboriginal people in society as well as the impacts of implicit bias and racism.
- b) Mandated Cultural Awareness Competency Training for all staff within the Department of Education.
- c) Department of Education fund ACCOs to develop cultural awareness, healing and anti-racism modules/speaker options to be included in the Department of Education Schools mental health menu.
- d) Integration of impacts of colonisation and Stolen Generations as a key area into the 'Learning about Aboriginal histories and cultures' cross-curriculum priority, including for improved accountability for the implementation of this cross-curriculum priority.
- e) Focussed recruitment and retention strategy with targets to increase Aboriginal school staff representation, including senior staff, teachers, admin, support staff and KESOs in both regional and metropolitan areas that are publicly reported on.
- f) Strengthened accountability mechanisms to address racism in schools in line with Child Safe Standards, including awareness raising and comprehensive investigation.
- g) Investment in Role Models Programs, where Aboriginal community members are invited into school settings.
- h) Hosting regular community yarns that centre the voices of Aboriginal children, families, and carers.

**2. For the Yoorrook Justice Commission to call upon the Department of Education to adopt a trauma informed approach and respond to the needs of Aboriginal children and young people in out-of-home care and those with a trauma background by providing funding for:**

- a) ACCOs to develop culturally appropriate, trauma-informed modules and professional development opportunities for staff.
- b) Schools to develop a trauma-informed and culturally safe environment, practice and systems.

- 3. For the Yoorrook Justice Commission to call upon the Department of Education to add trauma-training modules focused on the needs of Aboriginal children and young people in out-of-home care to the Department of Education mental health menu.**
- 4. For the Yoorrook Justice Commission to call upon the Department of Education to fund:**
  - a) Access to culturally safe disability assessments and an expansion of the disability inclusion model to better identify and respond to disabilities in school settings, including for experiences of trauma to viewed through a disability lens.
  - b) Culturally safe resources and fact sheets to support teachers to understand and implement recommendations of disability and other developmental assessments.
  - c) Care teams and schools to support and refer Aboriginal children with experiences of trauma, learning difficulties, developmental concerns and disability to appropriate, culturally safe disability and allied health services and education supports.
  - d) Dedicated disability liaison and mental health/behavioural support role in each school to support children with disabilities and complex needs.
- 5. For the Yoorrook Justice Commission to call upon the Department of Education and Department of Justice and Community Safety to jointly fund programs that work holistically with Aboriginal young people engaged in Youth Justice to address disengagement with education as one of the underlying factors impacting a young person's offending.**
- 6. For the Yoorrook Justice Commission to call upon the Victorian Government to amend the *Education and Training Reform Act 2006* and mandate trauma informed training for all school staff that focus on needs of Aboriginal children and young people and intersections with experiences of out-of-home care, disability, justice, poverty, poor mental health, or who identify as LGBTQIA+.**
- 7. For the Yoorrook Justice Commission to call upon the Victorian Government to advocate to Commonwealth Government to include trauma-training as a core mandatory component of tertiary teacher training and university courses.**
- 8. For the Yoorrook Justice Commission to call upon the Victorian Government to invest in early intervention programs for students showing early signs of disengagement with education, including increasing capacity of the Navigator program, increasing eligibility threshold to 50 per cent school attendance, and developing an Aboriginal-specific Navigator stream.**

**9. For the Yoorrook Justice Commission to call upon the Department of Education to develop new student engagement policy guidelines for schools, ensuring they include:**

- a) A review of the Department of Education templates, particularly Behaviour Support Plans, to ensure they are strengths-based, trauma informed and include the voice of young person, family and/or carer.
- b) Review policies within the Department of Education to ensure that there is a cultural overlay and consultation with Aboriginal Organisations.
- c) Implementation of trauma-sensitive language workshops for school staff to reframe the way concerns and observations about disengagement are discussed, based on Australian Childhood Foundation's trauma sensitive language resource.
- d) To work closely with VACCA Education Team around resource and protocols that VACCA has developed, creating a rich and culturally strong partnership with VACCA but also ensuring VACCA intellectual property is maintained by the Department in Education and schools when using VACCA resources.

**10. For the Yoorrook Justice Commission to call upon the Department of Education to hold schools accountable and monitor their timely implementation of Individual Education Plans, including regular review – every term for complex students and every semester for non-complex students.**

**11. For the Yoorrook Justice Commission to call upon the Department of Education to implement new guidance for schools that mandates student, carer and family voice in goal setting and review at Student Support Groups and Individual Education Plans.**

**12. For the Yoorrook Justice Commission to call upon the Department of Education to investigate and implement a stronger system that ensures Student Support Groups and Individual Education Plans have been developed and holding schools accountable**

**13. For the Yoorrook Justice Commission to call upon the Department of Education to implement new guidance for schools that mandates Behaviour Support Plans are developed early as a preventative, trauma-informed measure, rather than in response to already presenting challenging behaviours.**

**14. For the Yoorrook Justice Commission to call upon the Department of Education to provide guidance for schools on challenging transitions, including:**

- a) Longer and therapeutic transitions required for children who have experienced trauma.

- b) Additional support for parents and carers so they are adequately equipped for transition periods.
- c) Ensuring each Aboriginal student has a Career Action Plan and Transition Plan.
- d) Provision of cultural programs such as Cultural Camps and Return to Country to Aboriginal young people transitioning from Year 9 to 10.
- e) Schools to connect young people to additional wrap around supports such as access to housing and short courses to build skills based on interests as they transition to tertiary education.

**15. For the Yoorrook Justice Commission to call upon the Department of Education to review its zoning policy and include the following amendments:**

- a) Aboriginal children and young people can attend a culturally strong school of their choosing.
- b) Aboriginal children and young people in out-of-home care can attend school with their siblings and/or cousins and friends.
- c) Aboriginal children and young people have voice and agency on schools that they would like to attend, removing barriers for future enrolments.



## Introduction

VACCA welcomes the opportunity to provide a *nuther-mooyoop* (submission) on systemic injustices in the schooling system in Victoria to the Yoorrook Justice Commission. We would like to acknowledge the work of Yoorrook so far, as well as the decades of advocacy by Aboriginal people, organisations and communities to address systemic injustices perpetrated against Aboriginal peoples. In doing so, we provide our submission which synthesises VACCA's previous advocacy<sup>1</sup> on this topic and makes recommendations for reform to the Victorian schooling system for Yoorrook to consider.

Our submission is based on our unique position as an ACCO providing a suite of services across the state supporting children, young people, families and community members across Victoria. VACCA currently works with approximately 600 children and young people in out-of-home care and has a dedicated education team that supports with positive engagement and outcomes in education for our children and young people. Our submission draws on this experience as well as our delivering of early childhood and education support.

VACCA believes that all children have a right to feel and be safe and live in an environment that is free from abuse, neglect and violence. We are committed to promoting and upholding the rights of Aboriginal children to maintain and celebrate their identity and culture, recognising that connection to culture is critical for children's emotional, physical and spiritual wellbeing. Our submission centres these rights and advocates for a holistic approach towards education, highlighting connection with culture as a key protective factor. We make recommendations for reform on key areas needed to address systemic injustice in the education system, namely improving cultural safety and representation, addressing racism, implementing a trauma informed approach, and strengthening school engagement through appropriately meeting the needs of Aboriginal students.

## Background

### Historical context

The systemic injustices experienced by Aboriginal children and young people in the schooling system in Victoria today has roots in the ongoing process of colonisation since the invasion of the lands now known as 'Australia'. It is well established that before invasion, Aboriginal peoples thrived in complex cultures practicing highly developed systems of lore/law, social cohesion and norms grounded in a spirituality that connected each person and community to the land, skies and waters and each other as kin and community. This included being deeply connected to Country, culture and lore through the wisdom and knowledge of Elders and passing this knowledge down to future generations. The practice of educating our children and young people through cultural means has been a part of Aboriginal way of life for tens of thousands of years.

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<sup>1</sup> Please see VACCA's submissions to the [Inquiry into the state education system in Victoria](#) and [Systemic Inquiry into the Educational Experiences of Children and Young People Living in Out-of-Home Care](#).

Invasion enacted a series of processes that disrupted connection to culture and the transmission of traditional knowledge to future generations. These processes systemically forced and separated Aboriginal peoples onto missions and reserves and controlled every single aspect of Aboriginal lives, with any form of self-determination or cultural agency denied. This, among many things, included banning traditional cultural practices and language, restricting movement and employment and forcibly removing children into church missions and other residential school settings designed specifically for the assimilation of Aboriginal children, or through those operated under the 'mainstream' child welfare system. Western forms of education were always conceptualised as a tool of colonisation and an avenue through which colonial governments could force Aboriginal peoples to 'conform' to the ideologies and practices of the colonisers.<sup>2</sup>

The landmark [Bringing them Home Report](#) includes a detailed historical account of the forcible removal of Aboriginal children and the of complicity of schooling institutions that separated, assimilated and traumatised Aboriginal children. This was done through a number of policies, including the *Aborigines Protection Act 1869* in Victoria which officially established the Aborigines Protection Board.<sup>3</sup> The Act gave the Board powers to make regulations for First Nations peoples including "the care, custody and education of the children of aborigines".<sup>4</sup> Other Acts included the *1915 Act* regulating employment and residency and the *1928 Act* regulating custody, maintenance, and education of the children.

Missions and schools were also established, and legislation authorised the removal of Aboriginal children to a number of residential settings included industrial or reformatory schools. Importantly for the work of Yoorrook to consider, is that these institutions were not only run by the state. It is well-established that mainstream community service organisations played an active role in the forcible removal of Aboriginal children from their families, communities, and cultures. Aboriginal children removed from missions were placed within mainstream institutions and reformatory schools. Many of these orphanages, reformatories, and children's homes were run by the charitable arms of the various churches, of which contemporary community service organisations developed out of.<sup>5</sup> We wish to highlight the importance of mainstream community service organisations involvement in the truth-telling process as a means of showing solidarity and accountability in reckoning with our state's history.

During the 1950s and 1960s even greater numbers of Aboriginal children were removed from their families in the name of assimilation resulting in the Stolen Generations. For the Aboriginal children who were able to attend school, racist and eugenicist ideologies promoted the view that Aboriginal

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<sup>2</sup> Smith, L. T. (2021). *Decolonizing Methodologies: Research and Indigenous Peoples*. Bloomsbury Publishing.

<sup>3</sup> Commonwealth of Australia (1997). *Bringing Them Home – Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*. Human Rights and Equal Opportunity Commission (HREOC). [Weblink](#)

<sup>4</sup> Ibid.

<sup>5</sup> Briskman, L. (2016). Beyond apologies: The Stolen Generations and the Churches. *Children Australia*, 26(3), 4-8.

children did not have capacity to learn.<sup>6</sup> Thus, Aboriginal children and young people have faced both barriers to maintaining their traditional knowledge, as well as limited opportunities to engage in Western education due to the beliefs and practices of schooling institutions that Aboriginal children did not have the ability to learn. VACCA contends that these beliefs perpetuate experiences of systemic injustice in the education system to this day.

## **Current data trends in education for Aboriginal students**

It is well documented that engagement with education is central to positive health and wellbeing for Aboriginal children and young people. The data on educational outcomes for Aboriginal children and young people is widely documented, and five of the seventeen targets under the *National Agreement on Closing the Gap* (Closing the Gap) relate directly to Aboriginal children and young people's access to education. Recent *Closing the Gap* data for Victoria shows that although some areas have seen positive change, on the whole educational outcomes for Aboriginal students remain lower than their non-Aboriginal peers. For example, 72.6 per cent of Aboriginal people aged 20-24 had attained year 12 or equivalent, compared to 91.1 per cent of non-Aboriginal students.<sup>7</sup> Despite this being an improvement, it is still nowhere near the national target of 96 per cent. Further, Victoria is not currently on track to meet Target 7, that 67 per cent of Aboriginal youth aged 15-24 are engaged in employment, education or training by 2031. There was only a 0.1% improvement between 2016 and 2021, from 65.4 to 65.5 per cent.<sup>8</sup> For Aboriginal children in out-of-home care, data provided to the Commission for Children and Young People (CCYP) shows that, overall, NAPLAN results for Aboriginal students in out-of-home care are lower compared to all Aboriginal students, all non-Aboriginal students and non-Aboriginal students in care.<sup>9</sup>

## **Community Yarns on Self Determination in Education**

In 2022, VACCA hosted a series of 'community yarns' from May-July as part of the Self-Determination in Education Reform initiative led by the Koorie Outcomes Division aimed at improving Victorian schools for Aboriginal children. The yarns provided an opportunity for the voice of children, young people, parents, carers and VACCA staff to be documented and influence change in how schools celebrate, value and respect Aboriginal communities and culture. The groups were consulted on a range of topics that affect students, such as student engagement and feelings of disconnect, cultural safety, and inaccessibility of cultural resources for students with disability and their carers. In addition, the groups were asked to identify personal and school strengths, barriers/challenges to education, and recommendations for changes to protect Aboriginal children's right to education and improve

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<sup>6</sup> Marsden, B. (2023). 'Our people say that they want their children to be able to become doctors, nurses, teachers': contesting education and schooling for Aboriginal children in south-eastern Australia in the 1930s. *History of Education*, 52(5), 776-795.

<sup>7</sup> Australian Government, Productivity Commission (July 2023), *Closing the Gap Annual Data Compilation Report*. Retrieved from: [weblink](#).

<sup>8</sup> Ibid.

<sup>9</sup> Commission for Children and Young People, (2023). Let us learn: Systemic inquiry into the educational experiences of children and young people living in out-of-home care. Melbourne: Commission for Children and Young People. [Weblink](#)



student engagement. Overall, the results identified the need for trauma-informed and culturally aware education staff, more cultural connection, and greater resources for schools. The importance of culture as protective factor was also a consistent and recurring theme across all conversations. Feedback from the nine yarning circles informs our submission to Yoorrook, alongside broader research and input from VACCA staff working in the education and out-of-home care sectors.

## Addressing racism and improving cultural safety

Aboriginal children and young people have a right to education that is culturally safe and appropriate and a learning environment free from racism. Under Clause 59 of *Closing the Gap*, Victoria has committed to structural transformation of government organisations, including to establish an anti-racism taskforce to identify and eliminate racism through a statewide anti-racism strategy and to embed and practice meaningful cultural safety as per *Priority Reform Three*.<sup>10</sup> The timeline for developing the strategy was the end of 2023 in line with the *Closing the Gap Implementation Plan* deadline, however, the strategy is yet to be released.

Schools in Victoria are required by law to implement Standard 1 of the *Victorian Child Safe Standards*, being “Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued”.<sup>11</sup> This includes identifying and eliminating experiences of racism. Additionally, Victoria’s Aboriginal-specific education strategy, *Marrung: Aboriginal Education Plan 2016 – 2026* (Marrung) contains key outcomes related to cultural safety including that “Koorie children and learners of all ages are strong in their identity within all services” and “All Victorians understand and respect Koorie culture and history.”<sup>12</sup> “Learning about Aboriginal and Torres Strait Islander histories and cultures” is also a cross-curriculum priority in the Victorian Curriculum. The Department of Education has relevant protocols all teachers must follow when teaching Aboriginal histories and cultures.<sup>13</sup> Yet, as discussed earlier in this submission, impacts of colonisation on Aboriginal people are not included explicitly in any of the curriculum areas. Only the following wording is included which simply requires students to “identify and describe patterns of continuity and change in daily life for Aboriginal and Torres Strait Islander peoples, ‘native born’ and migrants in the Australian colonies”<sup>14</sup>. This wording is highly inappropriate and minimises the significant impacts of colonisation and resulting practices and policies for Aboriginal people, as previously highlighted. Perspectives and approaches such as this contribute to educational environments which are unsafe for Aboriginal students by rendering the historical and ongoing harms of colonisation invisible.

Despite the existing policies and requirements in place, experiences of racism and a lack of cultural safety and representation for Aboriginal children and young people are ongoing issues in Victorian

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<sup>10</sup> Parliament of Victoria. (2021). *The Victorian Closing the Gap Implementation Plan*. Parliament of Victoria. [Weblink](#)

<sup>11</sup> *Child Wellbeing and Safety Act 2005* (Vic). [Weblink](#)

<sup>12</sup> Victorian Government. (2016). *Marrung: Aboriginal Education Plan 2016 – 2026*. Department of Education. Victorian Government. [Weblink](#)

<sup>13</sup> VCAA, 2020. *Learning about Aboriginal and Torres Strait Islander histories and cultures*. [Weblink](#)

<sup>14</sup> *Ibid.*



schools. This was evident in 2023 data from Department of Education's *Attitudes to School Survey* which captures responses from students in Years 4 to 12 on experiences of racism, frequency and knowledge around what to do or who to tell in response. The results showed that 23 per cent of Aboriginal students experienced racism at their current school compared to 15 per cent of all students.<sup>15</sup> When asked whether they had experienced racism in the last 12 months, 26 per cent of Aboriginal students responded that they had, compared to 18 per cent of all students.<sup>16</sup> Of the Aboriginal students who reported they had experienced racism in the past 12 months, 69 per cent reported that they knew what to do or who to tell.<sup>17</sup> The data also showed that greater numbers of Aboriginal students experienced racism in regional and rural areas compared to metropolitan areas<sup>18</sup>.

Racism in schools was extensively documented in the CCYP's recent systemic inquiry into the educational experiences of children and young people in out-of-home care (*Let us Learn*). CCYP heard from many Aboriginal children and young people in out-of-home care, carers, families and other stakeholders, that experiences of racism persist in Victoria's education system (Finding 16).<sup>19</sup> It is not only experiences of peer-on-peer racism that are occurring in Victorian schools, but racism against Aboriginal students and families is being perpetuated by teachers and the wider school community. This has been widely reported by VACCA staff, clients, across the ACCO sector and reflected in stakeholder consultations in *Let us Learn*.

In response to concerns over racism, the Department of Education offers the 'Report Racism Hotline' which provides an avenue for students, parents and carers to raise incidences of racism at Victorian Government schools. Yet, there is little data or reporting on how this hotline is used, types of complaints received, and the effectiveness of processes aimed to address them. VACCA therefore supports *Let us Learn's* recommendation to Audit the effectiveness of the Report Racism Hotline' (Recommendation 20).

Additionally, *Let us Learn* found that experiences of culturally unsafe practices and racism in education settings for Aboriginal children and young people in out-of-home care create barriers to their educational engagement (Finding 17).<sup>20</sup> While there is no clear data on the number of Aboriginal children in care who experience racism in Victoria schools, we know that many of the children VACCA works with experience racism at school, with significant implications for their wellbeing and level of engagement in education.

Experiences of racism in schools have not only been documented by VACCA practitioners, but this is a shared experience across the Aboriginal community-controlled sector in Victoria, with ACCOs advocating for better accountability around racism in schools in multiple government inquiry

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<sup>15</sup> Department of Education (2023). Addressing Racism in Schools. Presentation to the Aboriginal Justice Forum 66 October 2023. Presented by Stephen Fraser, Deputy Secretary, SEPS and Lionel Bamblett, General Manager, VAEAI.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Commission for Children and Young People, (2023). *Let us learn: Systemic inquiry into the educational experiences of children and young people living in out-of-home care*. Melbourne: Commission for Children and Young People. [Weblink](#)

<sup>20</sup> Ibid.

processes and at Aboriginal Governance Forums in recent years, for example the Aboriginal Justice Forum and the *2023 Inquiry into Victoria's State Education System*.

For Aboriginal children and young people, connection to culture is essential for building strong social and emotional wellbeing. It allows young people to know where they come from, who they are and to be proud and strong in their cultural identity. Ensuring that schools are culturally safe spaces is important for all Aboriginal children, but it is vital for Aboriginal children in out-of-home care, who as a result of being removed from family, particularly for those children placed with non-Aboriginal carers, may have lost their primary connection to Culture and community. Recently VACCA held a series of community yarns focused on education with participants including primary and secondary students, some of whom were in out-of-home care, as well as parents, carers, Elders and VACCA staff. Experiences of racism and a lack of cultural safety and representation at school was prevalent in all the community yarns.

***“There are too many opinions about what it means to be Aboriginal by non-Aboriginal people. They say we’re not black enough.” – Young person at VACCA community yarn.***

Some students experienced bullying based on their Aboriginal identity, and reported not trusting, or feeling comfortable around other students. Some had their identity undermined, told they were ‘not black enough’. Many participants noted that schools were slow to include and teach Aboriginal perspectives and culture in the curriculum, and that some teachers were seen to be sharing false information about Aboriginal perspectives, or a white version of Aboriginal history. These experiences contributed to a feeling of lack of safety at school, and a reluctance to attend.

Conversely, when schools encouraged a space that was culturally safe and representative of Aboriginal people and culture, young people reported feeling safe and comfortable to engage in education. Some of the young people spoke of positive experiences when seeing culture taught and celebrated, through visibility of the Aboriginal flag, Acknowledgment of Country in Assembly, and school excursions to Aboriginal places of cultural significance.

VACCA staff also reported that schools with meaningful Reconciliation Action Plans also cultivated a sense of respect for Aboriginal culture and belonging for Aboriginal students. This is why all Victorian Government Schools should be required to develop Reconciliation Action Plans as a formal statement of commitment to reconciliation and self-determination, including actions such as Acknowledgment of Country and celebration of Aboriginal strengths and culture.

Presence and visibility of Aboriginal staff at school, both Koorie Engagement Support Officers (KESOs) and teachers, was identified as crucial for cultural safety, with VACCA practitioners also reporting that more KESOs are needed in metropolitan areas due to the sheer number of schools. This would significantly improve presence and visibility of Aboriginal people and address feelings of isolation experienced by Aboriginal children in cases where there are only a handful of Aboriginal students per school. Other important cultural elements to improve cultural safety shared by the

children and families from the yarning sessions were visits from local Aboriginal Elders and creating Aboriginal native gardens – one child reported pride in a garden featuring Bunjil at their school.

Yarning circle participants had clear and concrete suggestions about what could be done to make schools more welcoming for and respectful of Aboriginal students and families. For children in out-of-home care, the sense of being acknowledged and seen for both Aboriginality and experience in out-of-home care was reported to be crucial. One primary school aged child in out-of-home care noted how meaningful it was to them when a teacher took an interest in their culture and asked them about their mob, supporting a sense of belonging and pride.

***“My son was asked to bring in cultural books to share and it made him feel proud because the teacher was interested.” – Parent at VACCA community yarn.***

Other suggestions made across the community yarns revolved around ensuring Aboriginal culture was seen and celebrated by all at the school. For example, by holding Aboriginal ceremonies such as smoking ceremonies, flying the Aboriginal flag, visibly celebrating Aboriginal art and culture through workshops and presence and visibility of Aboriginal art, running Aboriginal programs, allowing students to wear Aboriginal designed clothes, and providing a greater focus on Aboriginal history and culture for all students, not only Aboriginal students. Walking into a school flying an Aboriginal flag or displaying artwork reassured Aboriginal young people that others ‘knew’ about them and recognised their people.

It is of utmost priority that teachers in all schools have the skills and resources to support all students to learn, understand and engage with Aboriginal cultures, histories and so on through a culturally safe and informed approach. This includes Cultural Awareness Training tailored to local areas where teachers are trained about the importance of respect and culture and are able to have open conversations about implicit bias and racism, as well as a deep understanding of the impact of colonisation. Additionally, increasing the number of Aboriginal staff in schools and having dedicated, identified Aboriginal roles is crucial in increasing representation and visibility of Aboriginal identity and culture in schools.

Schools which cultivate cultural safety and representation on the whole school level support Aboriginal young people to feel safe and engaged in learning. With one of the largest concentrations of Aboriginal students in Melbourne Metro area, Thornbury Primary School is an example of a primary school delivering a strong language and culture program across the school, to Aboriginal and non-Aboriginal students alike. In 2018, a survey at the school found that Aboriginal students ‘outperformed non-Koorie students in all areas, including classroom behaviour, respect and connection to school’. NAPLAN results for Aboriginal students have reportedly also significantly improved since the introduction of this school wide approach. Reservoir East Primary School is another strong example reported by VACCA workers, with Aboriginal parents and carers highly engaged and active at the school, including in the literacy program, providing great opportunities and role models for children.



In order to eliminate racism and improve cultural safety, VACCA recommends the development and implementation of a Victorian School Cultural Safety and Anti-Racism Framework across all Victorian schools, led by the Aboriginal community. The framework should outline a comprehensive approach to improving cultural safety and addressing racism in Victorian schools, in line with commitments under *Closing the Gap*, *Child Safe Standard 1* and *Marrung*. This must also include a plan for implementation as well as specific accountability mechanisms to ensure schools met their obligations and are accountable under the Framework.

In line with our recommendation for a Victorian School Cultural Safety and Anti-Racism Framework, we also support recommendation 19 of *Let us Learn* for the Department of Education to develop a policy that explicitly addresses racism in Victorian Government education settings, including resources developed with ACCOs specifically for Aboriginal children and young people to explain the policy and raise awareness of how to raise concerns about racism.

**Recommendation:**

- 1. For the Yoorrook Justice Commission to call upon the Victorian Government to implement a Ministerial Order outlining the development of an Aboriginal-led School Cultural Safety and Anti-Racism Framework to be applied across all schools, that includes but is not limited to:**
  - a) Mandated Cultural Awareness Competency Training for all school staff delivered by ACCOs about the impacts of colonisation, importance of Aboriginal culture and knowledge, strengths of Aboriginal communities and leaders, and the significant contribution of Aboriginal people in society as well as the impacts of implicit bias and racism.**
  - b) Mandated Cultural Awareness Competency Training for all staff within the Department of Education.**
  - c) That Department of Education to fund ACCOs to develop cultural awareness, healing and anti-racism modules/speaker options to be included in the Department of Education Schools mental health menu.**
  - d) Integration of impacts of colonisation and Stolen Generations as a key area into the 'Learning about Aboriginal histories and cultures' cross-curriculum priority, including for improved accountability for the implementation of this cross-curriculum priority.**
  - e) Focussed recruitment and retention strategy with targets to increase Aboriginal school staff representation, including senior staff, teachers, admin, support staff and KESOs in both regional and metropolitan areas that are publicly reported on.**
  - f) Strengthened accountability mechanisms to address racism in schools in line with Child Safe Standards, including awareness raising, comprehensive investigation and reporting processes.**



- g) Investment in Role Models Programs, where Aboriginal community members are invited into school settings.**
- h) Hosting regular community yarns that centre the voices of Aboriginal children, families and carers.**

## Impact of trauma on engagement with education

For many children at school, exposure to complex trauma and developmental trauma can impact behaviour, experiences of schooling and engagement in education. Childhood developmental trauma can alter the way a child's brain develops, impacting their physical, emotional, and mental development.<sup>21</sup> Children and young people living with the impacts of trauma generally have more difficulty regulating their emotions than their peers. This often leads to impulsivity, becoming easily heightened, difficulty in forming relationships, and learning issues such as limited capacity for concentration, poor attention span and difficulty with processing language.<sup>22</sup> All of these factors make it challenging for them to navigate many of the requirements of the school environment, such as concentration, quiet, focus and engagement.<sup>23</sup> While there is no formal diagnosis of developmental childhood trauma, a growing body of research is leading many psychologists to call for its inclusion in various classification systems.<sup>24</sup> VACCA practitioners echo this, acknowledging the need for greater early identification of complex trauma and implementation of interventions that support healing. For Aboriginal children and young people, experiences of complex trauma can be also compounded by intergenerational or collective trauma due to colonisation, genocide, dispossession, denial of culture and Stolen Generations.

While there are pockets of good practice where schools have adopted a holistic, trauma-informed approach, in VACCA's experience there are still a large number of schools not operating in a trauma-informed approach, and thus not appropriately responding to children with a trauma background. *Let us Learn* also found that the impact of trauma on student behaviour and learning was poorly understood by teachers and staff, directly affecting students' engagement in education (Finding 14).<sup>25</sup> Further, the CCYP heard that inappropriate and often punitive responses from principals and teachers frequently led to either an increase in challenging behaviours or in students disengaging from learning activities and ultimately from school.<sup>26</sup> In VACCA's experience, schools and teachers appear to have limited knowledge, capacity, skills or resources to provide appropriate trauma-informed teaching, learning supports and environments for children and young people who have

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<sup>21</sup> Tucci, J & Mitchell, J (2015), 9 plain English principles of trauma informed care, Australian Childhood Foundation.; Carello, J & Butler, L 2015, 'Practicing what we teach: Traumainformed educational practice', *Journal of Teaching in Social Work*, vol. 35, no. 3, pp. 262-278.

<sup>22</sup> Australian Childhood Foundation. (2010), *Making space for learning: Trauma informed practice in schools*, resource guide.

<sup>23</sup> Child Safety Commissioner (2009). *From isolation to connection: A guide to understanding and working with traumatized children and young people*. [Weblink](#)

<sup>24</sup> Adams, Z. (2021). Improved treatment for developmental trauma. *American Psychological Association*. Vol. 52 No. 5.

<sup>25</sup> Commission for Children and Young People, (2023).

<sup>26</sup> Ibid.

experienced trauma. Without schools providing their teachers with the appropriate training, resources and tools to effectively work with the specific needs of students, both students and teachers are left in unsafe and inadequate situations, which has damaging consequences for the social and emotional wellbeing and educational outcomes of those children and contributes to teacher stress and burnout.

VACCA practitioners have identified that Aboriginal children and young people with experiences of out-of-home care, disability, justice, poor mental health, poverty or who identify as LGBTQIA+ often also have a trauma background. Each of these groups of children and young people face additional challenges in school settings and require tailored, culturally safe, trauma-informed approaches to support with healing from trauma, strengthen their social and emotional wellbeing, and capacity to engage in education. This includes trauma informed training for all school staff as well as awareness raising of the impact of trauma amongst the whole school community. Recommendations for trauma informed approaches are discussed further below. The following paragraphs provide further detail on the intersection between trauma and learning for Aboriginal children and young people with experiences in out-of-home care, disability, and justice.

## **Out-of-home care**

Aboriginal children and young people living in out-of-home care are much more likely to have experienced trauma, including abuse, family violence or neglect. This also includes the experience of removal and potential placement breakdowns both of which disrupt healthy attachment. Additionally, Aboriginal children and young people in care carry the intergenerational trauma resulting from the impacts of colonisation, genocide, and dispossession, as well as experiencing the impacts of removal and disconnection from family, community, Country, and culture. The added burden of racism and discrimination experienced within many elements of life, also means that many Aboriginal children and young people in care also experience trauma and grief in their daily lives.

For Aboriginal children in out-of-home care, trauma may present as significant behavioural challenges, social and emotional wellbeing concerns, and difficulties with healthy relationships.<sup>27</sup> Trauma can also impact sleep, memory, cognitive capacity and create difficulties or delays in ability or capacity for learning. These concerns create significant academic and social challenges for children and young people trying to engage in education and schooling. As discussed above, the lack of a trauma-informed approach taken by schools and inappropriate responses to children with a trauma background means that children in care are often labelled as difficult and disruptive. Therefore, Aboriginal children in care are experiencing school as a place where their wellbeing is not prioritised. When children and young people in care feel unsupported at school, they are likely to view this as another failure of the adults in their lives to protect and understand them, further alienating them from the systems and structures that other children get to grow up in.

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<sup>27</sup> State of Victoria. (2018) Out-of-Home Care Education Commitment. Department of Education and Training and Department of Health and Human Services. [Weblink](#).

Aboriginal children in care require trauma-informed approaches that take their trauma background into account and develop systems and tools to safely support them to manage challenges in school settings. While trauma training is available to schools, delivered by a number of mainstream providers, such as Berry Street and LOOKOUT Education Support Centres, these options are not through a cultural lens which is vital for all Aboriginal children, but particularly those with experiences of out-of-home care and disconnection from family and community. While mainstream organisations work with ACCOs to deliver services such as LOOKOUT centres which offer trauma training, often times the government requires smaller ACCOs to partner in this way rather than providing workforce and capital funding directly to ACCOs in line with self-determination. This is why the government must provide funding directly to ACCOs to develop Aboriginal-specific trauma training to be delivered in school settings. This could include trauma modules and professional development opportunities for staff that focus on the needs of Aboriginal children and young people with experiences of out-of-home care. Additionally, such modules should be added to the Department of Education mental health menu.

### **Recommendations:**

- 2. For the Yoorrook Justice Commission to call upon the Department of Education to adopt a trauma informed approach and respond to the needs of Aboriginal children and young people in out-of-home care and those with a trauma background by providing funding for:**
  - a) ACCOs to develop culturally appropriate, trauma-informed modules and professional development opportunities for staff.**
  - b) Schools to develop a trauma-informed and culturally safe environment, practice and systems.**
- 3. For the Yoorrook Justice Commission to call upon the Department of Education to add trauma-training modules focused on the needs of Aboriginal children and young people in out-of-home care to the Department of Education mental health menu.**

## **Disability**

Aboriginal children and young people with a disability face a number of challenges when engaging at school. Data indicates that people with disability are more likely to leave school without completing their degree. More than one in five of the people aged 15 to 64 with disability left school before the age of 16 compared with one in 11 of their peers without disability.<sup>28</sup> VACCA practitioners have indicated that limited access to disability assessments can often result in a significant number of Aboriginal learners living with an undiagnosed disability, and thus a lack of adequate supports in the classroom. We know through VACCA's practice experience that when Aboriginal children with an undiagnosed disability are not provided with the appropriate supports at school, they are much more

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<sup>28</sup> Australian Institute of Health and Welfare. (2022). People with Disability In Australia: Educational Attainment, Australian Institute of Health and Welfare website. [Weblink](#)



likely to disengage with learning and this can have further implications for a trajectory towards justice involvement. CCYP's *Our Youth, Our Way* inquiry found that 39 per cent of the Aboriginal children and young people in contact with Youth Justice from October 2018 to March 2019 had diagnosed cognitive or learning disabilities.<sup>29</sup>

Additionally, when assessments are available, they are often not done in a culturally safe manner which can impact on a child's wellbeing as well as affecting the assessment results in a way that does not reflect the child's needs, and thus the appropriate supports may not be provided. For children and young people who have had assessments completed by allied health professionals, our practitioners have indicated that there is a gap in teachers' understanding of and use of this information, and at times, teachers do not have access to the assessments at all. This means that the recommendations of professionals are often not implemented, and the child or young person's wellbeing and learning needs remain unmet. Teachers should have access to assessments, as well as key fact sheets and additional resources to help them unpack and implement the assessments' recommendations.

VACCA recently conducted an internal data review looking at experiences of children and young people engaged in VACCA services with a diagnosed disability. The review found learning delays, speech-language delays and mental health conditions were the most prevalent disabilities reported. It also found that 20 per cent of clients had a diagnosis of ADHD and a further 2 per cent were having ADHD assessed. We know from the broader literature that Aboriginal children are around three times more likely to need assistance with learning,<sup>30</sup> and the data on ADHD prevalence in the VACCA disability data review highlights that additional supports are needed in relation to learning, school engagement and educational outcomes. VACCA asserts that if our review encompassed undiagnosed disabilities, including trauma, that these figures would have been much higher. This further speaks to the challenges of our children and families in accessing assessments and thus diagnosis, so they can receive funded supports.

As discussed above, VACCA contends that childhood trauma should not only be treated as behavioural response but should also have a framework for diagnosis. Viewing experiences of trauma through a disability lens and implementing relevant assessments for children and young people can ensure that they have access to the appropriate interventions and supports that are catered to their needs and strengthen their engagement with learning. Investment is therefore required to support families with timely access to assessments. While timely access to assessments is crucial, viewing trauma through a disability lens should be done in a way that does not pathologise Aboriginal

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<sup>29</sup> Commission for Children and Young People, (2021). *Our youth, our way: inquiry into the overrepresentation of Aboriginal children and young people in the Victorian youth justice system*, Commission for Children and Young People, Melbourne. [Weblink](#)

<sup>30</sup> Australian Bureau of Statistics & Australian Institute of Health and Welfare: *Community services. The health and welfare of Australia's Aboriginal and Torres Strait Islander Peoples 2008*. 2008, Canberra: Australian Bureau of Statistics and Australian Institute of Health and Welfare, 219-242.



children and young people through a purely medical approach, and ensures that Aboriginal healing practices remain central to addressing trauma.

Funding is also needed for disability inclusion models so that care teams and schools can work together to identify, support and refer Aboriginal children with experiences of trauma, learning difficulties, developmental concerns and other disabilities to appropriate, trauma-informed, culturally safe disability and allied health services and education supports. This also includes funding for dedicated disability liaison and mental health/behavioural support role in each school to support children with disabilities and complex needs.

#### **Recommendations:**

#### **4. For the Yoorrook Justice Commission to call upon the Department of Education to fund:**

- a) Access to culturally safe disability assessments and an expansion of the disability inclusion model to better identify and respond to disabilities in school settings, including for experiences of trauma to viewed through a disability lens.**
- b) Culturally safe resources and fact sheets to support teachers to understand and implement recommendations of disability and other developmental assessments.**
- c) Care teams and schools to support and refer Aboriginal children with experiences of trauma, learning difficulties, developmental concerns and disability to appropriate, culturally safe disability and allied health services and education supports.**
- d) Dedicated disability liaison and mental health/behavioural support role in each school to support children with disabilities and complex needs.**

## **Justice**

Aboriginal children and young people with experiences of justice involvement often have disrupted contact with education due to experiences of trauma, periods of expulsion, absenteeism and additional socio-economic and environmental factors that affect capacity to engage in education including family circumstances and practical challenges associated with getting to school.<sup>31</sup> In 2019, 65 per cent of Aboriginal young people involved in Youth Justice were not participating in education, and 18 per cent had only obtained primary school level education.<sup>32</sup>

The cycle of school disengagement and justice involvement for Aboriginal children and young people has been well established. We know that disengagement with education can lead to justice involvement, and yet children are involved with justice often face challenges with staying engaged with education. Aboriginal children and young people involved with youth justice require additional supports to re-engage with education, including culturally appropriate wrap around programs with the aim to strengthen protective factors and reduce risk factors. Funding is needed for early

<sup>31</sup> Commission for Children and Young People, (2021).

<sup>32</sup> DJCS (2020.) Annual Survey of Young People Involved in Youth Justice 2019. Weblink

intervention programs that work holistically with Aboriginal young people at risk of school disengagement and justice involvement. VACCA's Barreng Moorop Youth Justice Program is an early intervention program that provides wrap around support through integrated and intensive case management support. The program strengthens cultural and community connections and provides access to housing, family and education services for Aboriginal young people.

### **Recommendations:**

- 5. For the Yoorrook Justice Commission to call upon the Department of Education and Department of Justice and Community Safety to jointly fund programs that work holistically with Aboriginal young people engaged in Youth Justice to address disengagement with education as one of the underlying factors impacting a young person's offending.**

## **Adapting a trauma-informed approach**

Currently in Victoria, trauma informed training is not included in the *Education and Training Reform Act 2006*. In the United States, a number of state and federal Bills promoting trauma-informed practice have been introduced across health care, child welfare, juvenile/criminal justice, education, and early childhood.<sup>33</sup> Of the introduced Bills, Sec. 4108 of *The Every Student Succeeds Act*, lists training school staff in trauma-informed practices and mental health services that are based on trauma-informed practices as two of the many options that schools can choose from to comply with requirements for the receipt of funding.<sup>34</sup> In Victoria, a similar approach should be taken in legislation, where trauma informed training is mandated for all school staff through the amendment of the *Education and Training Reform Act 2006*.

VACCA takes a trauma-informed approach in all aspects of our work. Our Cultural Therapeutic Ways framework has guided our understanding about how theories of trauma need to underpin educational approaches, because they facilitate understanding and culturally appropriate responses. A trauma-informed approach centralises intergenerational trauma in the context of the specific challenges faced by Aboriginal families, and how this can manifest in the behaviours and difficulties of children and young people in school. This involves understanding, recognising and responding appropriately to the effects of all types of trauma, and celebrating the strength and resilience of Aboriginal people.

VACCA's Education Team has worked intensively with five schools over the last two years to support them to incorporate trauma informed practice and strategies into the whole of school. However, funding is limited for this type of work given the significant demand on the team. Funding should

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<sup>33</sup> Purtle, J., & Lewis, M. (2017). Mapping "trauma-informed" legislative proposals in US Congress. *Administration and Policy in Mental Health and Mental Health Services Research*, 44, 867-876.; Center for Health Care Strategies. (2017). *State and Federal Support of Trauma-Informed Care: Sustaining the Momentum*. [Weblink](#)

<sup>34</sup> Purtle, J., & Lewis, M. (2017).

be provided to ACCOs to develop trauma-informed modules and professional development opportunities for staff that focus on the needs of Aboriginal children and young people and intersections with experiences of out-of-home care, disability, justice, poverty, poor mental health, or who identify as LGBTQIA+.

***“Teachers need to have training around intergenerational trauma and its impacts – loss of culture, disconnection, and the ongoing impact for children in care.” – VACCA staff member at community yarn.***

It is vital for schools and teachers to have the training and knowledge to manage moments of emotional dysregulation in trauma-informed and individualised ways. To be effective, trauma-training must be a core mandatory component of teacher training and university courses and the Victorian Government must advocate nationally for this to be incorporated in tertiary education settings.

When schools have a trauma informed approach, children living with experiences of trauma are less stigmatised for their needs, and all children and teachers have a shared knowledge and language for speaking about their needs and difficulties. A whole-of-school trauma-informed approach should be mandated so that the needs of children with trauma backgrounds are inbuilt to the policies and structures of the school environment. This includes knowledge and strategies of how to work safely and successfully with children and improve their learning outcomes and experiences. Schools should be adequately funded to develop a trauma-informed environment, practice and systems to support Aboriginal children, especially tailored to needs of Aboriginal children and young people and intersections with experiences of out-of-home care, disability, justice, poverty, poor mental health, or who identify as LGBTQIA+.

In delivering trauma training for school staff, it is important for this to include a mentoring component that supports implementation to help staff reframe their practice and see the benefits of adopting a trauma-informed approach. Trauma informed training should also be ongoing, rather than just one off, with at least an annual ‘refresh’ of the course content. Schools should also develop a monitoring framework that can assess to what level staff feel better equipped and knowledgeable about impacts of trauma and strategies to use in response. As a part of this process, ACCOs and KESOs should work with schools to ensure the training is appropriate to the needs of children and families.

Implementation of whole of school trauma-informed practices can benefit everyone. Staff, leaders, students, parents and the school community will be better supported through a trauma-informed lens that understands that we all have experiences that impact our ability to feel safe, regulated or achieve optimal learning.

### **Recommendations:**

- 6. For the Yoorrook Justice Commission to call upon the Victorian Government to amend the *Education and Training Reform Act 2006* and mandate trauma informed training for all school staff that focus on needs of Aboriginal children and young people and intersections with experiences of out-of-home care, disability, justice, poverty, poor mental health, or who identify as LGBTQIA+.**
- 7. For the Yoorrook Justice Commission to call upon the Victorian Government to advocate to Commonwealth Government to include trauma-training as a core mandatory component of tertiary teacher training and university courses.**

## **Strengthening school engagement**

As discussed in preceding sections of this submission, there are a number of reasons as to why Aboriginal children and young people might disengage from school. These include:

- Experiences of racism or culturally unsafe practices which can create barriers to engaging with education;
- A limited understanding of the impact of trauma on behaviour by school staff, and thus, a lack of trauma-informed approach to those with a trauma background;
- A lack of trauma informed responses to experiences of out-of-home care;
- A significant number of Aboriginal learners living with an undiagnosed disability due to limited access to timely assessments, and thus a lack of adequate supports in the classroom to meet learning needs and maintain engagement in education; and
- The cycle of school disengagement and justice involvement.

In addition to the above reasons contributing to school disengagement, experiences of poor mental emerging from the COVID-19 pandemic have also had a significant impact. School attendance saw a decline nationally in 2022, with the attendance rate for students in Year 1- 10 declining from 90.9 per cent in 2021 to 86.5 per cent in 2022.<sup>35</sup> This decline has been attributed to the effects of the COVID-19 pandemic and remote learning, with extended periods of lockdown and remote learning contributing to school refusal and disengagement. Research into the mental health of children and parents in Victoria during the COVID-19 pandemic by the Royal Children's Hospital in Melbourne found that remote learning had a significantly negative effect on children in Victoria, who experienced loneliness and social isolation during lockdowns.<sup>36</sup> The research highlighted that in December 2021, '50 per cent of children were still experiencing negative effects of remote learning on their mental health, 53 per cent had negative impacts on friendships and connectedness and 52

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<sup>35</sup> Zyngier, David (2019), 2019 Report Card for Australia's National Efforts in Education.

<sup>36</sup> Royal Children's Hospital National Child Health Poll (May 2022). Mental health of children and parents in Victoria during the COVID-19 pandemic, The Royal Children's Hospital Melbourne, Parkville, Victoria



per cent required extra help with their learning because of a lack of face-to-face learning in throughout the pandemic'.<sup>37</sup>

## **Strengthening school engagement through early intervention**

Early intervention programs are key to addressing the key issues driving school disengagement. While the Navigator program is in place in Victoria to support school engagement, in VACCA's experience, the program is under resourced to meet current demand. The 2022 Victorian Auditor-General's Office (VAGO) report into the effectiveness of Navigator found that not all students have equitable and timely access to Navigator. This included inconsistent school practice in referring students to the program, where Statewide, the proportion of eligible students referred is only 21 per cent.<sup>38</sup> Additionally, because demand for Navigator exceeds the number of available places, not all referred students receive timely access to Navigator and often remain on long waitlists.

Another barrier to the effectiveness of Navigator in enhancing school engagement is its eligibility criteria. To be referred to the program, students must be attending school at a rate of 30 per cent or less, which is already a significant level of disengagement and can be difficult to reverse. The threshold for Navigator eligibility must increase to 50 per cent school attendance so that children and young people have earlier access to the program and thus be supported to strengthen their engagement with school.

VAGO also found that students are not receiving the specialised supports that schools are required to provide as disengagement increases, before students become eligible for Navigator.<sup>39</sup> For students referred in 2019, three-quarters had not received individualised support from the Department of Education's Student Support Services, suggesting that not all schools make full use of the supports and workforces available. As per the review findings and VACCA's own experience in working with disengaged students, Navigator is likely to be less effective when students do not receive earlier individualised support for disengagement.<sup>40</sup>

The review concluded that the Department is unable to demonstrate the effectiveness of Navigator in returning students to education at the program goal of 70 per cent attendance for two terms due to limited data collection.<sup>41</sup> However, many students were found to return to education at rates lower than the program goal and experienced a number of other positive outcomes such as improved social and emotional wellbeing, resilience and personal skills.

Through our practice experience, we know that Aboriginal students who are disengaged from school often require more intensive support than Navigator can provide, including counselling or cultural

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<sup>37</sup> Ibid.

<sup>38</sup> Victorian Auditor-General's Office (2022), Effectiveness of the Navigator Program. [Weblink](#).

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

support. We therefore believe that an Aboriginal Navigator stream should be created to ensure that Aboriginal students receive tailored, culturally safe supports tailored to their specific needs.

**Recommendation:**

**8. For the Yoorrook Justice Commission to call upon the Victorian Government to invest in early intervention programs for students showing early signs of disengagement with education, including increasing capacity of the Navigator program, increasing eligibility threshold to 50 per cent school attendance, and developing an Aboriginal-specific Navigator stream.**

The Department of Education requires each school to have a student engagement policy. VACCA calls on the Department to develop more appropriate guidance for schools to develop their student engagement policies, given schools are not currently detecting risk factors to disengagement and responding earlier as found by the VAGO review. New school engagement policy guidance must be holistic, trauma-informed, family-centred and ensure a cultural lens in all aspects of working with the student and family. Key elements of the student engagement policy guidance should include:

- A review of the Department of Education templates, particularly Behaviour Support Plans, to ensure they are strengths-based, trauma informed and include the voice of young person, family and/or carer.
- Implementation of trauma-sensitive language workshops for school staff to reframe the way concerns and observations about disengagement are discussed. This would support them to better understand the factors driving behaviour, rather than solely focusing on the presenting behaviour. Further, all schools should approach young people at risk of disengagement through the Australian Childhood Foundation's trauma sensitive language resource.<sup>42</sup>
- To work closely with VACCA Education Team around resource and protocols that VACCA has developed, creating a rich and culturally strong partnership with VACCA.

***"If children feel safe, they will want to go to school – if you find going to school a negative experience, then you feel unworthy which leads to depression. Why would you want to go to school if it makes you feel like this? All schools should be safe. All children should feel that they can achieve at school."* – Elder at VACA community yarn.**

Through adopting this process, schools can better understand why a young person may be disengaging with education and implement specialist and other supports early to address factors leading to absenteeism. The goal being for Aboriginal children and young people to feel safe, heard, understood and supported to strengthen their engagement with education, while also building relationships with their families and carers.

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<sup>42</sup> Australian Childhood Foundation. (2021). 'Words Matter – Trauma sensitive language with children' resource. Australian Childhood Foundation. [Weblink](#)

### **Recommendation:**

- 9. For the Yoorrook Justice Commission to call upon the Department of Education to develop new student engagement policy guidelines for schools, ensuring they include:**
  - a) A review of the Department of Education templates, particularly Behaviour Support Plans, to ensure they are strengths-based, trauma informed and include the voice of young person, family and/or carer.**
  - b) Review policies within the Department of Education to ensure that there is a cultural overlay and consultation with Aboriginal Organisations.**
  - c) Implementation of trauma-sensitive language workshops for school staff to reframe the way concerns and observations about disengagement are discussed, based on Australian Childhood Foundation’s trauma sensitive language resource.**
  - d) To work closely with VACCA Education Team around resource and protocols that VACCA has developed, creating a rich and culturally strong partnership with VACCA but also ensuring VACCA intellectual property is maintained by the Department in Education and schools when using VACCA resources.**

## **Strengthening school engagement for Aboriginal children in residential care**

As discussed above, Aboriginal children in out-of-home care can experience a number of barriers to being connected with education. This can be further exacerbated for Aboriginal children and young people in residential care placements, with VACCA staff reporting that many young people can feel unsettled, often lacking consistency and stability compared to other placements such as kinship or foster care. Data from *Let us Learn* also shows that children in residential care had the highest absences from school, with 79 per cent recorded as chronically absent in 2022, compared to 40 per cent and 59 per cent of children and young people living in foster care and kinship care respectively.<sup>43</sup>

In aiming to strengthen education engagement for children and young people in residential care, VACCA’s Residential Education Specialists work with young people, schools, carers and case managers to ensure young people living in VACCA’s residential care homes are connected to meaningful education activities. In taking a trauma-informed approach, our Residential Education Specialists improve the capacity of the young people they work alongside, connecting with them through their interests and encouraging them to think about future goals.

VACCA’s Residential Education Specialists are currently working in 5 different residential houses alongside young people to improve their school attendance, achieve stronger engagement with learning environments, and to advocate for better educational outcomes for our young people living in residential settings. In 2022-23, our Residential Education Specialists supported 11 young people, with approximately 80 percent of them increasing their engagement with education.

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<sup>43</sup> Commission for Children and Young People, (2023).

## Meeting the learning needs of Aboriginal students

### Effectiveness and utilisation of available learning tools

Schools are required to have strategies in place to support Aboriginal children to engage with school and their learning. There are a number of different tools and plans available, which are required to be used to support Aboriginal children and young people at school. These include Student Support Groups (SSG), Individual Education Plans (IEP), Behaviour Support Plan (BSP), modified timetables and Cultural Support Plans (CSP). For Aboriginal children and young people in out-of-home-care, the *Out-of-Home Care Education Commitment: Partnering Agreement* outlines the importance and necessity of these plans and tools and embeds the commitment across sectors to improve the education, health and wellbeing outcomes of children and young people in care.<sup>44</sup> CCYP's *Always, Was Always Will Be* systemic inquiry into services for children and young people in out-of-home care found that at the time, DHHS and DET did not fully comply with policy requirements relating to Aboriginal children in out-of-home care, with negative implications for Aboriginal children's education, cultural safety and wellbeing'.<sup>45</sup> The effective use of these tools and plans is vital for providing Aboriginal students with a supportive school environment in which to engage, learn and feel safe. It is the responsibility of schools to meaningfully collaborate with carers, families, practitioners, and the young people themselves, to commit to the consistent and purposeful development and implementation of these plans throughout the school life of each child and young person.

### Individual Education Plans and Student Support Groups

Individual Education Plans (IEPs) and Student Support Groups (SSGs) are key mechanisms of learning and wellbeing support for Aboriginal children and young people. IEPs are living documents essential in guiding the educational planning and monitoring of each student's unique needs,<sup>46</sup> while SSGs are the main mechanism through which schools, case managers, care managers, carers, parents and support services collaborate to plan and support the education and wellbeing of Aboriginal students, including out-of-home care. *Marrung* and the *Out-of-Home Care Education Commitment: Partnering Agreement* require all government schools to work with a young person's SSG to prepare and complete rich IEPs for every Aboriginal student as well as Aboriginal children in out-of-home care in their school.<sup>47</sup> In VACCA's experience, this is not happening in a timely manner for many of the children and young people we work with.

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<sup>44</sup> State of Victoria. (2018). *Out-of-Home Care Education Commitment*. Department of Education and Training and Department of Health and Human Services. State of Victoria. [Weblink](#).

<sup>45</sup> CCYP. (2016). *Always was Always will be Koori children: Systemic inquiry into services provided to Aboriginal children and young people in OOH in Victoria*. [Weblink](#).

<sup>46</sup> State of Victoria. (2018). *Out-of-Home Care Education Commitment*. Department of Education and Training and Department of Health and Human Services. State of Victoria. [Weblink](#).

<sup>47</sup> State of Victoria. (2018); Victorian Government. (2016).



IEPs need to be thoroughly designed, with the student, teachers, key support staff and carers involved and agreeing on all aspects. Plans must consider the strengths, protective factors, cultural needs and preferences of the young person, as well as the barriers, triggers and challenges. For Aboriginal children in care in particular, culture is a key protective factor and should be a key focus in a young person's IEP. Thus, IEPs must centre the young person's and family/carer's voice and also not be too burdensome on families/carers in terms of requirements set by teachers and the school.

***"I feel supported when teachers understand and listen to what is going on in my life and they modify my work." – Young person at VACCA community yarn.***

VACCA strongly recommends for regular review of students' IEPs to ensure that they are current and reflect any additional student needs. This should be done every term for complex students, while every semester for non-complex students.

**Recommendation:**

**10. For the Yoorrook Justice Commission to call upon the Department of Education to hold schools accountable and monitor their timely implementation of Individual Education Plans, including regular review – every term for complex students and every semester for non-complex students.**

The *Out-of-Home Care Education Commitment: Partnering Agreement* also requires every child in out-of-home care to have an SSG, with an SSG meeting held every school term. The purpose being to enable workers to collaborate to establish shared goals for the child, develop their IEP and plan any adjustments to their learning. A key finding of *Let us Learn* was that the participation of children and young people in out-of-home care in SSG meetings is not monitored by the Department of Education.<sup>48</sup> VACCA data obtained from our internal surveys with our carers (pre-Covid) indicate that while SSG meetings are generally occurring, children are rarely involved in them, and follow up actions are poor. This is concerning given SSGs are the key mechanism by which a young person's care team and school can plan for their wellbeing and learning outcomes.

Students and families' voices within SSGs and the IEP are imperative to achieving positive educational outcomes for young people. VACCA recommends for a creative and responsive approach that is strengths-based, where goal setting and review is inclusive of the voice of students and their carers and families. This should also include schools working collaboratively with ACCOs early as a preventative measure, rather than seeking support from ACCOs and LOOKOUT when the young person is in crisis.

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<sup>48</sup> Commission for Children and Young People, (2023).

### **Recommendations:**

- 11. For the Yoorook Justice Commission to call upon the Department of Education to implement new guidance for schools that mandates student, carer and family voice in goal setting and review at Student Support Groups and Individual Education Plans.**
- 12. For the Yoorook Justice Commission to call upon the Department of Education to investigate and implement a stronger system that ensures Student Support Groups and Individual Education Plans have been developed and holding schools accountable.**

### ***Behaviour support plans and modified timetables***

BSPs are documents used by schools, designed to assist individual students who have experienced harm, are at risk of harm, or have caused harm to others.<sup>49</sup> In VACCA's experience, often BSPs are not being utilised in timely, consistent or creative ways, and where they are in place, they are often used as a last resort when a young person is heightened or disengaged. Schools must be able to observe signs of difficulty earlier and provide a safe environment for the student to express their needs and be met with support and flexibility. If a student has regulation challenges, a positive trauma informed BSP must be developed, ensuring that the voices of the child, carer and therapeutic professionals are central. In primary schools we see this occur more often in a therapeutic and organic way than in secondary school environments. Key to this is co-regulation where the teacher and works with the child in a non-punitive way and are highly attuned and responsive to the student's holistic needs – both proactively and in the moment.

While all children are required to attend school on a full-time basis, in particular circumstances, schools can place students on a modified timetable in response to student or teacher needs, as well due to unforeseeable circumstances.<sup>50</sup> Between 2018 and 2022, the proportion of children and young people in care who were on a modified timetable was 12 per cent, and of those children, 22 per cent were Aboriginal students.<sup>51</sup> *Let us Learn* heard extensively from stakeholders that many children and young people in out-of-home care are placed on modified timetables with little assessment to whether this is a suitable arrangement, nor without a plan for transitioning students back to full time learning.<sup>52</sup> VACCA practitioners have also reported that often when a school does not know how to approach a young person in out-of-home care in a trauma informed way, they respond by placing them on a modified time table. Instead, they should be working with the child and their support system to understanding their learning needs and strategies for ensuring an effective learning environment. This is also at times done as a punitive measure. Ensuring that schools adopt a trauma informed approach could not only better equip school and support the needs of Aboriginal children in care, but this could also reduce the use of modified timetables.

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<sup>49</sup> State of Victoria. (2018).

<sup>50</sup> Department of Education. (2022). School Hours (including variation to hours). [Weblink](#).

<sup>51</sup> Commission for Children and Young People, (2023).

<sup>52</sup> Ibid.

In VACCA's experience, there is often limited data available around how long children have been on modified timetables and the reasons that lead to their placement on them. VACCA supports the *Let us Lean* recommendation for the Department of Education to develop clear guidance and monitoring in relation to the use of modified timetables. This should include for schools to get approval from the Regional Director before placing a child on modified timetable, for them to be a temporary measure, be regularly reviewed, and have a plan for returning the student to full time attendance.

**Recommendation:**

**13. For the Yoorrook Justice Commission to call upon the Department of Education to implement new guidance for schools that mandates Behaviour Support Plans are developed early as a preventative, trauma-informed measure, rather than in response to already presenting challenging behaviours.**

## Challenging transitions

Coping well and adjusting to change during key school transitions has been found to be associated with future academic achievement, stable peer relationships and better school attendance and completion.<sup>53</sup> The way in which children and young people are prepared for, and experience transitions can impact their enjoyment of learning and school, particularly if transitions coincide with move into or out of care, or between carers. A key role of KESOs is to work with students and families to support Aboriginal students through transitions across all learning stages – into early years, primary, secondary and further education. KESOs prioritise building the relationship, connection and information flow between families and schools, and do this in a culturally safe way. However, KESOs have a large caseload, and often cannot provide the level of support required for each student due to resourcing limitations.

***"For the transition we look at two parts – the educational and cultural needs of the student. Before we can move forward on anything, we need to make sure relationships are built, and from there we can focus on their education. Historically schools haven't been a safe place for our children, so providing that allows them to get the best education possible." – KESO quote from a collaborative project between VACCA, Aboriginal education workforce, Aboriginal Best Start and Darebin Council (yet to be published).***

### ***Transition from primary to high school***

VACCA education practitioners have highlighted that the transition between primary school and high school is a particularly stressful time for students who have a trauma background, with a high likelihood for disengagement. In primary school, children often have one key teacher as a focal point

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<sup>53</sup> State of Victoria. (2018).

to support and monitor progress each year. By high school, young people need to manage multiple teachers with varying styles and expectations, and multiple classrooms throughout the day. This can be experienced as disruptive and confusing, in particular for children in out-of-home care. VACCA practitioners report that children in out-of-home care face additional challenges that mean they may not be ready to operate at a year seven level when they start high school. This can set them up for struggle, shame and disengagement. Longer and more therapeutic transitions are required for children who have experienced trauma, ensuring parents and carers are adequately equipped for transition periods. In addition, each Aboriginal student must also have a Transition Plan and Career Action Plan.

### ***Transition from year 9 to 10***

The Year 9 to 10 transition has also been reported by VACCA practitioners as another crucial period where additional support is needed for young people. Strong cultural programs such as cultural camps or a Return to Country with Elders are crucial in this year to ensure Aboriginal young people are strong in their culture and building up their identity as a protective mechanism to support through this challenging year.

### ***Transition to tertiary education***

In transitioning from school to tertiary education such as TAFE or university, attaining ATAR scores as well as limited scholarships and housing for students leaving out-of-home care can be a significant barrier for Aboriginal young people. VACCA recommends for schools to connect young people to additional wrap around supports such as access to housing and short courses to build skills based on interests as they transition to tertiary education.

#### **Recommendation:**

**14. For the Yoorrook Justice Commission to call upon the Department of Education to provide guidance for schools on challenging transitions, including:**

- a) Longer and therapeutic transitions required for children who have experienced trauma.**
- b) Additional support for parents and carers so they are adequately equipped for transition periods.**
- c) Ensuring each Aboriginal student has a Career Action Plan and Transition Plan.**
- d) Provision of cultural programs such as Cultural Camps and Return to Country to Aboriginal young people transitioning from Year 9 to 10.**
- e) Schools to connect young people to additional wrap around supports such as access to housing and short courses to build skills based on interests as they transition to tertiary education.**



## Zoning restrictions

A school zone defines an area's designated neighbourhood government school, also known as a 'local school'.<sup>54</sup> Aboriginal students are highly dispersed across Victoria, and families and carers who may wish for their child to attend a school with a larger Aboriginal student population and/or dedicated Aboriginal Programs and support are often prevented from doing so due to zoning restrictions. In VACCA's experience, zoning restrictions have prevented some of the Aboriginal children in out-of-home care we work with from attending their preferred school, which has contributed to educational disengagement. While families and carers can apply for a zoning exemption, this process is often arduous with no guaranteed outcome.

***"Zoning of schools is a big issue as Koorie kids often want to go to a school where other Koorie kids go, and this can be difficult if not in their zone." – Elder at VACCA community yarn***

VACCA believes that Aboriginal children and young people should be able to attend schools that are culturally strong, despite these schools not being in their local neighborhood. Culturally strong schools can be a positive connection to culture and other community members for Aboriginal children and families, and especially crucial in cases where a child in out-of-home care is placed with a non-Aboriginal carer.

The Department of Education must review zoning restrictions and consider on the impacts for Aboriginal children and young people, ensuring culture is a priority and children and young person are supported to attend culturally strong schools of their choosing. The review should also focus on the implications of restrictions for Aboriginal children and young people in out-of-home care who may be subject to multiple placement changes. A new zoning policy should ensure that the Aboriginal children can attend school with their siblings and or cousins and friends to contribute to a sense of belonging, irrespective of their placement.

### **Recommendation:**

**15. For the Yoorrook Justice Commission to call upon the Department of Education to review its zoning policy and include the following amendments:**

- e) Aboriginal children and young people can attend a culturally strong school of their choosing.**
- f) Aboriginal children and young people in out-of-home care can attend school with their siblings and/or cousins and friends.**
- g) Aboriginal children and young people have voice and agency on schools that they would like to attend, removing barriers for future enrolments.**

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<sup>54</sup> Department of Education. (2024). School Operations: Enrollment. Designated neighbourhood schools – school zones. [Weblink](#)